House of Commons Debates 84/85
Sixth Series Volume 79 Official Report 13/5/85–24/5/85
ISBN 0 10 6810790

It is regretted that index references to material in three sections of volume 79 were not revised to take account of the changes in column numbering as between the Daily part/Weekly Hansard and the bound volume.

For entries with references between:

1. Columns 270 and 306, the numbers should be one or two lower than those given in the volume index.

2. Columns 735 and 841, the numbers should be two lower.

3. Columns 859 and 990, the numbers should be two lower.

Corrections will be incorporated in the index to the whole session 1984/85.

PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 79

HOUSE OF COMMONS

OFFICIAL REPORT

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
THIRTY-FOURTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1984-85

COMPRISING PERIOD
13 MAY—24 MAY 1985

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IN THE SECOND SESSION OF THE FORTY-NINTH PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

THIRTY-FOURTH YEAR OF THE REIGN OF HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 79**

THIRTEENTH VOLUME OF SESSION 1984-85

House of Commons

Monday 13 May 1985

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

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Considered; to be read the Third time.

Oral Answers to Questions

TRANSPORT

London Regional Transport

1. **Mr. Greenway** asked the Secretary of State for Transport how much was lost in the last financial year by London Regional Transport, as a result of fraud; what improvements he expects during the coming year; and if he will make a statement.

The Minister of State, Department of Transport (Mrs. Lynda Chalker): LRT estimates that about £21 million was lost through fraud last year, compared with about £40 million in 1982. This improvement will be further enhanced by LRT's planned investment of £135 million in a new Underground ticketing system which my right hon. Friend the Secretary of State approved last week.

Mr. Greenway: Will my hon. Friend accept that when people get away with fraud it means higher fares for everybody else? Will she congratulate LRT on tackling the problem so much more determinedly than the GLC ever did? [HON. MEMBERS: "Come off it."] Oh yes, there is no doubt about that. Under the GLC £50 million was lost. When will penalty fares come into operation, and will they apply equally to tubes and buses?

Mrs. Chalker: Penalty fares will apply to buses as well as to the Underground when they are introduced, which I hope will be by 1989, when the new Underground ticketing system will be fully in position. I believe that every Administration have sought to tackle fraud, and I am glad that LRT is now having even more success in tackling fraud than was achieved in the past.

Mr. Tony Banks: Will the Minister consider concessionary schemes for the unemployed and the poor in London, who are perhaps tempted into travelling free on the Underground for the simple reason that they cannot afford the fares?

Mrs. Chalker: I can see no justification for that, whatever the hon. Gentleman might say. As he well knows, fares have to be paid by someone, and the further concessionary fares are extended the greater the burden upon the ratepayer.

Mr. Chapman: I welcome the reduction in what presumably can only be an estimated amount of fraud on LRT, but will my hon. Friend give the House an assurance that LRT will take other initiatives in this matter, including measures to control access to LRT stations?

Mrs. Chalker: My hon. Friend is right. Part of the new Underground ticketing system requires new entry and exit barriers in the central areas. The new ticketing machines will make it easier for the public to obtain tickets and mean shorter queues. When nobody is on duty, a permission-to-travel ticket will be available giving the name of the station and the time of issue. Those are all measures which will help to reduce fraud and make the system more efficient.

Mr. Snape: What evidence can the Minister offer the House to justify the reduction in the amount of fraudulent travel which she has just outlined to the hon. Member for Ealing, North (Mr. Greenway)? Is she aware that in Westminster tube station, for example, not a million miles

from here, her brand new, much-vaunted ticket machines are usually emptied by about 8 pm and then switched off, that there are frequently no staff at the station to sell tickets, and that there are frequently no staff at destination stations to collect them? Will she accept that standards of fare collection and attempts to reduce fraud have fallen dramatically since LRT came into being, and, indeed, many passengers are now getting a worse service from LRT than ever they received from the GLC?

Mrs. Chalker: I regret that, unusually for him, the hon. Gentleman is a little muddled. He asked me for evidence, but that evidence came from LRT. As I think the hon. Gentleman knows, LRT has always undertaken regular surveys into the level of fraud. It has carried out such surveys year in, year out, and has found that the current level of fraud has thankfully been reduced from £40 million to about £21 million. However, that figure is still far too high. All the hon. Gentleman's other complaints about the lack of machines working at certain hours and the lack of ticket collection and so on, at Westminster tube station, which I use regularly — he often sees me in the Underground tunnel—will be dealt with by the new ticketing system. I should be glad to explain it to him after Question Time.

Road Maintenance

2. **Mr. Gregory** asked the Secretary of State for Transport what effect the lane rental experiments being carried out by his Department are having on the time taken by contractors to complete major maintenance projects.

The Secretary of State for Transport (Mr. Nicholas Ridley): Last year's four lane rental experiments were a marked success. The actual time on site was cut on average by a quarter compared with conventional contracts. This much reduced traffic disruption. Given this, I have decided to use lane rental for a further 12 schemes this year.

Mr. Gregory: In view of the scheme's obvious success, will my right hon. Friend apply it to junction 8 on the M1, so that the same conditions apply?

Mr. Ridley: Yes, Sir. We have decided to invite tenders for junction 8 on the basis of a lane rental scheme with very heavy penalties for being late and very great rewards for being early. But even at this late stage I am looking at ways and means of improving the situation at junction 8, if possible.

3. **Mr. David Marshall** asked the Secretary of State for Transport whether he has recently discussed road maintenance requirements with the local authority associations.

Mrs. Chalker: My right hon. Friend and I often meet leaders of the local authority associations. Also through the standing committee on highway maintenance and the local transport expenditure group there are regular contacts at official level on maintenance issues.

Mr. Marshall: Will the Minister confirm that although local authorities have spent more on road maintenance than planned for in public expenditure White Papers for several years, road conditions continue to decline? There is ample and clear evidence that the Government are not providing enough rate suport grant for local road maintenance. What steps does she propose to take to remedy the situation?

Mrs. Chalker: It is true that many local authorities have spent more on road maintenance than was envisaged. It is a question not of the amount of money that the Government make available through rate support grant, but of the way in which some of those local authorities have become accustomed to spending it. I am very concerned about the state of many of our roads. I realise that there is an unacceptable backlog and I am doing all that I can, through the Department, to ensure that something is done about it. I have no control over local authorities which do not spend rate support grant on the most necessary items, such as the maintenance of local roads.

Mrs. Virginia Bottomley: Is my hon. Friend aware that a significant proportion of the growing number of cycle accidents is caused by poor road conditions? Will she, in her discussions, bear in mind the needs of cyclists?

Mrs. Chalker: My hon. Friend is absolutely right, and that is why, when we ask for policies and programmes, and hold discussions with local authorities — and I go round the country every year doing that — we specifically ask for those very minor measures which can sometimes make all the difference between a safe and an unsafe ride.

Mr. Meadowcroft: Have not the local authority associations expressed concern about the equalisation of services across the metropolitan counties after their possible abolition? Is the Minister satisfied that there will be adequate power then to enable proper road maintenance to be carried out in the poorer parts of the metropolitan counties?

Mrs. Chalker: As I believe the hon. Gentleman knows, the way in which maintenance is carried out, often by the metropolitan districts within the metropolitan counties, varies widely. I am satisfied that when the resources are paid direct to the metropolitan districts they will carry out much of that basic road maintenance, which is essential for safe riding, more speedily and probably better. My officials are currently engaged in seeing just what needs to be done in different metropolitan districts. Those districts vary, but on the whole they are extremely competent and do the work well.

Mr. Higgins: Has my hon. Friend noticed that maintenance in London includes painting white lines in the middle of a road when perpetual double parking on either side of a road makes it impossible for cars to go anywhere except in the middle?

Mrs. Chalker: My right hon. Friend and I are at one in hating unnecessary lines and the failure to observe parking restrictions. We are concerned about that, and parking restriction problems are being taken up with the London boroughs, the GLC and the metropolitan police.

Mrs. Dunwoody: Since the metropolitan counties act in every instance as co-ordinating and planning authorities, how does the Minister expect them to function as efficiently if those powers are taken from them? How does she imagine that the standard of road maintenance can be kept up when every little area is responsible for its own section?

Mrs. Chalker: A number of metropolitan districts with populations of about 250,000 will much resent the hon. Lady referring to them as "every little area". In those areas

the reviewing of necessary road maintenance is already often done by the metropolitan districts. They might be under the auspices and sometimes subjected to the double administration of the metropolitan counties in deciding what is done and when, but they are able to do the job. I see no reason why, if the money is paid direct to them, they cannot continue to do a good job.

British Rail (Investment)

4. **Mr. Tony Lloyd** asked the Secretary of State for Transport if he has received recently from British Rail any plans for investment in new railway lines.

The Parliamentary Under-Secretary of State for Transport (Mr. David Mitchell): We have received two schemes. We have already approved the proposal for the new Windsor link line in Manchester. We are still considering the Snow Hill tunnel proposal.

Mr. Lloyd: Does the Minister realise how worried people in the north-west are about British Rail's failure to propose a scheme for bringing a rail link to Manchester international airport, particulary when they contrast that failure with the alacrity with which British Rail plans to take a rail link to Stansted airport? What steps does the Minister intend to take within his Department to ensure that British Rail places the Manchester airport rail scheme high on its list of priorities? Does he agree that we are talking not only about transport needs but of economic value to the region?

Mr. Mitchell: Of course I shall consider carefully on its merits any proposal by British Rail for investment in a link line to Manchester airport.

Mr. Coombs: Does my hon. Friend agree that in addition to making the maximum use of resources for new railway lines it is important to maximise the use of existing lines and the provision of new station facilities? Does he look favourably on recommendations from British Rail for park-and-ride facilities on the outskirts of towns such as Swindon, where the movement of population has been from the city centre to the outskirts, thus creating the need for large movements of population into the town centre? Does he agree that British Rail could help the local bus services by providing facilities to enable people to reach the centre of town?

Mr. Mitchell: Park-way stations are a good example of British Rail's management keeping up to date with the moving and changing pattern of customer demand. I commend British Rail for what it has done. Expenditure is not such as to warrant a requirement for ministerial consent, and therefore I am not involved in such schemes.

Mr. Andrew F. Bennett: Is the Minister aware that the anxiety in Greater Manchester is that British Rail is blocking proposals for a link to Manchester international airport because of its fear of competition between the shuttle and the inter-city service? Will he tell British Rail that it would be a great boost to the region to have the rail link and that if it is worried about competition from the shuttle it should improve its passenger services by, for example, issuing timetables when a new service comes into operation and by improving the frequency of trains from Manchester, instead of obstructing plans for the rail link to the airport?

Mr. Mitchell: Whenever British Rail has been challenged by competition it has always fought back tenaciously and pugnaciously. I am sure that that applies to Manchester services and others. British Rail has tried to give better advance warning of timetable changes, but I agree that not everything has gone as smoothly as British Rail had hoped it would.

Sir Antony Buck: Does my hon. Friend agree that what he has just announced is closely connected to the plans for the electrification of railways? Will he say a word about what has been achieved and about the plan for electrification in future?

Mr. Mitchell: Some 2,356 route miles and 6,215 track miles are now either electrified or in the process of being so this year. That includes the electrification of the line between Colchester and Ipswich, the first electric train on that service having been inaugurated today. I welcome the first stage of the London-Norwich electrification.

Mr. Flannery: While I welcome the investment in new railway lines, which is seriously needed, may I ask the Minister whether he will consider more investment in existing lines, such as the St. Pancras to Sheffield? Is he aware that there are great fears about the service, expressed at an important meeting this weekend, because of its obvious deterioration—no matter what one of the Derbyshire Members says about it?

Mr. Mitchell: With great respect to the hon. Gentleman, he has time after time run the hare that there is some threat to that service, and he is surprised to hear an echo from the local electorate because it is worried by the rumours that he has spread. Within the last couple of years HST services have been put on that line and substantial expenditure has been undertaken—part of the £2,000 million that has been spent by British Rail since 1979.

Mr. Adley: Is not the Government's approval of the Windsor link, the east coast line electrification and the East Anglian electrification clear and certain evidence that the Government are supporting the railways? Will my hon. Friend confirm that the investment programme is the biggest for 20 or more years, including the approvals for new stock? Will he be a little less reticent in trumpeting the Government's success?

Mr. Mitchell: I accept my hon. Friend's remarks. Last year we approved all British Rail's submissions for investment, which was probably a record £475 million. My hon. Friend has drawn attention to the Windsor link, and I am amazed that not one of the Labour Manchester Members took the opportunity available to welcome the proposal.

Mr. Snape: Will the Minister now compare like with like on road and rail investment? Does he agree that as long ago as 1976 the Leitch committee recommended that investment in both systems should be treated on their merits and similarly? Is it not blatantly unfair that railways have to justify financially any projects, while for road improvements we depend on that somewhat mystical and certainly mythical system of co-benefit analysis so beloved of the civil servants in the hon. Gentleman's Department?

Mr. Mitchell: As the hon. Gentleman knows, the amount paid in tax by road users exceeds the amount spent on roads. The operations of British Rail are divided between those that are commercially viable—where it

must make commercial decisions on investment wholly on that basis—and those that are often referred to as the social railway network, where we take other considerations into account.

Bypasses

5. **Mr. Nicholas Baker** asked the Secretary of State for Transport how many bypasses around historic towns have now been completed since 1979.

The Parliamentary Under-Secretary of State for Transport (Mr. Michael Spicer): We are engaged on a massive bypass programme. Since 1 January 1980, 161 communities have been bypassed, including 44 historic towns. Schemes to bypass another 326 communities, including 97 historic towns, are planned.

Mr. Baker: Is my hon. Friend aware of the benefits of such bypasses to the people and the buildings in historic towns—such as Blandford in my constituency, where a bypass opened recently—and to those wishing to travel around those places? Will he accept my congratulations on that programme and will he ensure that it is extended to other historic towns?

Mr. Spicer: I can certainly give my hon. Friend that assurance. There is an upsurge in the building of bypasses, especially those around historic towns.

Mr. Kenneth Carlisle: I welcome the progress that is being made. Is my hon. Friend aware that much-needed improvements to the Lincoln bypass are going ahead well, with construction appearing to be on schedule? Does he agree that roads which bypass other than historic towns are also important, and will he report on progress on that front, too?

Mr. Spicer: I am glad that the scheme to which my hon. Friend referred is going well. The split between bypasses of historic towns and other areas is reasonably even. The plans show that of 118 communities to be bypassed, 31 are historic towns. We have currently completed 72, of which 24 are historic towns.

Mr. Key: I congratulate the Department's bypass priorities, which, we hope, will give us in Salisbury a chance to look afresh at our coach park problem. Will my hon. Friend bear in mind, however, that this is a particularly sensitive area of policy and that when it is said that there will be a bypass, there should indeed be one? Is he aware that my constituents, who are concerned with the beauty of the countryside, have lately been told, when telephoning the Department's office in Bristol, that the Salisbury bypass may not, after all, happen because of the cost-benefit analysis that is being pursued?

Mr. Spicer: We publish our programmes for bypasses. Thereafter, the decision to build a bypass is subject to the statutory procedures.

Mrs. Dunwoody: Has the Minister seen the Civic Trust assessment, which says that the Government have dealt with only 25 per cent. of the necessary bypasses? Is he satisfied that the Department is producing the results that will save our historic cities and villages?

Mr. Spicer: The progress towards building trunk road schemes in connection with bypasses is now extremely rapid. The figure to which the hon. Lady referred will be out of date in the coming two years.

All-purpose Trunk Roads

6. **Mr. Chapman** asked the Secretary of State for Transport what is his latest estimate of the backlog in the programme of necessary reconstruction work on all-purpose trunk roads; and when he expects the programme to be back on course.

Mrs. Chalker: I estimate that at the end of 1984-85 the backlog was the equivalent of about 220 miles of single carriageway. The speed with which we reduce the backlog will depend on the availability of resources and priorities within the overall roads programme.

Mr. Chapman: I appreciate that extra funds have been allocated to the structural maintenance of the all-purpose roads programme, but may I have my hon. Friend's assurance, so far as she is able to give it, that meeting the backlog, which is a priority, will not be done at the expense of cutting funds allocated to the construction of new roads?

Mrs. Chalker: Yes, I can give my hon. Friend that assurance. The new construction programme, which brings environmental and economic benefits, often relieves the communities concerned in a way which allows the maintenance programmes of other roads to be completed over a slightly longer period. The important factor is to keep vital traffic arteries in good condition. That is the direction in which the priority of renewal and maintenance spending has been going, though it has not been coming from the construction programme.

Dartford Tunnel

7. **Mr. Proctor** asked the Secretary of State for Transport what representations he has received from Essex county council regarding tolls at the Dartford tunnel; and if he will make a statement.

Mr. Ridley: The chairman of the County Highways Committee wrote to my hon. Friend the Minister of State, last December thanking her for a quick decision on the tolls increase application made the by joint committee.

Mr. Proctor: Is my right hon. Friend aware that there is considerable concern in Essex and elsewhere, particularly among industrialists, about the financial regime at the Dartford tunnel now that it is an integral part of the M25? Can he hold out any prospects for a change in the financial regime of the tunnel?

Mr. Ridley: My hon. Friend will be aware that Essex and Kent undertook this venture in the first place on the basis of a tolled crossing. In a sense, relief is at hand because it has now become a motorway link and the yield of the tolls is likely to pay off the outstanding debt sometime in the early to mid-1990s, which is more than can be said for some people saddled with tolled crossings.

Mr. Cartwright: In view of the importance of the M25 for traffic in and around London, how can the Secretary of State justify continuing the archaic nonsense of toll collection at Dartford, especially having regard to the heavy burden on those who have to use the tunnel twice a day to get to and from work?

Mr. Ridley: We are building extra toll booths, so there is unlikely to be any delay. As for the heavy burden to which the hon. Gentleman refers, there would a very

heavy burden on taxpayers if tolls throughout the country, or even just at Dartford, were taken on by the taxpayer when others originally undertook to shoulder the burden.

Sir John Biggs-Davison: Does my right hon. Friend agree that to get the full benefit of the M25 it is desirable to remove deterrents to its use? I am not against tolls in principle, but does my right hon. Friend consider that the tolls at Dartford are just such a deterrent?

Mr. Ridley: There are two ways in which the Dartford tunnel could restrict use of the M25—the possibility of having to queue to pay the toll and inadequate capacity to carry the traffic under the river. As my hon. Friend knows, we are taking action on both counts. We are building extra toll booths and a consultants' study on whether the capacity of the tunnel is adequate to take likely future traffic is expected very shortly.

North Devon Link Road

8. **Mr. Speller** asked the Secretary of State for Transport if he will announce his decision on the inquiry into stage 2a of the North Devon link road; when he expects to make a decision on the recently ended stage 2b public inquiry; and if he will make a statement on the extent to which the North Devon road construction programme is on schedule.

Mr. Michael Spicer: We announce decisions following public inquiries into road schemes as soon as possible, and will do so in this case.

My hon. Friend will know that stage 1 of the link road is open to traffic, and I am glad to be able to report that construction work on the Bideford bypass is proceeding ahead of schedule.

Mr. Speller: I thank my hon. Friend for that fairly hopeful reply, but in seeking to progress these decisions will he bear in mind the intolerable stress on the finances of people whose homes, farms and businesses have been under threat for several years? Furthermore, have the dreadful decisions made here and elsewhere in relation to the Okehampton bypass delayed work on the North Devon link and area roads?

Mr. Spicer: I can give a total assurance on the last point. The answer is none at all.

I appreciate my hon. Friend's concern about the North Devon link. We are fully committed to providing that important new road as soon as possible, and we shall be taking it through the necessary statutory procedures as quickly as possible.

Roads Programme

9. **Mr. Roy Hughes** asked the Secretary of State for Transport what is the estimated expenditure on the construction and maintenance of the public road system in the United Kingdom in 1985-86.

Mrs. Chalker: About £3,100 million, Sir.

Mr. Hughes: Will the Minister compare that with the estimated £12 billion collected in motor taxation? Would it not be a good idea now to wipe out the £480 million debt on our esturial crossings as a means of improving our industrial efficiency at a stroke?

Mrs. Chalker: The actual debt on esturial crossings is £526 million. I well understand the concern of those who use the roads, but we must ensure—as we have always ensured, and as my right hon. Friend the Secretary of State sought to make clear in answer to an earlier question—that the resources of the things that we build pay off the debts.

As we announced in February 1984, we are spending £33 million on the crossing with which which the hon. Gentleman is most concerned — the Severn bridge — because we believe that it is vital that the road links into south Wales are kept open and maintained. At the same time, we are now in the second stage of the feasibility study on the possibility of a further crossing into and out of south Wales.

In no way has the £33 million expenditure announced more than a year ago been increased. Whatever the hon. Gentleman may say, we have always been committed to putting the Severn bridge back into good order.

Mr. Hayward: How does the figure announced for 1985-86 compare with the figure for 1984-85?

Mrs. Chalker: It is an increase of £36 million in the debt.

Mr. Yeo: Is my hon. Friend aware that the A12 is increasingly heavily used, partly due to the expansion of Felixstowe dock and partly due to the general prosperity of Norfolk and East Anglia? Can she hold out any hope of further expenditure on improvements to this heavily used road and especially on the construction of a grade separated junction at Capel St. Mary?

Mrs. Chalker: I am well aware of my hon. Friend's concern about the Capel St. Mary junction. As he knows, that matter is under review. Much money is being spent on the A12, especially around Ipswich, where work on the western bypass is proceeding quickly. What is necessary to be spent in future will be spent. This year's provision for new construction and improvements is £33 million up on last year's construction figures, which were within 0·5 per cent. of the budget allowed.

London Passenger Transport Group

10. **Mr. Snape** asked the Secretary of State for Transport when he last chaired a meeting of the London Passenger Transport Group at which fares policy was discussed.

Mr. Ridley: The introduction of the new Capitalcard, and reports on its success, have been on the agenda of the three meetings that I have chaired since July 1984.

Mr. Snape: While chairing that committee, has the Secretary of State received any criticism about the fare increase of up to 50 per cent., for which he has been responsible, since LRT's creation last year? How does it feel to be in charge of the dearest public transport system in any capital city in Europe?

Mr. Ridley: The hon. Gentleman must get his facts right. The last fare increase determined by the present leadership of the GLC was in May 1983. Since then, prices have increased to March this year by 9·6 per cent., whereas fares have increased by only 9 per cent. Fares are now lower than they were when Ken Livingstone last fixed them.

Mr. Cohen: Is the right hon. Gentleman aware that under the last round of fare increases—the first under

LRT—short hop fares, which are used especially by women with young children and shoppers, were increased by 25 per cent., while fares for the jet setters who use Heathrow were either reduced or frozen? Will he ensure that the opposite approach is adopted in future and that there is a freeze on those short hop fares?

Mr. Ridley: The hon. Gentleman knows perfectly well that when a minimum fare is increased, it is sometimes increased by more than the average. The average London Regional Transport fare increased by 9 per cent. in January. If fares had kept pace with the increase in the cost of living since the GLC last fixed fares in May, the increase would have been 9·6 per cent. by now.

London-Ramsgate (Road Communications)

11. **Mr. Crouch** asked the Secretary of State for Transport what study his Department has made of the implications for the adequacy of road communications between London and Ramsgate of the increase in ferry traffic between that port and the continent; and if he will make a statement.

Mrs. Chalker: Traffic to and from Ramsgate will be taken into account in our current study of the possible need for more capacity on the section of the M2 between junctions 1 and 3. From the M2 to Ramsgate the link is the A299 Thanet way and the A253, for which Kent county council is the highway authority.

Mr. Crouch: Is my hon. Friend aware of the television advertising campaign conducted by the Sally Line which says:

"Ramsgate to Dunkirk—the only way to go"?

Is he also aware that that campaign is bound to increase traffic of all sorts on the A299 Thanet way? When will her Department match this initiative and enterprise by the private sector operator, the Sally Line, and adopt this road as a trunk road and develop it as it should be developed—as a dual carriageway road to Europe?

Mrs. Chalker: I think that my hon. Friend knows that we are delighted with the thrusting attitude of the advertising by the Sally Line. I believe that the advertisement goes on after

"the only way to go"

to say something else, but I do not have the words in front of me.

I am well aware of my hon. Friend's anxiety about the A299 and the A253. We have undertaken to keep the matter under review and to consider the possible need to bring the road into the trunk road network. At present, I am considering what can be done to solve the problems that are caused by a combination of traffic and gradient on those roads. That is the priority for the time being. The matter will be kept under review.

Mr. Soames: Will my hon. Friend consider the likely impact on this route and on others from the Channel ports when the Channel tunnel is completed?

Mrs. Chalker: My hon. Friend is jumping ahead a little——

Mr. Soames: Thrusting!

Mrs. Chalker: Thrusting ahead, yes. I have no doubt that he is as anxious as anyone to see closer links with Europe, but he knows that potential tenderers have until 31 October this year to respond to the guidelines that my right hon. Friend issued several weeks ago. I understand that work on that aspect is proceeding very well. However, all road links to the ports, whether they be off the Thanet way or anywhere else, are being looked at closely in the light of the decisions that will be taken.

ATTORNEY-GENERAL

Commercial Cases (Trials)

30. **Mr. Nicholas Baker** asked the Attorney-General if Her Majesty's Government will bring forward proposals to speed up the trial of substantial commercial cases before the High Court.

The Attorney-General (Sir Michael Havers): The Commercial Court already has a simplified procedure with briefer pleadings and expeditious hearings before experienced judges. The civil justice review which, will be looking at the jurisdictional, procedural and administrative aspects of the main classes of civil business, will be looking closely at the court. In the meantime, the Commercial Court committee has set up a small working party which is considering improvements in procedure.

Mr. Baker: I am sure that my right hon. and learned Friend agrees that a two-year delay in bringing cases to hearing is quite unacceptable. Will he consider appointing more judges? Will he also consider procedural changes, such as allowing a court to require a preliminary view of a case to be taken and a greater use of written statements so that the preliminary view of a case being seen will encourage the parties to decide the matter at a much earlier stage and so reduce costs?

The Attorney-General: The Commercial Court already offers significant procedural advantages. It is able to deal very quickly with complex and urgent interlocutory matters, using procedures which are not available in the Queen's Bench Division as a whole. There are two reviews in progress. A review is being conducted by the Commercial Court committee, and there is the civil justice review, which will start looking at matters in the spring.

Mr. Ryman: Has the right hon. and learned Gentleman any news about the progress of the deliberations of Lord Roskill's committee on commercial frauds?

The Attorney-General: I do not think that that arises out of this question, but in fact I am unable to help the hon. Gentleman.

24-hour Duty Solicitor Scheme

31. **Mr. Dubs** asked the Attorney-General what plans he has to introduce the 24-hour duty solicitor scheme.

The Solicitor-General (Sir Patrick Mayhew): Planning for the 24-hour duty solicitor scheme is the responsibility of the Law Society, which is pressing ahead with this. The Government are committed to an effective scheme, and are doing all they can to assist the society.

Mr. Dubs: Is not the truth that the Government are failing to provide the essential resources necessary to implement the scheme so as to mitigate the worst effects of the custody provisions of the Police and Criminal Evidence Act? Are not the Government reneging on commitments given during the passage of that legislation?

The Solicitor-General: That is not true. Discussions are going on with the Law Society about remuneration in particular. It is quite without justification to say what the hon. Gentleman has said.

Mr. Ashby: Does my hon. and learned Friend agree that once the Police and Criminal Evidence Act is implemented, the 24-hour duty solicitor scheme may be very necessary? Can he say when it is intended that the various sections of the Act providing for detention for 36 and 96 hours will be put into effect, because they are a necessary ingredient in the prosecution of justice?

The Solicitor-General: The scheduled date to which my hon. Friend refers is 1 January 1986. It is important that there should be an effective scheme, but I remind my hon. Friend that the Police and Criminal Evidence Act clarifies the powers of the police as regards the interests of arrested persons. We intend that there shall be a scheme in effect by then, but it is important to make that point.

Mr. Alex Carlile: Is the Solicitor-General aware that the Law Society is becoming extremely frustrated by the Government's failure to commit the £20 million a year which it appears will be necessary to run the scheme? Will he now commit that money for the running of the scheme, as promised earlier? Will he ensure that under the scheme a detained person has access to a solicitor of his choice rather than to a limited list held by the police and that, where people are detained voluntarily in a police station, their friends and relatives have access to the duty solicitor under the scheme rather than, as is proposed at present, access being limited to the police only in those circumstances?

The Solicitor-General: The last two points are under consideration by my noble Friend the Lord Chancellor. It is important that costs should be considered together with other relevant considerations. As to the resources that will have to be committed to the scheme, it is estimated that it will cost £100,000 to set up the telephone answering service and that the maximum annual cost will be between £500,000 and £750,000, depending upon which option is chosen.

Mr. Nicholas Brown: Does the hon. and learned Gentleman agree that the issue underlying the fragile 24-hour experiment is the broader difficulty of remunerating a private sector profession with standby duties at night-time and into the early hours of the morning? If, as is anticipated, the experiment establishes a need for professional advice that is not being met, what range of alternatives does the Solicitor-General have under active consideration?

The Solicitor-General: We need to be able to consider the results of the three pilot schemes—the two that have been taking place at Kettering and Birmingham and one later this summer at Clerkenwell—before we can have a clear idea as to what practical measures need to be taken.

Barristers (Misconduct)

32. **Mr. Nicholas Brown** asked the Attorney-General if he will introduce legislation to provide for the investigation and adjudication of allegations of misconduct by barristers by a statutory body specifically established for the purpose.

The Attorney-General: No, Sir. The Bar, like all comparable professions, is self-regulatory. There is no fundamental distinction between its disciplinary procedures, which are founded in the common law, and those of other professions, whether they are based on the common law or on statute. Those procedures are designed to protect the public and the interests of the client.

Mr. Brown: Does the right hon. and learned Gentleman agree that the existing disciplinary machinery cannot be allowed to function in a blatantly party political manner? Is it not intolerable that a profession dominated by Conservatives should use its own disciplinary machinery to intimidate those barristers who defended striking miners in cases arising out of the recent industrial dispute? Is it not made even more unacceptable because the same committee has taken no action against those barristers who, in similar circumstances, advised the working miners in Nottingham? Is not the legacy of the miners' strike bitter enough without Conservative barristers exacerbating the situation by using the disciplinary machinery in this disgracefully unprofessional way? What action will the Attorney-General take to prevent those excesses?

The Attorney-General: I reject any allegations of political bias. Questions of conduct are matters for the Senate, as the governing body of the profession. The Bar's code of conduct is designed for the protection of the public, and, in particular, the interests of the client. Conduct of the kind about which complaint has been made goes to the heart of that code and is a matter that we are entitled, if not bound, to investigate.

Mr. Mark Carlisle: In view of the disgraceful remarks from the Opposition Front Bench, will my right hon. and learned Friend confirm that there is no evidence, with the Bar or with other disciplinary inquiries in other professions, that such bodies are influenced by political considerations?

The Attorney-General: I have never found any evidence of it, and I much regret that the allegation has been made today.

Sir Edward Gardner: Does my right hon. and learned Friend agree that it would be wrong for defence counsel to enter into general agreements about a particular kind of case, how that case should be conducted, whether there should be pleas of guilty or not guilty, what court should be chosen and whether trial should be by magistrates or by judge and jury, when such decisions could create a serious conflict with public interest, conflict with the interests of justice and, in particular, conflict with the interests of a particular defendant?

The Attorney-General: That matter is under consideration by the Bar Council, and in the circumstances it would be wrong for me to comment on it.

Construction Industry (Latent Damage)

33. **Mr. Chapman** asked the Attorney-General what representations he has received from the construction industry following the Lord Chancellor's Law Reform Committee's report on latent damage, Cmnd. 9390.

The Solicitor-General: The Lord Chancellor's Department has received comments from a number of sources. Among those in the construction industry from whom comments have been received were the Building Employers Confederation, the Federation of Master

Builders, the Royal Institute of British Architects, the Association of Consultant Architects, the Association of Consulting Engineers and the Institution of Civil Engineers.

Mr. Chapman: As my hon. and learned Friend will know, many parts of the construction industry are concerned that the Law Reform Committee's report does not deal adequately with the law of liability relating to latent damage in buildings. Will he promise to see representatives of the industry, as I am sure he will agree that it is in the interests of everybody — not just the builders, but the local authorities and the owners and occupiers of buildings — that those latent damage problems are sorted out on a mutual satisfactory basis?

The Solicitor-General: As my hon. Friend knows, responsibility for the civil law, including this part of it, lies with my noble Friend the Lord Chancellor. While not accepting the strictures in my hon. Friend's question about the way in which the Law Reform Committee dealt with the law of liability, and bearing in mind that it was asked to look at the accrual of a right to an action in a case of latent damage, I think that those on behalf of whom he speaks know that they have had a full opportunity to make representations to the Lord Chancellor, but if they want to make further representations, I am sure that my noble Friend will be willing to receive them.

OVERSEAS DEVELOPMENT

Publicity and Public Relations

35. **Mr. Hardy** asked the Secretary of State for Foreign and Commonwealth Affairs what is his estimate of the cost of publicity and public relations concerning the Government's involvement in, and responsibility for, overseas development during 1984-85; and how this compares with costs for similar purposes in 1977-78.

The Minister for Overseas Development (Mr. Timothy Raison): Expenditure on public relations and publicity by and on behalf of the Overseas Development Administration in 1984-85 was £152,400 and in 1977-78 £111,000. Those figures exclude staffing costs. In addition, in 1984-85, £106,000 was spent on development education. In 1977-78 the comparable figure was £185,800.

Mr. Hardy: Do not those figures show that the virtues of our aid programme seem to be becoming more apparent than real?

Mr. Raison: On the contrary, I believe that the virtues of our aid programme are both apparent and real. For example, they are extremely well set out in the annual review, which I instituted two years ago and which I think has been widely appreciated.

Mr. Soames: I congratulate my right hon. Friend on those figures, as well as his Department on the work that it has done in that area. However, will he do more to persuade industrialists of the value of that programme to them? His review was much appreciated by industrialists in my constituency, who were pleased to see how much came back to British industry.

Mr. Raison: I appreciate my hon. Friend's remarks. In fact, we started a new service for British business last year. We now have four-monthly reports of new aid commitments in the pipeline, published in advance through the Export Intelligence Service. That is made available to British business men. We also now have a commercial liaison officer designated within the ODA. I hope that those things will help to improve, if anything, the opportunities for British business that can be found within the aid programme.

Mr. Tom Clarke: Does the Minister agree that the annual review, to which he has just referred, was a somewhat glossy document? Would it not be more appropriate to have a modest presentation reflecting the Government's modest achievements?

Mr. Raison: The presentation of the review and the information in it have been widely appreciated. I think that many people have found it to be of great value.

Nepal (Visit)

36. **Mr. Bowen Wells** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent visit to Nepal by the Minister for Overseas Development.

Mr. Raison: I visited Nepal from 17 to 23 April. I had discussions with Nepalese Ministers and was able to visit many of our aid projects. I found that our aid programme is well directed towards tackling Nepal's most urgent problems and that it is well appreciated. I reaffirmed that Britain planned to continue to make a significant contribution to Nepal's development.

Mr. Wells: Will my right hon. Friend confirm that Nepal is one of the poorest countries in the world and that our programme is directed to supporting the poorest in that nation? Will he also tell us more about how he has gone about it?

Mr. Raison: My hon. Friend is right in saying that Nepal is an extremely poor country. Our programme is very much designed to assist its poorest people. We have concentrated especially on the communities in the eastern hills. The schemes on which we have embarked, many of which I saw, cover agriculture, livestock, combating environmental degradation, and the development of re-afforestation and road communications. All these schemes are progressing successfully.

Third World (Investment)

37. **Mr. Deakins** asked the Secretary of State for Foreign and Commonwealth Affairs what information is available to him about the extent and role of United Kingdom private investment in the Third world in promoting improved living standards for local people.

Mr. Raison: In 1983 British private financial flows to the developing countries totalled £2·6 billion. Such resource flows can and do produce employment and income in the developing countries and thus improve living standards.

Mr. Deakins: As the primary purpose of private investment must be to make profits for those who undertake that investment from Britain and elsewhere, surely any benefits to local people must be a by-product, unlike aid from Government to Government and aid through voluntary organisations, which offers some guarantee that the aid will reach the people who matter.

Mr. Raison: The hon. Gentleman is wrong about that. Firms which invest will be looking for profits, but their activities will undoubtedly create employment in the countries where the investment is taking place and help to increase prosperity. This is an important part of our programme.

Sir John Page: Does my right hon. Friend agree that private investment often sets a standard in developing countries which helps to drag local investment up to higher standards than it has been able to achieve before?

Mr. Raison: I agree with my hon. Friend. Britain has exceeded consistently the United Nations 1 per cent. target for the total of official and private flows of aid to developing countries. In 1983 we achieved 1.25 per cent.

Chile

38. **Mr. Stuart Holland** asked the Secretary of State for Foreign and Commonwealth Affairs what emergency or other aid his Department is giving in response to the recent earthquake in Chile.

Mr. Raison: Her Majesty's Government have provided £250,000 in emergency assistance since the earthquake in March. That is in addition to our share of the recent contribution by the European Community from its emergency aid budget.

Mr. Holland: The Minister will be aware that £250,000 is a very small sum in relation to the needs. The House will certainly want to monitor this in future, granted that on a previous occasion a field hospital, apparently delivered to the Pinochet Government, was not deployed in a disaster area. Will the Minister also take this opportunity to assure the House that on economic, social and technical grounds, he will now be supporting a major aid programme to Nicaragua and not supporting his right hon. and learned Friend the Foreign Secretary in a political blockade of that country, as reported in *The Observer* yesterday by Hugh O'Shaughnessy?

Mr. Speaker: The question is directed to Chile.

Mr. Raison: If the hon. Member for Vauxhall (Mr. Holland) wants to ask questions about Nicaragua, perhaps he will table questions about Nicaragua. As you have said, Mr. Speaker, the question is about Chile.

The aid that we have provided is useful. We shall be concerned to ensure that it is properly used. There is no reason to believe that it will not.

Ethiopia and Sudan

39. **Mr. Tony Lloyd** asked the Secretary of State for Foreign and Commonwealth Affairs if he will give his most up-to-date estimate of aggregate food aid needed for Ethiopia and Sudan for 1985.

Mr. Raison: The best estimates available are that Ethiopia will require 1·5 million tonnes and Sudan 1·4 million tonnes of cereals food aid during 1985. Most of this has been delivered or pledged. In response to requests by various British voluntary agencies, I am pleased to announced further assistance totalling over £2 million for victims of the famine in Ethiopia and the Sudan: about half to each. It covers a variety of purposes, including the transport of food, supplementary food, seeds and tools.

Mr. Lloyd: I welcome the Minister's response, but will he confirm that reports are coming out of Ethiopia that there are still massive difficulties in distributing food aid? Will he also confirm that the British Government still regard the provision of lorries as development assistance and therefore will not provide that help, which means that the aid that is given is not as effective as it should be in helping those who are in desperate need?

Mr. Raison: That is a misapprehension. There are great difficulties in operating emergency relief in Ethiopia. Some difficulties arise partly from the civil war; and others are attributable to many other factors. We are doing our best and contributing a great deal. There will be difficulties that will continue into the long term. The most fruitful approach for us will be through the European Community and the World Bank. I am sure that something useful can be worked out.

Mr. Maclennan: Does the Minister recognise that the railway in southern Sudan and——

Mr. Speaker: Order. The hon. Gentleman has tabled question No. 40, which seems to be directed to the same subject.

Mr. Maclennan: I am grateful to you, Mr. Speaker. In fact, I was on the same issue.

Does the Minister accept that there is an urgent need for spare parts and considerable capital investment for the railway in southern Sudan and for transport by road across rough territory in Ethiopia? Are the Government prepared to listen to representations from the aid agencies and to make money available to help them?

Mr. Raison: I told the House that additional money has been made available for exactly those purposes. We have consistently tried to help with supplies, spares, and so on, in the transport sector, and we shall continue to do so. For the railway system, especially in western Sudan, we have provided an expert, who has put forward ideas about how to improve the flow of food to the west of the country.

Football Grounds

3.30 pm

The Secretary of State for the Home Department (Mr. Leon Brittan): With permission Mr. Speaker, I should like to make a statement. The entire nation has been horrified and appalled at the terrible tragedy at Bradford City football ground on Saturday. I know that the whole House will wish to join together in expressing our deepest sympathy for the families and friends of the dead and of the many who were injured, some of whom remain critically ill.

The fire started just before half-time, at about 3.35 pm, under the floor at one end of the main stand. The stand was an old one made of metal and timber with a bitumen and felt roof, and the fire spread extremely rapidly. There were about 3,000 people in the stand. The majority managed to move down onto the pitch, but a number tried to escape through the exits at the rear and found themselves trapped in a narrow alley between the back of the stand and the wall of the ground. In accordance with long-established practice at sports grounds, the gates were locked to prevent unauthorised spectators from gaining admission. It was there that many people died.

The chief constable of West Yorkshire informed me this morning that 51 people died at the ground. Two more have since died in hospital. A further four people are reported missing and remain unaccounted for. The bodies of most of those who died at the ground have not yet been identified. In addition, over 200 people were injured, of whom 60 are still in hospital. Twenty two policemen were injured, of whom two are in hospital, and three firemen were injured, none of whom is still in hospital.

The cause of the fire has not yet been ascertained, but a team of detectives from the West Yorkshire police, assisted by forensic scientists and members of the West Yorkshire fire brigade, began sifting through the debris as soon as it had been made safe to do so. The police have asked for witnesses to come forward who might be able to give evidence about the possible cause of the fire, and it is essential that members of the public should give every assistance.

I should like to pay tribute to the courage and professionalism of the police and fire services. No one who has seen the television film of the events can doubt that as much as could be done was done to get people out of the stand, and then to deal with the aftermath of the fire. I should also like to express the warmest appreciation for the dedication and skill of the medical and pathological teams, the ambulance service and all the hospital and voluntary agencies who have since been working day and night, treating the injured and consoling the bereaved.

Further, the House will be aware that at Birmingham on the same day many people were injured and subsequently one spectator died as a result of a serious crowd disorder at the match between Birmingham City and Leeds United, arising from violence by groups of fans from both clubs. There were repeated invasions of the pitch, missiles were thrown, and the police were attacked. In all, there were 125 arrests, 96 police officers required medical treatment, of whom two are still in hospital, and over 80 spectators were injured. Some of the injuries were caused when a wall collapsed following a surge in the crowd, and a boy of 15 subsequently died of the injuries he received. All 125 of those arrested have now been charged with a variety of criminal offences. That is a further example of disgraceful football violence, which illustrates the link between the problem of crowd safety and the problem of crowd control. With regard to this incident, inquiries are also being made by the Football Association, and these must proceed.

Investigations at Bradford are continuing and inquests will be conducted both there and at Birmingham. I shall expect to receive further reports in due course giving the conclusions of the police, forensic and fire brigade inquiries in Bradford and of the police inquiries in Birmingham. But over and above these investigations and hearings, the magnitude of the events demands that urgent steps should immediately be taken to examine what can be done to prevent such incidents. With my right hon. Friend the Secretary of State for Scotland I have, therefore, asked Mr. Justice Popplewell to chair an inquiry with the following terms of reference:

"To inquire, with particular reference to the events at Bradford City and Birmingham football grounds on 11 May, into the operation of the Safety of Sports Grounds Act 1975; and to recommend what if any further steps should be taken, including any that may be necessary under additional powers, to improve both crowd safety and crowd control at sports grounds."

I understand that Mr. Justice Popplewell will visit Bradford tomorrow.

The inquiry's fundamental task will be to ensure that the demands of safety, on the one hand, and control, on the other, are not only each satisfied in themselves but satisfied compatibly with each other. A subsidiary but important task will be for the inquiry to review what is known as the "Green Guide"—the "Guide to Safety at Sports Grounds"—which provides guidelines for local authorities as to the conditions that they should require of clubs that seek certification under the 1975 Act. I shall ask that the inquiry should proceed with all possible speed, taking account of and supplementing, as necessary, the findings of the current police, forensic service and fire brigade investigations. I shall arrange for the chairman to be assisted by appropriately qualified assessors — for example, from the police and fire services—and to have available such technical advice and support as he requires. He will, of course, be able to make any further factual inquiries into what happened that he thinks necessary. If the chairman thinks it necessary or desirable, I and my right hon. Friend will welcome any interim report or recommendations he wishes to submit.

In addition, and in parallel with the work of the inquiry, I have decided to designate all grounds in the Third and Fourth Divisions of the Football League so that they become subject to the system of safety certification under the Safety of Sports Grounds Act 1975. The effect will be to require such clubs to apply for certificates from the relevant local authority specifying in considerable detail what physical conditions and management practices — including as to fire precautions—must be followed. The Government announced only on 1 April that we should be extending designation to third and fourth division grounds, but starting with those with a record of club violence. It is plain, however, that the time for selective action has passed, and I shall accordingly be discussing with the football authorities immediately how universal designation may be implemented as soon as possible. It will, of course, be for the inquiry to recommend any changes in the present certification procedures or any other steps that should be taken to improve crowd safety and control. But I can see no reason why designating the third and fourth

division clubs or any of the other steps announced on 1 April should wait on its conclusions. It is clearly important that the public should be given all the protection that the existing law allows as quickly as possible, and that any measures to enhance safety and security that can be introduced speedily as a result of the work that has currently been proceeding should be implemented at the earliest possible date.

To ensure that the measures I have announced of a swift inquiry and a new programme of designation do not leave gaps meanwhile in public protection, I am asking chief fire officers immediately to visit uncertificated sports stadia in their areas to advise management on what steps they should take to secure proper standards of crowd safety in their circumstances. They will no doubt wish to discuss, among other matters, the opening and locking of gates at sports grounds. While I imagine such visits will be the more comprehensive if chief fire officers are accompanied by other members of the local authority safety teams, this work will brook no delay and, for that reason, I consider the duty to fall best initially on chief fire officers.

I must stress that the measures announced today are additional to those announced on 1 April after the meeting at 10 Downing street with the football authorities. That programme of measures agreed to combat football hooliganism goes ahead with renewed urgency.

The events at Bradford and Birmingham were in their different ways both tragic and sickening. Nothing will wipe away the memory of that terrible afternoon. But our task now must be to take urgent steps to minimise the chances of recurrence. The measures I have announced today are designed to that end. I will report to the House in due course on their progress and outcome.

Mr. Gerald Kaufman (Manchester, Gorton): May I first, on behalf of Her Majesty's Opposition, offer our profound and heartfelt sympathy to those who were bereaved and fearfully injured in last Saturday's horrifying disaster? It is especially poignant that hundreds of people setting out to enjoy a pleasant spring day, which was, for Bradford City's fans, supposed to be one of celebration as well, should have seen that day end in torment and agony, or not seen that day end at all.

We send our sympathy also to the citizens of Bradford and Lincoln, who have been stricken by these appalling events. I also want to pay tribute to the emergency services —to the fire brigade, the medical staff, hospital workers and the police—and also to the fans and ground staff who sought to help, for their heroism and dedication in this emergency.

The Opposition believe that the Government have made a serious mistake in linking in one statement and in one inquiry the Bradford fire with the violence at Birmingham. The nature of those two events is different, even though some matters are relevant to both. To begin with, it is unfitting that questions on the disaster and on an outbreak of mob violence should be mingled. It creates the most difficult task for you, Mr. Speaker. I shall therefore confine my intervention to the Bradford fire and leave questioning about the Birmingham episode to my right hon. Friend the Member for Birmingham, Small Heath (Mr. Howell).

With regard to Bradford, I therefore ask the Government to open forthwith a fund for the relief of the victims and their families. Some families may have been left without a breadwinner, and, although the loss of a loved one can never be compensated for financially, it is right that financial restitution should be made. In the case of those injured, the nature of their injuries may mean years of medical treatment and loss of earning power or educational opportunities. Proper and appropriate compensation should be made available for that.

Further, will the Government be ready to consider the possibility of making legal aid available to those who wish to consider legal action under the Occupiers Liability Act 1957? Is the club's insurance against public liability adequate to meet claims that will surely be made? The Opposition believe that the Government should have ordered a separate public inquiry, presided over by a judge, into the circumstances of the Bradford fire.

There are many questions to be answered, including the discrepant statements about whether Bradford City club had been warned about the need to improve its safety precautions some months ago. The leader of West Yorkshire county council has now published a letter which strongly indicates that such a warning was given. We need to know what the fire precautions were and why massive amounts of combustible litter had been allowed to accumulate under the wooden stand for a considerable period of time. We need to get to the bottom of allegations that arson may have caused the fire. The bereaved and the injured have a right to know the full facts. We also believe that there should be a separate inquiry into safety at football grounds, and at all sports grounds and other places where large numbers of the public gather together.

That inquiry should be empowered to make recommendations. The matters that it should be empowered to consider should include whether the 10,000 lower capacity limit for designation should be reduced, and the use of the Secretary of State's activating powers under the Fire Precautions Act 1971. At present, no football grounds have been designated under the Act. The inquiry should consider meanwhile whether the 10 grounds with wooden stands should close those stands. Equally urgent is the necessity to consider the question of the perimeter fencing-off of spectators from pitches, as there is general agreement that if such fencing had been installed at Bradford the casualty toll would have been even more horrific.

Ought not the Football Association to suspend its order to Luton Town to install a perimeter fence? The subject of the control of egress from grounds must be considered urgently, in view of the disastrous effects of the closing of the exits at Bradford. The nature of the material used for seating as well as stands must be considered, in view of the effect of the plastic seating at Bradford on the spread of the fire.

The ownership of grounds should be considered to see whether burdens can be lifted from the less successful clubs. The funding of football must be examined. There is a glaring disparity between the Government's attitude towards racing compared with football. It is essential both for the Government and for all commercial interests which benefit from their relationship with football to consider their financial obligations to a sport from which they obtain so much revenue and profit but provide so little in the way of return. The nature of these issues is such that an urgent interim report is essential well before the opening of the new football season, so that all possible advance precautionary action can be taken.

I did not think for one moment that I should be coming to the House this afternoon to ask controversial questions.

[Mr. Gerald Kaufman]

The reaction of my right hon. Friends and myself is one of astonishment and disbelief that the Government should join these two issues and treat this tragedy in this way. The Government's response to this disaster in setting up this joint inquiry is insensitive and in the worst possible taste. It will be deeply offensive to the bereaved, to the victims, to the stricken cities and to the nation. Let this be clear. The nation has reacted to this terrible disaster with grief. If negligence or complacency allow such a catastrophe to be repeated, the reaction will not be grief. It will be anger.

Mr. Brittan: I am grateful to the right hon. Member for Manchester, Gorton (Mr. Kaufman) for his expression of regard for the work done by the emergency services, but I think that some of his subsequent remarks do not respond to the mood of the nation or of the House.

As for the right hon. Gentleman's main complaint—that there is to be a single inquiry—some of the points which he suggested should be considered by the inquiry themselves make it clear that safety and control are very much related and that it would be wholly artificial to divorce the two. One is in no sense equating the two incidents, one in which a life was lost and the other in which so many lives were lost, if one says that the inquiry should properly be able to consider both control and safety. That is what the inquiry will be able to do.

The point is best illustrated by one of the matters raised by the right hon. Gentleman, namely, the perimeter fencing. The suggestion has been made, in effect, that perimeter fencing is inconsistent with safety, or goes against safety. Anybody who looks at the green guide will readily see that the designation requirements have to be looked at as a whole. They include the ability to evacuate grounds and stands speedily. Perimeter fencing which did not meet the requirements would not be approved under the safety certificate. There is, therefore, a relationship between safety and control.

I take note of the right hon. Gentleman's suggestion about opening a fund for the relief of the victims. I shall want to consider it in the light of the situation as it develops concerning the needs of everybody who has been affected and the resources available to provide for those needs.

Legal aid will be available in the normal course of events for any eligible person who is able to make out a case for such aid to the legal aid committee.

There is still some uncertainty about the insurance question, and that is being looked into.

With regard to warnings given to the club concerned, I have in my possession the text of letters emanating in 1984 and on 30 April 1985 on that matter. I understand that there may be some dispute whether those letters were received, but there can be little doubt that they were sent.

I can give the right hon. Gentleman some reassurance on the many matters that he mentioned, because when one takes account of some of the forensic points there is not really all that much between us. Almost all of those points fall well within the ambit of Mr. Justice Popplewell's inquiry, which will be extremely comprehensive, as I think the right hon. Gentleman will agree, on mature reflection, when he studies further its terms of reference. In particular, the right hon. Gentleman referred to an interim report, and the House will recall that I specifically said that it would be open to Mr. Justice Popplewell to make such a report if he thought that it was necessary or appropriate to do so.

Mr. Alex Carlile (Montgomery): May I, together with my right hon. and hon. Friends, join the Home Secretary in expressing our deep sadness and sympathy for those who have suffered as a result of the tragedy on Saturday afternoon at Bradford? It is a terrible sadness that some of those who went to the Valley Parade to celebrate the third division championship should not have returned home at all or should have to wait many months before returning home severely maimed.

May I also join the Home Secretary in expressing our gratitude to the emergency services, the ground staff and the many courageous football fans who joined others in trying to save people in dangerous circumstances?

May I impress upon the Home Secretary the importance of urgently solving the problem of safety, which it is hoped may be solved fairly quickly, where as problems of control have occupied us for many years now and may not be so easy to solve?

Will the Home Secretary give the House his assurance that his welcome decision to bring third and fourth division grounds within the provisions of the Safety of Sports Grounds Act will be extended to other comparable stadia and, above all, that the Government will provide the money to enable those clubs and sporting facilities which cannot afford to bring their facilities up to standard to do so? In doing that, will the Home Secretary bear in mind that Bradford City was a club which gave cheap entry to the unemployed and the disadvantaged

Mr. Speaker: Briefly.

Mr. Carlile: Finally, will the Home Secretary please ensure that the insurance companies will not be allowed to fall back on the position which they expressed this morning, that no compensation will be paid unless negligence is proved? Will he ensure that in this case at least the principle of no fault liability is laid down for those who have suffered?

Mr. Brittan: I am grateful to the hon. and learned Gentleman for his expressions of appreciation to those involved in dealing with these tragic events. He mentioned some particular groups who are worthy of commendation but whom I was unable to mention specifically in my statement.

We shall want to consider the extension of designation beyond the third and fourth division football grounds in the light of the inquiry as it develops.

The House will be familiar with the existence of the Football Grounds Improvement Trust and the Football Trust, which receive some of the "spot the ball" revenue from the Pool Promoters Association. Quite a lot of that money is used to improve football clubs' facilities. For example, we are talking of expenditure at the rate of £7 million a year.

As it happens, before these tragic events occurred a meeting was arranged for this coming Wednesday between my right hon. Friend the Prime Minister and Lord Aberdare, the chairman of the Football Trust. In discussions on designation I shall be involved with my hon. Friend the Minister with responsibility for sport and the Football Trust to see what the financial situation is. I know that my hon. Friend is also considering whether assistance can be given under the urban programme.

Mr. Donald Stewart (Western Isles): May I associate my hon. Friend the Member for Dundee, East (Mr. Wilson) and myself with the expressions of condolence and sympathy of the Home Secretary at this appalling tragedy? On the face of it, it appears to raise again matters such as escape doors, gates and other forms of egress from sports grounds. Will the Home Secretary seek to introduce legislation, or amend existing legislation, so that where such exits exist, whatever the difficulties caused to the corporation or sports ground owning them, they should be available for egress in the event of a disaster?

Mr. Brittan: I am grateful to the right hon. Gentleman for what he has said. In response to his last and very substantial point, the House might be interested to know that paragraph 6.14.6 of the green guide clearly states:

"All exit gates should be manned at all times while the ground is used by the public so that they can be opened immediately in an emergency."

That condition would normally be applied where there has been designation.

Mr. Robert Maclennan (Caithness and Sutherland): Although it is obviously premature to consider what funding will be necessary to bring safety standards up to an acceptable level, will the Government undertake to ensure that money does not stand in the way of seeing that those standards are reached?

Mr. Brittan: I have already said that the means by which the requirements that will flow from designation are implemented will be discussed with the football authorities.

Mr. Geoff Lawler (Bradford, North): May I offer my sincere thanks to all of those hon. Members who have expressed their sympathy following the tragic event on Saturday? I know that my constituents and the people of Bradford will greatly appreciate those expressions of sympathy and will derive some comfort from them. May I thank, in particular, the Minister of State, Home Office, my hon. Friend the Member for Pudsey (Mr. Shaw) and the Parliamentary Under-Secretary of State for the Environment, my hon. Friend the Member for Sutton and Cheam (Mr. Macfarlane), for coming up to Valley Parade so promptly to see the situation at first hand? That prompt reaction was again an expression of the Government's concern, and was much appreciated.

I welcome the appreciation that has been expressed by my right hon. and learned Friend the Home Secretary and other hon. Members for the work of the emergency services. I am sure that they would join with me in paying tribute not only to the emergency services but to members of the Salvation Army, who were there throughout Saturday night, doling out tea and refreshments to those working late at the ground, to the St. John's ambulance men and to the anonymous heroes — many of them young people — who stayed behind at the wall and helped to pull the less able and less agile over it, at great risk of personal injury to themselves. Many of those helpers, indeed, ended up in hospital or suffered from burns.

I am sure that hon. Members will also want to pay tribute to the local community. People opened their doors and provided tea and comfort to the survivors. It is interesting to note that members of that community are of varied origin and that at a time when attention is very much focused on apparent divisions within it, real community spirit shone in a crisis, showing just how shallow those divisions really are.

I welcome the announcement of an inquiry, and the people of Bradford will also welcome it. If public confidence is to be restored and people are to feel safe at football matches, urgent action must follow upon the report of that inquiry, before the start of the new season. I hope that the Government and the football industry, through the Football Trust, will be prepared to respond to the financial implications of that report.

Obviously, there is great public concern about what would have happened if there had been a fence instead of a low wall along the front. I think that the view of Bradford supporters is that it is all very well hemming in a minority of hooligans, but that at the same time a potential death trap might be created for thousands of decent supporters.

I hope that all the lessons that can be drawn from this incident are learnt and that there does not have to be another disaster for more mistakes to be discovered. I apologise for delaying the House, but may I ask the Government to make money available in the form of an urgent cash injection, through the urban programme, the Sports Council or the Football Trust, so that a stand can be erected as quickly as possible at Bradford City's ground to match the determination and resolve of the people of Bradford to overcome the tragedy?

Thousands of Bradford citizens will want to attend the first home match of the season as their way of paying their respects to the loyal supporters who died on Saturday. To enable them to do so, and to reflect that spirit and resolve, we must see a real and tangible metal phoenix rise out of the terrible ashes that currently lie at Valley Parade.

Mr. Brittan: I am grateful to my hon. Friend the Member for Bradford, North (Mr. Lawler) for his expressions of gratitude to and appreciation of those involved in dealing with this tragic event. My hon. Friend mentioned a number of other people in addition to those already mentioned in the House. I fully endorse what he said about them. I should like to take the opportunity to pay a tribute to my hon. Friend for the way in which he assisted over a long period in Bradford. It is an exemplary manifestation of the local leadership which an hon. Member can give on such an occasion.

My hon. Friend expressed anxiety about proposals for perimeter fences. I can assure him, as I did the right hon. Member for Gorton, that there is no question of simply putting up a fence which would create a trap. The arrangements for a ground as a whole will have to be considered, taking into account the nature of the ground, the means of getting out of the stands, the gaps in any fence and the manning of exits. Unless those professionally involved take the view that a perimeter fence adds to safety and security, it will not be approved. Safety and security are related. It is unrealistic to refuse to recognise that important fact.

My hon. Friend asked for assistance to put the Bradford club back on its feet. My hon. Friend the Minister with responsibility for sport is on the Front Bench today and will appreciate the sincere and determined desire in Bradford to revive football there, with all that that means.

Mr. Thomas Torney (Bradford, South): I associate myself with the expressions of sympathy for all the people in Bradford who have lost loved and dear ones and for

[Mr. Thomas Torney]

those who are suffering in hospital. I associate myself and the people of Bradford with the tributes to the emergency services—to the courage of the police, the fire service and the ambulance personnel, who rescued many people, often at great danger to themselves. I also praise the dedication of the hospital staffs who tended, and are still tending, the injured. The duty of the Government and the House is to the 52 or 53 people who died and to ensure that nothing like this happens again anywhere in the United Kingdom.

I should have preferred a public inquiry, as would the people of Bradford. I hope that there will be a public inquiry, because confidence must be restored. Whatever conclusions the inquiry arrives at for improving safety precautions at football grounds throughout the United Kingdom, I hope that they will be speedily enforced by the Government. Enforcement requires money. The improvements that are necessary in Bradford and elsewhere will cost more money than can be provided by some trust or other. The Prime Minister is in her place. I beg her and the Government to ensure that the Chancellor provides money to implement the necessary safety measures.

May I suggest to the Chancellor some immediate actions which could be taken? Surely a law can be passed, or instructions given, that exit doors are not to be locked. Perhaps some paint-like material can be applied to wooden stands at other grounds which will make the outbreak of fire less likely. Surely we can order the use of sprinkler systems. Perhaps if there had been such a system in Bradford the fire would not have been so bad, because the system operates automatically with heat.

We owe it to those involved in the disaster to find the money. There must be no excuses. The money must be found to make football grounds throughout the United Kingdom safe for our people.

Mr. Brittan: I am grateful to the hon. Gentleman for his expressions of sympathy and for his appreciation of those involved in dealing with what happened at Bradford.

Towards the end of my statement I said that I was asking chief fire officers immediately to visit sports stadia which are uncertificated to advise on what should be done right away. I added:

"They will no doubt wish to discuss among other matters the opening and locking of gates".

The hon. Gentleman's suggestion about exits is well taken. I am not sure of the validity of what he said about sprinkler systems, but that can be examined on a professional basis.

The inquiry will be comprehensive, and it will be able to supplement, in any way thought appropriate by Mr. Justice Popplewell, the findings of the police and the inquest, which are the main means of investigation, at least in the first instance. Mr. Justice Popplewell will be able to satisfy himself about what occurred and thereby be able to make appropriate recommendations.

I do not think that the House wishes to hear the trust spoken of disparagingly, because it has provided, and is providing, the substantial sum of £7 million a year. The hon. Gentleman asked what would be done to deal with the financial problems. The Prime Minister will be meeting representatives of the trust. When discussing the implications of designation with the football authorities, I shall, of course, discuss that aspect.

Mr. Max Madden (Bradford, West): I associate myself and my constituents with all the expressions of sympathy to the relatives and friends of those who died and to those who were seriously injured at Bradford at the weekend. I also pay tribute to all the emergency services.

It is with regret that I have to say that there will be understandable reservations in Bradford about the form of the inquiry which the Home Secretary has announced. He said that the events at Bradford and at Birmingham were tragic and sickening, but different. Many people in Bradford will therefore think that the two incidents should be investigated separately. If the Home Secretary is not prepared to reconsider the form of the inquiry, will he give a clear assurance that it will sit in Bradford and take evidence in public, and that its full report will be published?

Is the Home Secretary satisfied that the terms of reference will enable the inquiry to look into all matters of concern associated with the tragedy? I was pleased to hear the right hon. and learned Gentleman's response to my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman). Will he give serious consideration to establishing a fund from which the relatives of those who died and those who were grievously injured may apply for the compensation and help which inevitably will be needed? Will the Home Secretary also urgently consider enabling Bradford City football club to make its ground secure and safe?

I was pleased at the Home Secretary's response to previous requests of that kind. We all recognise that if third and fourth division grounds are to be made safe—indeed, non-league and sporting club grounds also—the clubs will be in desperate need of financial help, because many of them are short of money. Will the right hon. and learned Gentleman urge the Chancellor of the Exchequer to reduce the betting levy tax and to remove VAT from repair work? That would be of some financial help to enable the desperately ill-financed clubs to ensure that their grounds are made safe quickly and effectively so that the tragic events in Bradford on Saturday occur nowhere else in this country, or, indeed in the world.

Mr. Brittan: I shall, of course, draw the hon. Gentleman's tax suggestion to the attention of my right hon. Friend the Chancellor of the Exchequer. I am sure the hon. Gentleman will understand that I cannot say any more about that at this stage.

Obviously, the conduct of the inquiry is a matter for Mr. Justice Popplewell, but there is no question that its findings and report will not be published in full. I regard it as inconceivable that the inquiry will not sit in Bradford. I assure the hon. Gentleman—and I hope that this will be appreciated in Bradford—that there is no question of there being anything other than the fullest examination of what occurred at Bradford.

There is an important part to be played by the police, the fire service and the coroner. Mr. Justice Popplewell will then decide what further inquiries are necessary to supplement the information obtained in order to achieve a full picture of what happened. He will be fully encouraged to do whatever is necessary to secure that.

We are as determined as the hon. Gentleman and other hon. Members to ensure that the lessons are learnt, but I repeat that I do not believe that we would be doing any service to the memory of those who died at Bradford if we failed to take comprehensive measures to ensure that those

who go to football grounds are as safe as possible from all hazards. To do that is not to show any disrespect for what occurred at Bradford or to equate it wth anything else. It is to recognise the complex nature of the problem and the necessity of providing solutions, as far as we can, to every aspect.

Mr. Kenneth Carlisle (Lincoln): On behalf of the people of Lincoln, I offer our deepest sympathy to all those who have suffered in this terrible tragedy. Lincoln has the greatest admiration for the heroic efforts of the emergency services in Bradford. In particular, the Lincoln City supporters wish to record their thanks to them.

Such a tragedy must never happen again. I welcome the inquiry, which, above all, must concentrate on the paramount need for safety.

Mr. Brittan: I am grateful to my hon. Friend and entirely endorse everything that he has said.

Mr. Merlyn Rees (Morley and Leeds, South): Does the Home Secretary accept that, as a Leeds Member of Parliament, I speak for all its citizens in saying that I am ashamed of the actions of the so-called Leeds fans at Birmingham on Saturday? I regret that their actions should in any way be mingled or bracketed with the bravery and tragedy at Bradford. The two things are separate.

The Government are to act now, quite properly, in the face of what we all saw on Saturday, which was dreadful. Will the Home Secretary explain where the division of responsibility lies between his Department and the Department of the Environment — which, I acknowledge, has an active Minister with responsibility for sport —in monitoring on a day-to-day basis the problems of safety, not only at soccer grounds, but at rugby league and, in some instances, rugby union grounds? We must not wait for another tragedy before we act. We all know of third and fourth division grounds and others where the stands could go up in flames in exactly the same way as the stand at Bradford.

Mr. Brittan: The right hon. Gentleman is absolutely right to say that there is no comparison between the behaviour at Bradford and that at Birmingham, and I am glad to have the opportunity to confirm that.

I have statutory responsibility for the Act, but its implementation on a general basis is considered closely in discussions not only with my hon. Friend the Minister with responsibility for sport but with the football authorities. On the question of the detailed implementation on a place-by-place basis, the responsibility for issuing a certificate lies with the local authority, which takes heed of what the technical and professional experts say, whether they be fire officers or engineers. It also takes into account the green guide produced by the Home Office.

Mr. Mark Carlisle (Warrington, South): While welcoming my right hon. and learned Friend's decision to extend designation under the Safety of Sports Grounds Act 1975 to all third and fourth division grounds, may I ask whether he agrees with many hon. Members that that will be very expensive and will cost considerably more than the money currently available for ground improvements under the Football Trust?

Will the inquiry under Mr. Justice Popplewell also consider methods of financing and funding ground improvements, especially methods to obtain a greater income from betting and football pools?

Mr. Brittan: I am not sure that the final matter raised by my right hon. and learned Friend comes within the terms of the inquiry, but it is obviously something that it will have to consider.

Mr. Bruce George (Walsall, South): In following hon. Members who represented constituents who died, we must be deeply conscious of the fact that, but for the grace of God, any one of us could be making a similar statement, because all our constituencies have sporting grounds with stands which are as inflammable as that which went up in flames on Saturday.

Does the Home Secretary have any idea of how many sporting grounds — whether football, rugby, tennis or anything else — have stands comparable to that at Bradford? Will he reiterate that other sports must take seriously the events of last Saturday?

What is there in the British national character which requires such a catastrophe to force us into waking up to a fact which should have been manifestly obvious to the House and the country before the events of Saturday?

Mr. Brittan: I take note of the hon. Gentleman's last point. I cannot give him the figure for which he asked, not only for football, but for other sports. It is something that will have to be considered. Of course, the legislation is not confined to football, so the inquiry will not be confined to football. Therefore, the hon. Gentleman has raised matters that fall to be considered.

Mr. Marcus Fox (Shipley): It is right to point out that it is not only the city of Bradford that has suffered grievously. Many people living on the borders of the city also suffered. Indeed, some of my constituents lost their lives or were injured.

We want from my right hon. and learned Friend a categorical assurance that we will do everything in our power to discover the cause of the fire. I have spoken to many of my constituents who were at Bradford, and they expressed deep anxiety that events occurred that should never have occurred, but today is not the occasion to pursue that.

It would be foolish in the extreme to close grounds on the basis of safety regulations, while allowing the violence and hooliganism that is rampant in the sport to continue. The two are closely associated. I welcome the inquiry, and I am sure that it will go into everything that it can consider.

Mr. Brittan: I am grateful to my hon. Friend for his remarks, particularly his closing remarks. I am sure that he is right. I can give him the categorical assurance that he seeks. We shall certainly do everything that we can to discover the cause of what happened. It is in nobody's interests that anything other than that should happen.

Mr. Peter Snape (West Bromwich): I wish at the outset to declare my interest as a director of a fourth division football club.

Does the right hon. and learned Gentleman accept that the tragic and harrowing scenes that we saw on Saturday night must never recur in British professional soccer? Will he comment—I regret to have to make this point—on the stories appearing in at least two national newspapers today to the effect that this appalling tragedy was caused by the throwing of a smoke bomb at the football ground?

Will the Home Secretary accept from me that, regrettably, of all sports in Britain, for some reason professional football seems to attract that mindless

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minority who care little for the game and who, indeed, appear rarely to watch the game? What plans do the Government have to combat that endemic hooliganism and enable us in Parliament to do something about the civil liberties of millions of people who wish only to go about their business and not to be threatened and assaulted by people masquerading as football fans?

Is the Home Secretary aware, from the point of view of designating sports grounds in the third and fourth divisions, that no clubs in those divisions can at present afford the funds necessary to put their grounds in order under the well-merited and needed provisions of the Act? Is he further aware that unless Government money is forthcoming third and fourth division football clubs in Britain are doomed?

In view of the money that has been taken out of professional football by way of VAT, betting tax and pools levy, it is time for the Government—any Government—to do more to give football clubs some degree of assistance if what was once Britain's national game, a game which we were proud to give to the world, is not to disappear entirely.

Mr. Brittan: I note what the hon. Gentleman said at the end of his remarks, but I urge him to take account of the fact that 75 per cent. of the cost of meeting designation is currently provided, and that is a not inconsiderable amount However, I have said that I have taken note of the financial points that have been made.

I greatly welcome what the hon. Gentleman said about the mindless minority, which underlined, as many in the House will agree, the inevitable relationship between safety and behaviour and crowd control. The two cannot be divorced.

In answering the hon. Gentleman's question about what is being done, I refer him to the answer that was given in the House on 4 April, when an outline was given of what was agreed between the football authorities and the Government at the Downing street meeting. I refer specifically to the fact that we shall be introducing legislation on the lines of the Scottish legislation in relation to alcohol; that the review of the public order Acts which I shall be giving to the House shortly will contain recommendations relevant to this area; and that I have made clear to magistrates our support for them in following the tough guidelines of the Court of Appeal on football violence. I shall not rehearse all the measures which are on the record, but at this stage remind the hon. Gentleman only of those.

To answer the hon. Gentleman's question about the throwing of a smoke bomb, I am, of course, conscious that that allegation has been made. I was in touch with the chief constable to get the latest picture just before making my statement today. The position is that he does not feel that he as yet knows the cause of the fire, in spite of the various allegations that have been made.

Mr. Gary Waller (Keighley): Is my right hon. and learned Friend aware that one of the first victims of this tragic event to be identified was one of my most noted constituents, Mr. Roy Mason, a historian who died of his burns despite the heroic efforts of police and bystanders to extinguish the flames that were engulfing him?

On many occasions when I have visited the ground, the narrow passageways at the back of the ground have caused me concern. I recognise, however, that it is easy to be wise after the event.

Does my right hon. and learned Friend appreciate that this is a personal tragedy for the chairman of Bradford City football club, Mr. Stafford Heginbotham, who has adopted a tough and imaginative approach to the problem of crowd violence to prevent it from coming to Bradford City as it has come to nearby Leeds United, and who has seen this event occur just as the club was reaching the very pinnacle of its success?

Mr. Brittan: I agree with everything that my hon. Friend has said.

Mr. Joseph Ashton (Bassetlaw): Is the Secretary of State aware that many of those who were members of the committee which looked into the question of the safety of sports grounds 11 years ago knew that it was a question of cash versus safety, and that it is clear that cash won?

Why does the Department operate the Horserace Betting Levy Board, which channels an 8 per cent. tax from that sport back into improving safety standards at race tracks, whereas football, which pays 42 per cent. by way of tax, relies on a charitable trust? Will the right hon. and learned Gentleman ask the Chancellor to allow football to be freed of that tax for a year so that the resultant £212 million may be ploughed back into football to prevent a recurrence of this tragedy? Why, if it is good enough for the sport of kings, is it not good enough for the sport of the working class?

Mr. Brittan: The Chancellor will, of course, have those remarks drawn to his attention, though the hon. Gentleman did not present the analogy completely fairly. Football betting, in the form of pools, and horserace betting are subject to tax. In addition, a levy is payable on betting which is used to finance matters relating to racing. There is no such levy in relation to football. However, in each case there is a means of financing improvements to football, in the one case by a statutory levy, and in the other by a voluntary trust. The question whether the funding is adequate and what should be done about it is a legitimate one, though I do not feel that the hon. Gentleman put the matter entirely fairly in his question.

Mr. Michael Morris (Northampton, South): As the representative of the young man who tragically died in Birmingham, I welcome the joint nature of the inquiry. Is my right hon. and learned Friend aware that in Northampton we have a wooden football stand and a wooden rugby football stand, and that one of the major stands at the county cricket ground is wooden? Should we not therefore look at the whole aspect of spectators and stands? I hope that the Government will take that on board and consider the financial implications involved.

Mr. Brittan: The question of the material of which stands are made will obviously be central to the inquiry.

Mr. Robin Corbett (Birmingham, Erdington): May I, on behalf of the thousands of loyal and sensible supporters of Birmingham City and Aston Villa, express the disgust of those supporters and fans at the hooligan behaviour at Birmingham City football ground on Saturday?

Although I do not like the form of the joint inquiry which the right hon. and learned Gentleman has announced, will he confirm that that inquiry will be free

to sit in Birmingham? Will he also consider giving councils power to close football and other sports grounds until such time as their safety standards are up to the necessary limit, in the way local councils can proceed against other businesses and take enforcement action, even if his agreeing to do so would mean delaying the start of the football season?

Mr. Brittan: I am grateful to the hon. Gentleman for his expression of disgust at the hooliganism at Birmingham. I share it. The inquiry will certainly be free to sit in Birmingham should it feel that that would be helpful and appropriate.

In answering his final question, I draw the attention of the House to the provisions of the Safety of Sports Grounds Act 1975 and the Fire Precautions Act 1971, both of which allow application to be made to the court in effect to restrict the use of premises should circumstances relating to safety make that desirable.

Sir Hector Monro (Dumfries): The whole world of sport—the Central Council of Physical Recreation, the governing body, and everybody—mourns the events of the weekend. I welcome the measures that my right hon. and learned Friend has announced, particularly the designation of the third and fourth divisions. Will that include the Scottish first and second divisions, which are equally important?

Will my right hon. and learned Friend in response to what other hon. Members have said, consult the Chancellor about the enormous sums taken from sport by way of taxation to see whether further relief can be given so that the Football Ground Improvement Trust, which does an excellent job, can ensure greater safety at grounds before the beginning of next season, so that all sports fans in the United Kingdom can enjoy their sport in safety?

Mr. Brittan: I take note of the points that my hon. Friend has raised from his experience, especially in relation to Scotland. The operation of the Safety of Sports Grounds Act in Scotland was reviewed last year by my right hon. Friend the Secretary of State for Scotland in consultation with the Convention of Scottish Local Authorities, the association of Chief Police Officers (Scotland), the Scottish football authorities and other interested bodies. At that time, it was concluded that there was no need to extend designation beyond the premier division, but the position has been kept under review and my right hon. Friend hopes that all aspects of the effectiveness of the Act in Scotland, including future designation policy, will be considered carefully within the ambit of that arrangement.

Mr. Michael Meadowcroft (Leeds, West): Is not one of the fundamental problems the fact that measures designed to improve security within sports grounds are likely to run directly counter to measures to improve safety in getting out of grounds? Does the Home Secretary agree that as well as using all possible ingenuity in taking immediate practical measures we must bear in mind that these really just buy time and that much more energy must be devoted to discovering why lawlessness and anti-social behaviour are so rife in the 1980s? Does he agree that none of us should accept that this is some kind of inevitable, malign evolution and that deeper research is needed into the underlying causes?

Mr. Brittan: The hon. Gentleman is entirely right. The underlying factors must be much more profound. He is equally right to imply, however, that the difficulty of identifying and dealing with those factors in terms of basic social trends is likely to be such that we should be failing in our duty if we did not take such immediate practical measures as can be identified.

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): Does my right hon. and learned Friend accept that the Bradford incident was a tragedy of Aberfan proportions and casts a blight on the entire nation? Does he also accept, however, that the death of one person in a sad, shameful and barbaric episode at Birmingham City is just as sad for the family concerned? Does he agree that those incidents may be linked by mindless acts of hooliganism of the kind that may have occurred at Bradford and certainly occurred at Birmingham City? Is not one of the most important questions to be investigated that of why a national game is becoming a national disgrace?

In this context, is there not a vital part to be played by the magistrates who, week after week, deal with hooligans who have done their worst but often impose very small fines on them? Has not the time come to ask magistrates and judges to look upon the hooligans as the criminals that they are? Is not part of the problem that of ensuring that people have the will and spirit to enforce the law as it already exists?

Mr. Brittan: We must certainly encourage magistrates to use their powers to the full, and I have done that. I am also in touch with the police with a view to giving priority to the bringing of charges which would enable the courts to impose the correct penalties. To be fair to the magistrates, however, difficulty in obtaining evidence is an important part of the problem.

As for a national game becoming a national disgrace, I yield to no one in my disgust of and abhorrence for those who make that seem to be so. Nevertheless, for the vast majority of people, both players and spectators, the game is still a perfectly decent and honourable pursuit.

Mr. Roland Boyes (Houghton and Washington): May I draw the Home Secretary's attention to early-day motion 461, which calls for a reduction in the pools betting tax? Is the right hon. and learned Gentleman aware that Mr. Jack Dunnett, president of the Football League and a former Member of Parliament, has calculated that a reduction of 0·5 per cent. would bring in £1 million? May I also associate myself with the comments of my hon. Friend the Member for Bassetlaw (Mr. Ashton) as vice-chairman of Hartlepool United and point out that the chairman, Mr. John Smart, would very much like to replace the wooden stand? Is the right hon. and learned Gentleman aware, however, that a reduction of a few percentage points in the betting levy would not compensate for the amount of work that needs to be done at football clubs? I welcome the inquiry at Bradford City, but does the Home Secretary agree that it is not inquiries but cash that is needed to improve the football grounds of this country?

Mr. Brittan: I thank the hon. Gentleman for drawing attention to the early-day motion, which my right hon. Friend the Chancellor will not have failed to notice.

Mr. John Carlisle (Luton, North): May I endorse the comments of the right hon. Member for Manchester, Gorton (Mr. Kaufman) about the Football Association's

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recommendation for a perimeter fence around the Luton football ground? Does my right hon. and learned Friend agree that in the light of the recent trouble such a recommendation is nonsense, and will he ask the Football Association to withdraw its instruction?

Does my right hon. and learned Friend agree that there is some correlation between hooliganism and safety? Does he agree that, but for hooliganism, the doors would not have been locked, more fire extinguishers might have been available and there would be no need to fence pitches? Will he spare no effort in introducing measures to correct and deter the hooligans so that once again the game can be played and watched in peace?

Mr. Brittan: I agree with the latter part of my hon. Friend's question, but I shall not be asking the Football Association to withdraw its recommendation, because such recommendations are not absolute. The green guide makes it clear that the perimeter fence is desirable but that it must be considered in the context of security and safety as a whole, and in the context of arrangements for exits from the ground and for getting through the fence in times of emergency.

Mr. Tony Lloyd (Stretford): The Home Secretary is right to emphasise, as he has done on previous occasions, the need to consider perimeter fences in the broader context of safety generally, but in seeking to extend crowd safety measures to third and fourth division grounds will he ensure that there is also proper examination of the first division grounds at Manchester and Liverpool, for example, where it takes a considerable time to clear the crowd at the end of the game in the normal way? Does he agree that in an emergency or in a disaster in which emergency services need to come in we must have a guarantee that that aspect has been adequately considered?

Is the right hon. and learned Gentleman aware that, having put so much emphasis on control, there is now great concern about whether sufficient attention has been given to the crowd safety aspect?

Does the right hon. and learned Gentleman also agree——

Mr. Speaker: Order. I hope that the hon. Gentleman will be brief.

Mr. Lloyd: Yes, Mr. Speaker. Finally, does the right hon. and learned Gentleman agree that all these investigations will be irrelevant unless sufficient money can be put back into the game to ensure that the necessary improvements are carried out?

Mr. Brittan: On the new point made by the hon. Gentleman, I entirely agree to the extent that it would be thoroughly wrong if the anxiety naturally being expressed about third and fourth division grounds and other non-designated grounds were to detract from the effort to ensure that proper arrangements operate at designated grounds.

Mr. Eldon Griffiths (Bury St. Edmunds): Having had to deal with the no less terrible aftermath at Ibrox, may I ask my right hon. and learned Friend to take seriously the point made by the right hon. Member for Morley and Leeds, South (Mr. Rees) about problems of liaison between the Department of the Environment and the Home Office and local authorities? Will he also take seriously the question of money and consider whether arrangements can be made analogous with those in the racing industry?

Finally, is my right hon. and learned Friend aware that a number of police officers plunged into the fire to pull out fans who in other circumstances would have been pelting them with rocks? Is he aware that the police have had more than enough casualties as a result of football games and that they look to his new arrangements for public order to give a chief officer the power to ban a match if he believes that it would constitute a threat to public order?

Mr. Brittan: My hon. Friend has considerable experience in this area, having had to deal with the aftermath of the Ibrox disaster, and I note his comments.

As for relations between the two Departments and the football authorities, I think that my hon. Friend the Parliamentary Under-Secretary of State for the Environment, who has responsibility for sport, would agree, as would the football authorities, that we try to keep in close touch. As for the public order review, I shall be announcing to the House very shortly the conclusions that I have reached, which certainly include recommendations relevant to football safety and security.

Mr. Tony Banks (Newham, North-West): This has been the most tragic football season that I can remember in more than 30 years as a regular football supporter. I welcome the Home Secretary's statement about designating third and fourth division grounds. Is the right hon. and learned Gentleman aware that this will cost tens of millions of pounds and that, despite the grants available, it could force a number of professional football clubs out of business? Surely the right hon. and learned Gentleman has heard enough from the Opposition to realise that what is really needed is an inquiry into how to get more money into the game to carry out the necessary crowd and ground safety measures. Will the Home Secretary ask his hon. Friends to set up an inquiry into how to raise this additional finance? Will he investigate the possibility of soft loans or grants from the Government being made for ground improvements? Will he consider dropping VAT and police charges? These are all measures which could put money back into the game. That is sadly needed, because, in the end, money counts, not pious thoughts.

Mr. Brittan: I note the hon. Gentleman's suggestions. I am not disregarding them, but it is not just a question of money. The hon. Gentleman would be greatly mistaken if he denigrated or played down the valuable part that can be played in deciding exactly what is to be done. Certainly, money alone will not solve the hooliganism aspect.

Mr. Peter Bruinvels (Leicester, East): Will my right hon. and learned Friend issue strict instructions to all football grounds, cinemas and all other places of entertainment that they should never again lock emergency exits? They should remind themselves that it does not matter if a few people come in without paying. What matters is that the majority of people who want to get out of the premises should be able to do so.

Mr. Brittan: The problem would not arise if the exits were manned. I note my hon. Friend's point.

Mr. Harry Greenway (Ealing, North): I speak as a life-long soccer supporter. I think that no hon. Member would cavil at the earnings of soccer players. Those who have followed the game for a number of years will note

that violence on and off the field began when big bonuses were given for winning. Would it not be right to examine this aspect in the inquiry? Is it not worth considering imposing a levy on transfer fees, because high transfer fees add to the financial tensions in the game? That measure would be helpful.

Mr. Brittan: I am grateful to my hon. Friend for those further suggestions.

Mr. Denis Howell (Birmingham, Small Heath): It is understandable that most of the questions have been concerned with the great tragedy at Bradford, but it would be unworthy of the House if hon. Members did not spend a little time on the serious law breaking at St. Andrew's on Saturday, which I witnessed. On that occasion, 96 policemen were injured and at least 1,500 people were on the pitch making a deliberate assault on the peace of the realm and the good order of our society — a serious situation which one never thought one would see in British sport. I therefore ask the Home Secretary to consider some matters arising from that incident.

The police were grossly outnumbered by between 600 and 700 law breakers on each side. The police deserve the highest praise for keeping the opposing armies apart and for preventing a general conflagration. We must ensure that two sets of sportsmen are never allowed again to create a situation——

Mr. Brittan: They were not sportsmen.

Mr. Howell: So-called sportsmen. Two separate and repeated baton charges by the police were required at both ends of the ground simultaneously over a period of 35 minutes. That was the extent of the disorder that occurred in Birmingham on Saturday, which I had the misfortune to witness, along with many other decent people, who were horribly sickened by it all.

Will the Home Secretary consider the concerted action by some of these league troublemakers, which was well planned and known in advance? There was excellent co-operation between the Leeds and the West Midlands police forces, but that was not enough to deal with the problem. We must ensure that, in such circumstances, people bent on disorder are not allowed to travel this country to break the law. I hope that the inquiry will take account of that point.

My right hon. Friends and I are concerned about the fact that there is to be only one inquiry. The Home Secretary is wrong to limit the terms of reference to the Bradford and Birmingham occurrences. *[Interruption.]* The terms of reference of the inquiry refer to Bradford City and Birmingham City football grounds, unless the terms have been changed since I received a copy. During the past two months there have been similar incidents on the Notts County, Luton and Chelsea grounds. Will the inquiry take all of those disorders into account, as it should, although they are not within its terms or reference?

The right hon. and learned Gentleman's statement did not refer to the Prime Minister's ministerial committee. I hope that that committee has not been superseded. How does the Home Secretary see the relationship between the two inquiries?

In view of the serious issues of law and order and public safety, how long will it be before Mr. Justice Popplewell reports? This is of the greatest importance if Mr. Justice Popplewell's recommendations, the implementation of which are bound to be costly, are to be put into effect in time for the beginning of the next football season.

Like the Scarman inquiry, will the Popplewell inquiry have available to it specialist advisers to consider the questions that need to be examined including how advance information and intelligence are obtained, the use to which they are put, how these incidents are exploited and how they can be prevented. Most importantly, will Mr. Justice Popplewell examine the deeper social significance of an occasion when so many hundreds of people go to a game bent on trouble? Will he consider why these difficulties persist in arising in our society?

Will the Government again look at the Chester committee's report, which recommended the creation of a football levy board? This is essential. The Home Secretary has said that the trust provides 75 per cent. of the cost of designation, but that is inadequate in view of the cost of the major structural alterations that will be required.

The right hon. and learned Gentleman referred to perimeter fencing. There is a dilemma between ensuring that those whom one does not want to be on the pitch are kept off and allowing thousands of people to use the pitch in an emergency as the only reasonable point of evacuation. Some of the gates in some perimeter fences do not match the requirements. The right hon. and learned Gentleman probably realises that and will do something about it.

Finally——*[Interruption.]*

Mr. Speaker: Order.

Mr. Howell: These are very important matters of law and order. They are distinct from questions of safety, and they justify our view that there should have been two statements.

Finally, will the Home Secretary convey our concern to the football authorities? Will he ask them to consider whether, where necessary, the kick-off for important matches should be in the morning, and whether clubs whose travelling supporters have bad records should have all-ticket away matches? Most importantly, will he ensure that the licences are withdrawn from those proprietors of minibuses and coaches carrying football supporters who are seen—I understand that this happened on Saturday —to stop at supermarkets and pubs to load up with drinks?

Mr. Brittan: The right hon. Gentleman will be aware of the announcement that has been made about the Government's notices of intentions.

I take note of what the right hon. Gentleman said about the Chester committee's recommendations.

The most significant points made by the right hon. Gentleman relates to the events at Birmingham. He was right to draw attention in a very vivid way, in his accurate account of events, to the magnitude and horror of what occurred there.

As for the right hon. Gentleman's comments on the announcement, if he has time to look more closely at my statement he will see that the terms of reference of the inquiry are wider than he perhaps realised. Although the inquiry is invited to consider matters with particular reference to the events at Bradford City and Birmingham, that is not all that it is entitled to do. It is invited to look at the matter very much more broadly.

[Mr. Brittan]

The right hon. Gentleman asked about the inquiry having technical assistance. At a later stage in my statement I said:

"I shall arrange for the chairman to be assisted by appropriately qualified assessors . . . and to have available such technical advice and support as he requires."

As for the relationship between this inquiry and the measures agreed between the football authorities and the Government at No. 10 Downing street, I stressed towards the conclusion of my statement that the measures announced were

"additional to those announced on 1 April after the meeting at No. 10 Downing street with the football authorities"

and that the programme of measures agreed there must go ahead with renewed urgency.

British Aerospace

4.51 pm

The Minister for Information Technology (Mr. Geoffrey Pattie): With permission, Mr. Speaker, I should like to make a statement about the outcome of the joint offer of shares in British Aerospace by the Government and the company.

Approximately 264,000 applications were received from the general public, excluding institutional priority applications, for a total of approximately 790 million ordinary shares.

Preferential applications were received from shareholders for approximately 23 million shares and from employees for approximately 3 million shares. All such valid applications will be allocated in full.

Valid applications from the general public for up to 20,000 shares will be allocated a minimum of 100 shares and a maximum of 275 shares, depending on the number of shares applied for. No allocation will be made in respect of public applications for more than 20,000 shares. On this basis, allocations will be made to some 260,000 applicants for a total of some 40 million shares.

As announced on 1 May, approximately 80·8 million shares, 55 per cent. of the total offered shares, have been allocated to institutional priority applicants.

It is expected that dealings in renounceable letters of acceptance in respect of the offered shares will commence tomorrow.

Mr. John Smith (Monklands, East): Why is the language of the Minister's statement so contorted and convoluted that it is not possible to discover from it the amount that was raised in the sale? Was not the amount £550 million, and did not 55 per cent. of that go to the preferential institutions, with apparently only 2 per cent. finding its way to the employees, despite the Government's often-professed intention that shares should go to employees?

Are the Government somehow ashamed to reveal the total amount raised in the sale because of the increasing public perception that this is an exercise in selling off the furniture to pay the rent—that the money goes into the maw of the Treasury and is squandered by the Government while the public lose the prospect of future profits from a shareholding?

Have not the Government yet realised that they have finally betrayed the promise which they gave the House of Commons during the passage of the legislation that they would retain 25 per cent. of the shareholding?

The Secretary of State for Trade and Industry (Mr. Norman Tebbit): Not again.

Mr. Smith: The Secretary of State for Trade and Industry shakes his head and says, "Not again." It is not surprising that the House of Commons should remind Ministers about their breaches of promises to the House. We shall continue to remind the Government that they gave a solemn undertaking to retain 25 per cent. of the shareholding to preserve the British national interest and that they have evacuated and abandoned that commitment.

Mr. Pattie: On that last point, the right hon. and learned Gentleman asked a similar question on 1 May. The answer that he was given then, he will not be surprised to know, has not changed since. The undertaking given by the Government in 1981 was to safeguard the national

interest. That has been done by the special share, the details of which are set out clearly in the prospectus, which I invited the right hon. and learned Gentleman to read. He seems to be seizing with some delight on the number of employees who have applied. I should have thought that 3 million shares applied for by the employees was a pretty satisfactory return.

I can tell the right hon. and learned Gentleman that 250,000 people have applied for shares—as well as the 89 per cent. take-up by existing shareholders—which is an indication of the confidence of people in the company. That is what it is all about.

Several hon. Members *rose*——

Mr. Speaker: Order. I remind the House that this is a private Members' day. I shall call all those hon. Members who have been seeking to catch my eye, but I ask them to put their questions as briefly as possible.

Sir Edward Gardner (Fylde): Is my hon. Friend aware that there is considerable anxiety among those of my constituents who are employed at the British Aerospace division at Warton about job prospects and particularly about the future of the proposed European fighter aircraft? Is he able to say at this stage what he anticipates will be the effect of the sale of the Government's residual shareholding on job security at Warton and also upon the international negotiations that are taking place about the future of the European fighter aircraft?

Mr. Pattie: The sale which has been announced today will not adversely affect the job prospects of his constituents, about which he is rightly concerned.

I do not think that the specific outcome of forthcoming negotiations arise from my statement today.

Mr. Dennis Skinner (Bolsover): Will the Minister give the House a guarantee that no shares have been sold to foreign nationals, say, Libyan, Argentine or those of any of the other countries that have been involved in disagreements with British nationals during the course of, say, the past two or three decades?

Mr. Pattie: If the hon. Gentleman is asking me whether the nationals of any countries that he likes to name have bought shares, obviously I cannot give any such guarantee. If they are free to deal on the stock market, they are free to buy shares. The national interest is wholly safeguarded by the special share and also by the references to the Monopolies and Mergers Commission which are built in.

Mr. Timothy Wood (Stevenage): I congratulate my hon. Friend because I, with 9,000 British Aerospace employees, am delighted that the share sale has been such a success and, furthermore, that we have 260,000 shareholders now taking an interest in the company. I believe that that is excellent for the future of British Aerospace.

Mr. Robin Corbett (Birmingham, Erdington): We all owned it before.

Mr. Pattie: I am grateful to my hon. Friend.

Mr. Tony Marlow (Northampton, North): Will my hon. Friend say how many employees have shares and what proportion they represent of the total labour force? Will he also say a little more about the basis of allocations? If someone applies for 2,000, 1,000 or 500 shares, how many will he get?

Mr. Pattie: About 2,500 members of the work force have applied for the approximately 3 million shares. That figures relates to a total work force of, say, 70,000 in round figures.

My hon. Friend asked me for the share allocation basis. Those applying for between 100 and 200 shares will have 100 shares allocated to them. Those applying for between 300 and 500 will receive 125. Those applying for between 600 and 700 will get 150. Those applying for between 800 and 900 will get 175. Those applying for between 1,000 and 1,900 will get 200. Those applying for between 2,000 and 3,800 will get 225. Those applying for between 4,000 and 9,500 will get 250. Those applying for between 10,000 and 20,000 will get 275. Those applying for more than 20,000 have had their allocations and applications rejected.

Mr. Tony Banks (Newham, North-West): Will the Minister be taking any steps to monitor what happens to the shares after British Aerospace employees have them, to make sure that the Government's original aim is still being maintained? Does he think that many of them will want to make a quick profit, which is what his friends in the City will be doing?

Mr. Pattie: Not if the experience of British Telecom is followed. No doubt the hon. Gentleman would like to see that happen. To the best of our knowledge, 1·7 million individual shareholders have still retained their shareholding in that company.

Mr. A. J. Beith (Berwick-upon-Tweed) *rose*——

Mr. Corbett *rose*——

Mr. Speaker: Order. I do not know whether both hon. Gentlemen were here when I said that I would not call any hon. Member who had not been standing. However, I shall call the hon. Member for Berwick-upon-Tweed (Mr. Beith).

Mr. Beith: As the share allotment was the only new information in the statement, will the Minister accept some congratulation that he so geared the allotment that small shareholders will get shares, and some large shareholders will get none?

Mr. Pattie: That was the Government's deliberate intention, as we wish to encourage wider share ownership.

Mr. Corbett *rose*——

Mr. Speaker: Order. We must move on.

Board and Lodging Allowance

5.1 pm

Mr. Stan Thorne (Preston): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 10, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the problems of the young unemployed caused by statutory instrument No. 613, which has been effective since 29 April."

The problems of the young unemployed who rely on lodging allowance have been made acute by this statutory instrument. It is estimated that between 50,000 and 85,000 people nationally will be rendered homeless by this measure. Some young unemployed will be reduced to squatting, to living rough or to moving from place to place. This is yet another serious social problem directly arising from the Government's action in cutting benefits to the needy. The north Lancashire synod of the Methodist Church, for example, has passed an urgent resolution calling on the Government to rescind or modify these new social security measures.

Such measures jeopardise young people's right to vote, as it becomes increasingly difficult for them to register. It adversely affects their right to register with a doctor. Besides the 50,000 to 85,000 who may be affected by this measure, 100,000 people between the ages of 26 and 65 who are unemployed and in receipt of lodging allowance may also be affected and rendered homeless.

When this subject was debated early in April, the Minister replying to the debate said that there was a possibility that he would reappraise the measures contained in statutory instrument No. 613, which has now been issued. I urge you, Mr. Speaker, to permit this debate as a matter of urgency, because many young people will be affected within the next two or three weeks. In my area, young people have four weeks since 29 April, after which they will be ejected from their lodgings and become homeless. Therefore, this is an urgent problem from north to south of the British Isles.

Mr. Speaker: The hon. Member for Preston (Mr. Thorne) asks leave to move the Adjournment of the House for the purpose of discussing a specific and important matter that he thinks should have urgent consideration, namely,

"the problems of the young unemployed cause by statutory instrument No. 613, which has been effective since 29 April."

As the hon. Member knows, the decision that I have to take is whether this matter should have precedence over the business set down for today or tomorrow. I have listened to what he has said, but I do not consider that the matter that he has raised is appropriate for discussion under Standing Order No. 10 and, therefore, I cannot submit his application to the House.

Civil Liberties

5.3 pm

Mr. Richard Ottaway (Nottingham, North): I beg to move,

That this House strongly endorses the need to protect the essential rights and liberties of the individual citizen, while recognising the vital need to preserve order and stability in our society.

Mr. Speaker: As we have a late start and six Back-Bench Members have asked to take part in the debate, and there may be others, I ask for short speeches in the hope that nobody will be disappointed.

Mr. Ottaway: There is nothing new about the House debating civil liberties, and I do not move the motion in a pioneering sense. Since the days of Magna Carta, which protected Parliament from the King, and the Bill of Rights, which ensured that barons were tried by barons, there have been many advocates of civil liberties and human rights. In the post-war years of the Attlee Government, British support for the European convention on human rights was backed by such eminent Members as Sir Winston Churchill and Lord Stockton from my party, and Ernest Bevin and Lord Layton from the Opposition parties.

In the 1960s, there was much pressure for the right of individual petition to the European Court of Human Rights and, latterly, alliance Members have moved ten-minute Bills in support of incorporation of the European convention into British law. Throughout this period there has been a keen awareness of the need to ensure that legislation recognises the individual's rights and liberties. Accordingly, although the House has not debated the subject for some time, I do not feel that I am trail blazing.

My interest in moving a motion such as this was sparked off by an event that, in many senses, has had a far-reaching impact on civil liberties, and has rent the civil liberties movement asunder. I refer to the coal strike, which has had so much impact on my constituency, which forms part of the Nottinghamshire coalfield. I have in my constituency Babbington colliery, which is one of the oldest mines in the country. Like all other pits in the Nottinghamshire coalfield, it continued to work throughout the strike. The House is aware of the scenes that characterised the dispute, and Babbington colliery was not spared. On two occasions, large numbers of pickets appeared at the front gate, and their behaviour was such that one was led to believe that the object of the exercise was to prevent miners from getting to their place of work.

On the first occasion it is estimated that some 2,000 pickets turned up, split themselves into two groups and then made co-ordinated charges at the police at the gate. At first, there were about 40 policemen, who were rapidly reinforced. In spite of the pickets' efforts, approximately two thirds of the men made it into the pit, largely thanks to the police, who were able to impose control and protect my constituents' right to work. Subsequent discussions with my constituents showed that many of them were most concerned not only about their safety but about that of the police.

On the second occasion, the police, in anticipation, had set up a checkpoint on the M1 about half a mile from the mine. However, the pickets circumvented it by abandoning their cars on the hard shoulder of the motorway and walking across the fields to the pits. Such

scenes, with large numbers of pickets turning up obviously intent on preventing working miners getting to the pit, were common throughout the Nottinghamshire coalfield. Large numbers of policemen were present to help maintain law and order and to apprehend those whom they believed were breaching law and order.

The stories of violence by pickets throughout the dispute are legion and are recorded in the document "The Miners' Dispute: A Catalogue of Violence." Likewise, complaints of police excesses have been recorded, and I am prepared to believe witnesses recording violent police behaviour. While everyone will support a picket's right peacefully to express his point of view, and the policeman's duty to maintain law and order if he does not, in such an explosively charged atmosphere as there was in the coal strike, it was inevitable that some people on both sides should have gone over the top.

Ms. Harriet Harman (Peckham): Will the hon. Gentleman include in his speech protests not about individual police excesses but about the police policy, to which he has referred, of setting up road blocks? Those policies included preventing people from peacefully going about the country — for example, miners were turned back at the Dartford tunnel. Will the hon. Gentleman address himself to that problem, or only to the other side?

Mr. Ottaway: I do not intend to address that particular point, but I am prepared to be even-handed about the policing of the miners' strike. If the hon. Lady had been listening a moment ago, she would have heard me say that there were excesses on both sides, and it came as no surprise to anyone when both sides went over the top.

In view of reported excesses both by the striking miners and the police, it can have come as no surprise to anyone when the National Council for Civil Liberties set up an independent national inquiry into the civil liberties aspect of the dispute. The interim report of that inquiry has much divided the civil liberties movement. My personal opinion is that the report is independent and fair-minded. Although anyone with any political antennae will seek to argue some points on it, I think that most people will agree that it is even-handed in its approach.

Let me refer to that report. I believe that anyone who has any concern for civil liberties will agree with the statement:

"protection from violence and fear of violence is a fundamental civil liberty principle which has been extensively violated during this dispute."

In reviewing that principle, the report is quick to condemn violence on the picket lines, to which I have referred, as well as excessive police action, for example:

"rampaging groups of police officers have run through mining villages, bursting into houses in pursuit of pickets, causing extensive damage to property and assaulting residents."

If that is true, I am sure that hon. Members of whatever party will condemn such acts.

While such incidents are a matter for deep concern, they have not caused the rift in the civil liberties movement. It has been caused by the so-called clash between collective and individual rights. The report states:

"It is a fundamental yardstick of freedom that workers may choose to participate in peaceful collective action, including the withdrawal of labour, to protect their interests."

That is the collective argument. However, what has caused all the trouble is what seems to me to be the perfectly reasonable statement:

"We accept that freedom not to take part in a strike is as much a fundamental right as the right to strike."

That short but immensely important statement has caused much controversy. During the summer of 1984 anyone living in Nottinghamshire was keenly aware of the importance of both rights. Miners could go on strike if they wanted. There were striking miners in Nottinghamshire, and their views were respected. Alternatively, they could choose to go to work if they wanted. No one thought that those two opposite points of view were exclusive. Anyone who cares about civil liberties should be able to accept that the two rights can exist together.

Accordingly, it came as a surprise to me to hear that the NCCL which, after all, had commissioned the report, was unable to accept the premise that the right not to strike was as fundamental as the right to strike. As I understand the argument, it is suggested that the right not to strike weakens the effectiveness of the right to strike and the realisation of its objectives. To me, that is completely to misinterpret the role of the human rights movement. Those people are saying that power is more important than the right. I cannot accept that.

The same annual general meeting of the NCCL reaffirmed its existing policy not to give advice on civil liberties to the National Front. It should come as no surprise to anyone that a group such as the National Front, on the extreme wing of politics, should find itself in that situation. To paraphrase an extract from one of Bernard Levin's columns in *The Times*, he suggested that it would not be the local flower-arranging group that would seek advice, and summed up the principle by saying:

"Free speech is for bastards too."

Mr. Alex Carlile (Montgomery): Will the hon. Gentleman give way?

Mr. Ottaway: No.

The trouble now is that any bastard who comes along to the NCCL for advice will find a notice on the door saying, "No bastards need apply."

Mr. Andrew F. Bennett (Denton and Reddish): Will the hon. Gentleman give way?

Mr. Alex Carlile: Will the hon. Gentleman give way?

Mr. Ottaway: No.

That approach to civil liberties, whether by the NCCL or any other group, is selective and fails the fundamental test of a bona fide civil liberties organisation, in that it is not prepared to support the rights of those whose views it finds unpalatable. The philosophy behind the present position of the NCCL seems to be a split between collective and individual rights and liberties, with the view that collective rights should override any individual rights.

Mr. Clive Soley (Hammersmith): I follow the hon. Gentleman's reasoning, but he is making a mistake that has been made in some press reports. To be fair to the debate, he has not got the argument right and needs to clarify it. First, on the issue of striking, the objection was on equating the two rights as fundamental rights, whereas the mover of the NCCL motion said that the right to go to work without fear of intimidation or violence was a right to be protected. The second issue concerns advice. The NCCL would happily give advice to an individual member of the National Front, but not to the organisation itself. If the hon. Gentleman does not accept that, he is in difficulty, for example, in dealing with whether he would have given advice to the Nazi party in Germany. Judging

[Mr. Clive Soley]

by his understanding and interpretation of the argument, I believe that he could have done so. The example would apply equally to the IRA.

Mr. Ottaway: If I were in a civil liberties movement, I would give advice to anyone who came to me.

Mr. Soley: To an organisation or an individual?

Mr. Ottaway: I would be prepared to give advice to an organisation or an individual.

I regret to say that that attitude reflects the Soviet attitude to civil liberties. In any aspect of Soviet life, whether political, social or economic, all those areas are run by committees, and all the decisions that are made are collective. The system has an in-built preference for collective rights over individual rights when they conflict. That is an abhorrent approach to civil liberties. The concept is alien to Western democracies, particularly in this country with its strong tradition of protection of the rights of the individual. In our society there is no place for that point of view. While I am not for a moment suggesting that there is any link between the Soviet Union and the NCCL, I believe that is is sad that the organisation should adopt such an attitude as its policy. In that context, it is worth noting that the American Civil Liberties Union is prepared to back the right of free speech for everyone, no matter how unpalatable their views.

Mr. Nicholas Lyell (Mid-Bedfordshire): Is it not worth noting that the National Union of Mineworkers, which used to be a democratic union, with the right to a ballot before either a local or a national strike, is now proposing to change its rules so that the national executive committee —in other words, the spokesmen of the collective—will be able to call out any member and all members on strike as and when it pleases, without calling a ballot?

Mr. Ottaway: My hon. and learned Friend is right. That is a typical example of the collective view conflicting with an individual right and seeking to dominate it.

Ms. Harman: The hon. Gentleman has just applauded the stand of the ACLU which, I agree, is a formidable and good organisation. However, will he say specifically whether he thinks that it was right, during the McCarthy —Communist purges, that the ACLU did not stand up for Communists? Would he do the same in similar circumstances?

Mr. Ottaway: The ACLU did not stand up for Communists. I condemn that, and would do so in similar circumstances.

There is another aspect of this sorry tale. A little over a year ago, the NCCL celebrated its 50th anniversary. Its admirable then general secretary, Mr. Larry Gostin, publicly sought to expand the political profile of the NCCL, launching a liberty campaign and publishing an NCCL charter of national civil rights and liberties, which was signed by some 1,500 leading men and women from all walks of life. The question must be put to all those signatories, who include the leaders of the Social Democratic party and the Liberal party, and the Leader of the Opposition: can they continue to support an organisation with such a lopsided approach to civil liberties? No doubt those people will argue that they were merely signatories to a charter, the wording of which no one could disagree with. However, that is not the point. It was described as the NCCL's charter, and the NCCL has chosen to interpret it in such a way that the right not to strike is excluded. To be fair to the leader of the Social Democratic party and certain members of the Liberal party, they have been critical of the position taken up by the NCCL, but they continue to support it and seem to say that they will endeavour to bring about a reform from within, despite the comment by Mr. Gostin that there was little prospect of that in the immediate future. To date, little has been heard from the other signatories.

Mr. Alex Carlile: I am grateful to the hon. Gentleman for giving way. Does he not realise the essential difference between a political party, for example, and an organisation such as the NCCL, in which people can continue to be members and attempt to change policies? Does he agree that his implicit criticism of people who are remaining within NCCL is entirely unfair and unjustified?

Mr. Ottaway: I would accept that point of view if it were not the fact that the outgoing general secretary thought that there was little prospect of immediate reform from within.

Mr. Carlile: But is that correct?

Mr. Ottaway: Mr. Gostin is well placed to see what is going on.

However, what is possibly even more alarming is the fact that a former general secretary of the NCCL, and a current member of the executive, is personal adviser to the Leader of the Opposition. In view of the fact that she believes that the right of the working miner not to strike is less fundamental than the right to strike, several million people who live in the working coalfield areas will be looking forward to hearing from the hon. Member for Hammersmith (Mr. Soley) whether the Labour party agrees or disagrees with that point of view.

It is regrettable that there is a clear political split on this important issue. Civil liberties is a topic which needs to be treated on an all-party basis. If civil liberties are to be respected, fundamental rights must be supported and any political gulf between the parties over fundamental rights must be bridged. It is worth mentioning that Justice, an equally important civil rights movement with a much lower profile than the NCCL, has as part of its constitution a requirement that members of all three major parties should make up the executive. That is a sensible approach that gives much credibility to Justice.

Mr. Soley: I asked the hon. Gentleman to clarify an important issue. He has said again that the right to strike and the right not to strike, or to strike break, are both fundamental. He is implying that there is a right to work. If the right to work is to be maintained, leaving aside the 4 million unemployed, will he give full support to a group of workers who decide to enter their place of work if the management, for whatever reason, has chosen to lock them out?

Mr. Ottaway: That must depend upon the circumstances. I do not think that a right can be qualified. In the example that the hon. Gentleman has given, I do not say that the group of workers have a right, but one which is not quite as important as the right to strike. That is what was said at Nottingham during the miners' strike. We must not try to contrast a not-quite-so-important right with an important right.

I was saying that the executive of Justice has all-party representation. I welcome the formation of an all-party group for civil liberties and congratulate all those who worked for its inception.

Individual liberties are enshrined in the unwritten common law and statutes as interpreted by the courts of England. It is becoming more and more apparent that the common law, on its own, is not a comprehensive safeguard of individual rights and liberties. The growing evidence of this is the increasing number of cases that are found to be admissible by the European Court and the many cases in which the United Kingdom is found to be in breach of the convention compared with other countries.

There have been tremendous developments in English law in recent years. We have seen especially the development of the process of judicial review, which examines the rights of the individual when confronted with authority. From time to time, common law needs assistance from statute law. The Sex Discrimination Act 1975 and the Race Relations Acts 1976 are two examples. Without these Acts, the common law would be entirely inadequate to deal with the issues to which they are directed. It was necessary to adjust the balance by introducing legislation.

Britain desperately needs a Bill of Rights. I support the call for the European convention on human rights to be incorporated into our legal system. It is not a perfect statement of rights, as it was drafted about 35 years ago. It is ironic that it lacks any express reference to the freedom of passage and the right to work, although such rights can be construed from it. However, it would be politically impossible to achieve consensus on anything other than the European convention. Accordingly, if there is to be any prospect of the incorporation of a Bill of Rights into our legislation it must be the European convention.

We have shown a marked reluctance to incorporate a Bill of Rights. After all, it took 15 years to establish the right of the individual to petition to the European Court. Despite a number of attempts to have the convention incorporated into our legal system, little progress has been made.

It is especially ironic that as the "wind of change" swept across Africa, one by one the Commonwealth countries, as they gained their independence, adopted the European convention on the advice of United Kingdom Governments. It began with Nigeria in 1958, and the convention, as incorporated into the Nigerian constitution, became the model for the "fundamental rights" which are to be found in the great majority of independent Commonwealth countries. In this way, the convention has been transplanted by Westminster legislation into the national laws of more countries and territories than are party to it.

There are many good reasons for the incorporation of the convention. As I have demonstrated, there is a substantial body of very learned opinion which believes that the common law has developed as far as it can go and has been found to be lacking on many occasions, the remedy having to be found in the European Court. The court has played an important role in developing and protecting human rights in Britain, from a prisoner's right of access to a lawyer to enabling *The Sunday Times* to publish its report on behalf of the disabled children in the Thalidomide tragedy. In this Session alone, two Bills have been introduced as a direct result of decisions of the European Court. These are the new regulations on telephone tapping and the new restrictions on corporal punishment in schools.

As the convention is not incorporated into our law, one practical effect is that a judgment of the European Court cannot be referred to by British judges or relied upon in their interpretation of statutes and civil liberties. This deprives the judges of the power and responsibility of protecting civil rights. If the convention were incorporated into our legislation, a body of case law would be built up to which judges could refer, and those with a grievance could obtain a remedy from the High Court without undue difficulty.

No one should be under any illusion that it is an easy matter to have his rights reviewed by the European Court. A reference to the court cannot be made until all remedies in the United Kingdom have been exhausted, which normally means that a petitioner has to go through the High Court, the Court of Appeal and the House of Lords before he has a chance to take the matter to Europe. Apart from the fact that it will probably take him up to eight years to get there, he will probably bankrupt himself in the process of funding the action through the courts. If he then decides to take the plunge and goes on to Europe, he will not qualify for legal aid as it is not part of our judicial system. Therefore, those who find no remedy in our courts will have to suffer if they do not have the resources to go to Europe.

Let us suppose that a prisoner feels that his right of privacy has been infringed by a prison officer having opened his mail before he gets it. Leaving aside whether that is a good or bad idea, the prisoner has no remedy in this country as there is no right of privacy. His only prospect of remedy is to take the matter to Strasbourg, and the chances are that he will be released from prison before the European Court is able to make a ruling. It is taking eight years to make a ruling. If the European convention were incorporated in our own law, it would be relatively simple for the prisoner to make an application to the High Court for his grievance to be aired.

The introduction of a statutory Bill of Rights to Britain will almost certainly stop civil liberties from becoming a political football. A classic example is the reference to the European Court of the GCHQ decision, which is clouded in political controversy. Another example is the three British Rail employees, Young, James and Webster, who established at the European Court the right not to join a trade union, a case which is still not recognised by the NCCL.

It is worth considering whether the existence of the European convention would have made any difference to the miners' strike. This is currently a matter of some discussion by academics, but there would seem to be a general feeling that the Kent miners would have had a good case to take to the court over the road block at the entrance to the Dartford tunnel. Likewise the working miner would have had a much clearer established freedom of association — a right which is lacking in common law.

A Bill of Rights would be a pillar in our midst with which the young would grow up. The establishment of the right would no longer be the subject of a political argument and sectarianism would be removed from our society. The rights of the individual are paramount and they will receive support from all quarters of the House. The current debate over collective and individual rights is most disturbing and

[Mr. Ottaway]

a fundamental advance in individual rights and liberties would be the incorporation of a Bill of Rights into our legislation. That would go a long way towards ensuring that the rights of the individual do not become subservient to collective rights.

I recommend the motion and urge hon. Members to support it.

5.29 pm

Mr. Alex Carlile (Montgomery): I am grateful to you for calling me, Mr. Deputy Speaker, to participate in this debate. I speak not only as a Member of this House but as a new member of the executive committee of the NCCL.

The hon. Member for Nottingham, North (Mr. Ottaway) has given us the benefit of a speech which fell into two distinct parts. The second part was a constructive exposition of some of the reasons why we need a Bill of Rights. That view has been expressed in various Bills, most recently in a Bill introduced by my hon. Friend the Member for Caithness and Sutherland (Mr. Maclennan).

On the first part of the speech of the hon. Member for Nottingham, North, I agree with some of his remarks about the National Council for Civil Liberties. In particular, I deprecate the decision taken by the annual general meeting in connection with the right of working miners to go to work. However, the decision was to some extent blown out of proportion by the press, which failed to understand that the debate at the annual general meeting was a serious, legitimate, intellectual debate about the difference between group rights and individual rights. Although Conservative Members may laugh and scoff at the proposition that there can be an intellectual discussion of those issues, whether or not one agrees with the conclusion, there can be such a discussion.

The hon. Gentleman, perhaps inadvertently, said that in his view there was no place in our society for the view that the group right to strike outweighed the individual right to work. Those words were not worthy of him. Although we may disagree with the point of view of which he complained, it can respectably be held and argued.

Mr. Ottaway *rose*——

Mr. Carlile: I shall not give way now.

I remind the hon. Gentleman that on 3 May, at the first executive committee meeting after the annual general meeting, the executive committee passed a resolution regretting the resignation of the members of the inquiry into the policing of the miners' dispute, and endorsing the annual general meeting's decision to endorse the independence of the inquiry and most of the conclusions of the inquiry's interim report. Before the hon. Gentleman seeks to pour too much scorn on the NCCL — it is important to distinguish between legitimate criticism and unnecessary scorn, as the former is justified and the latter is not—I remind him that at that executive committee meeting, in which I participated, the executive committee also declared:

"The NCCL will continue to act as the guardian of Civil Liberties, independent of any political or industrial lobby, or faction."

The executive committee continued:

"It must not be seen as the mouthpiece either of the trade unions or of those who oppose them . . . This Executive Committee reaffirms its absolute commitment to the defence of the civil liberties of all citizens, irrespective of their individual political beliefs."

It is also important to reinforce the point made earlier by the hon. Member for Hammersmith (Mr. Soley), that at the annual general meeting the organisation reaffirmed its commitment to advise individuals of their rights, whatever political views they held and whatever the political organisations of which they were members.

As a member of the NCCL and its executive, my view is that the organisation should be prepared to advise organisations as well as individuals of their civil rights, even if it does not agree with their political views. I also believe that at the annual general meeting the NCCL took a disproportionate view of group rights as opposed to individual rights. That disproportionate view contradicts article 11, paragraph 1, of the European convention on human rights, which affirms the right to freedom of peaceful assembly and freedom of association with others. That covers the right to go to work, even if there is a strike at one's place of work.

When one considers the controversies about the NCCL's annual general meeting — some of us are anxious to redeem the organisation of those controversies —it is important to remember that they represent only a small part of what was discussed. It is right to bear in mind that over 95 per cent. of the day-to-day work of the NCCL is not in the realms of the miners' strike and the National Front, but in the excellent work of advising ordinary citizens or groups of citizens who feel that their civil rights have been aggrieved.

Mr. Gerald Howarth (Cannock and Burntwood): Does the hon. and learned Gentleman agree that the resignation of Mr. Gostin and those who are looking into the miners' strike is ample justification for the deep-seated criticism of the NCCL by my hon. Friend the Member for Nottingham, North (Mr. Ottaway) which, in my extensive experience, has never been interested in looking after the interests of people who wish to work when there has been a strike?

Mr. Carlile: I agree with the hon. Gentleman that the resignations of Larry Gostin and the committee of inquiry gave rise to legitimate criticism of the NCCL. I have sought to make it clear that I agree with much of the criticism and the views expressed. However, it appears that already there has been some recognition, through the resolutions of the executive, that mistakes have been made. That is why I remain, at least for the present, a member of the executive and of the NCCL. I have not referred to all the other resolutions passed, but I commend them to Conservative Members.

Although Mr. Gostin's resignation is regrettable, it is important to remember that he remains a member of the organisation. His position became untenable because he was an employee, unlike, for example, a member of the executive or any other member of the NCCL. He was contractually bound to carry out the policies of the annual general meeting, and he was not in a position to change them, or, at least, his position made it extremely difficult for him to change them. Those of us who are not contractually obliged to the NCCL bear in mind that it is not a political party, but an organisation consisting of groups and individuals. The majority of members of the

NCCL believe in the all-party approach—the across-the-board approach — to which the hon. Member for Nottingham, North rightly referred.

The re-establishment of the all-party civil liberties group was an important step in that direction. The press has, to a great extent, misunderstood the status of the all-party civil liberties group, because Larry Gostin, then of the NCCL, helped to re-establish it. Certainly one should give him the credit of being highly influential in its re-establishment. As a result it has been assumed that there is a formal relationship between that group and the NCCL, but hon. Members will know that there is none. The group will, from time to time, undoubtedly be valuably served by the extremely good briefings which the NCCL is in the habit of providing to hon. Members of all parties. It is to be hoped that the group will continue, as appears to be the case, on an all-party basis.

The second part of the speech of the hon. Member for Nottingham, North was far more constructive, and was the more important part of the debate. Not only the hon. Gentleman, but—I hope that he will forgive me for this —some of his as yet even more distinguished colleagues have expressed similar views in the past. In a celebrated Dimbleby lecture, the present Lord Chancellor expressed the opinion that the Houses of Parliament were no longer able to provide satisfactory or adequate safeguards for the fundamental liberties of the individual. As all right hon. and hon. Members know, the simple reason for that is that our work in the House is too great in volume and too complex in detail for hon. Members to be able to look day-by-day at breaches of possibly important and, indeed, fundamental civil rights, which may have occurred as a result of unfortunate excesses by the police, local authorities, the Civil Service or other public bodies.

That view had been expressed before by many others. Not least, it had been said in strong terms in a pamphlet, published by the Conservative Political Centre, by the present Secretary of State for Education and Science. He had come to similar conclusions over 10 years ago on the same basis—that Parliament could no longer safeguard the liberties of the individual. The Liberal party and my hon. Friends in the Social Democratic party have long expressed similar views. Indeed, Lord Wade has a distinguished record of propounding that view, as have my hon. Friends the Members for Caithness and Sutherland and for Berwick-upon-Tweed (Mr. Beith). The roll of honour goes across party lines on to the more independent Benches. That most distinguished of judges and constitutional lawyers, Lord Scarman, has expressed a similar view on many occasions.

The problem is that the only remedy that is realistically available at present to the citizen who feels that his fundamental liberties have been interfered with is an application for judicial review. The procedure has improved in recent months, so that it is now easier to apply for judicial review and quicker to have an application heard. However, the procedure is expensive and risky, and it involves going to the High Court. Many of those who have been wronged are people who may find the prospect of applying to the High Court for judicial review somewhat intimidating. It is right to say that the judges have been pushing out the boundaries of judicial review. Because of the liberal judicial interpretation that has extended the range of circumstances in which judicial review can be applied for, it has become more possible for the citizen to obtain redress. However, it is a lengthy, expensive and intimidating procedure.

It is right to remind the House that not only have distinguished members of the Conservative party and the alliance supported my views, but that similar views have been expressed from time to time by members of the Labour party. However, it would be pleasing if one could hear an unequivocal commitment from the Labour Front Bench to a Bill of Rights. If one examines the Cabinet papers of the Labour Government during that crucial period between 1945 and 1950, when the European convention on human rights was ratified—this is clearly set out in a distinguished article in the 1983 volume of the journal *Public Law* by Anthony Lester QC—one sees that that Government, and especially the then Lord Chancellor, Lord Jowitt, did not have a good relationship with the convention. Perhaps I am oversimplifying, but it seems to me that, before the Labour Government eventually agreed to ratify the convention, some Labour members believed that if one paid too much attention to the convention, and certainly if it was incorporated into domestic law, there would be a severe risk of a Socialist Government losing control over a corporate state. If that is still the view of the Labour party—and I hope it is not—it will give our citizens considerable cause for concern.

The great advantage of the incorporation of the European convention——

Mr. Lyell: The hon. and learned Gentleman posed a question of great interest, and I saw the hon. Member for Hammersmith (Mr. Soley), the Opposition Front Bench spokesman, shake his head. But the question is ambivalent. What the hon. and learned Gentleman should have asked, and what must be clarified, is whether the Labour party believes that it can still run a corporate state despite the European convention, or whether it is prepared to accept the European convention on its merits.

Mr. Carlile: I am grateful to the hon. and learned Gentleman for posing the question in that way, and I should be happy to hear an answer to it. I note that we shall get one in due course from the hon. Member for Hammersmith, who I am sure will give us a full answer.

Mr. Robert Maclennan (Caithness and Sutherland): Does my hon. and learned Friend accept that the Labour party has been ambivalent about this, but that some distinguished members of the Labour party support it? They include, notably, Lord Gardiner, the former Lord Chancellor, who wrote a letter to *The Times* in support of my Bill proposing the incorporation of the convention, and the sponsor of the Bill, the right hon. Member for Barnsley, Central (Mr. Mason) who, from his experience, especially in Northern Ireland, recognised the value of incorporation.

Mr. Carlile: I am grateful to my hon. Friend, and I accept what he says. He reminds me of those two distinguished names on what I have already called the roll of honour, and I hope that their considered approach will permeate through to the entire Labour Front Bench.

Some parts of the European convention on human rights can be criticised as weak and somewhat wishy-washy. Indeed, article 8, which was debated at some length when we dealt with the Interception of Communications Bill, is

[Mr. Carlile]

weak and is affected—or infected—by having been prepared in the nervousness of the immediate post-war years. However, I agree with the hon. Member for Nottingham, North that if consensus were obtained on a Bill of Rights, it would probably be obtained only on the European convention. It is detailed and tested, and it is certainly better than having no constitution at all.

If incorporated into our domestic law, I hope that it would mean that if a citizen believed that his fundamental human rights had been interfered with, he could go to a summary court—the local county court, where a hearing can be obtained quickly nowadays—for a declaration that his rights had been interfered with, and for other appropriate remedies, such as an injunction and damages. That would cut out all the nonsense and expense of having to plough through the system of High Court pleadings and proceedings before finally obtaining a contested hearing in the High Court as to whether there had been a breach of fundamental rights.

Another important reason for a Bill of Rights is that we are living in such a complicated society—much more complicated even than that of the late 1940s, when the convention was drafted—so that it is much more difficult for the citizen to know what his fundamental rights are. Indeed, I suspect that each of us from time to time is approached in his constituency surgery by someone who says, "But it is my right." Whether one be an expert constitutional lawyer or not, one cannot answer yes or no, because we have little understanding of what those "It is my right" rights are. It is important to define them as far as possible.

Mr . Lyell: This is a most fascinating subject. Before we charge too rapidly in the direction of incorporation, is it not right to remember, as the hon. and learned Gentleman said, that the European convention has many faults, many wishy-washy aspects and obscurities, and that we have no opportunity now, or even if we incorporated it, to change it?

Mr. Carlile: The debate could develop into an interesting colloquy between myself and the hon. and learned Gentleman, but I have already spoken at length and I do not want that to happen.

At the moment we have no Bill of Rights worth the name. We need one, and the European convention provides a good basis from which our Bill of Rights could be drafted.

I congratulate the hon. Member for Nottingham, North, whom I criticised a few moments ago, on his luck in obtaining this debate and his good sense in choosing the subject of the debate. I hope that most of the rest of the debate will concentrate upon the constructive rather than the destructive parts of his speech.

5.50 pm

Mr. Edward Leigh (Gainsborough and Horncastle): The more time I spend in politics, the less certain I become about what other politicians tell me is certain. Usually there is an element of truth in what both sides say. But, no matter, because most of the great evils perpetrated in history have been caused by convinced adherents of a specific ideology or "ism". Those of us travelling hopefully on the road towards an elusive truth are usually driving too slowly and have our eyes too closely on the road to kill anyone.

For me, the only certainty in politics is that just as the individual can only find his individual salvation from within himself, so the principal aim of political organisation and thought must be to enable the individual to have the fullest freedom of action and expression consistent with equal freedom for others.

For those of us who support the Western liberal tradition of the supremacy of the individual, those beliefs conjure up more dilemmas than they provide answers. The question was first posed by J. S. Mill in "On Liberty", when he wrote:

"The liberty of the individual must be thus far limited. He must not make himself a nuisance to other people."

The classic dilemma is the right of the individual to speak out. That must include the right to criticise individuals and the right of other individuals to be given redress to protect their good names and reputations.

It is not surprising, therefore, that the doctrine of civil liberty, like that of democracy, is at once the most universally accepted doctrine and, in most countries, the most abused. Thus, the Soviet constitution has one of the most ringing acclamations of civil liberties, while we in this country have no Bill of Rights. I know, however, in which country my civil liberties are better protected.

As Burke said:

"Abstract liberty, like other mere abstractions, is not to be found."

I find it useful to consider the analogy of the large house full of tenants, when addressing that dilemma. I should defend to the death the right of any of my fellow tenants to criticise me or the management of the house. I believe, however, that I have the right to stop, if necessary by force, one of my fellow inmates from wielding a pick-axe at the foundations of the house and bringing the whole lot tumbling down.

Let me illustrate my analogy with reference to the Campaign for Nuclear Disarmament. If our home is ringed with enemies armed to the teeth whose one aim is to destroy the pleasant liberal, democratic regime pertaining in the house, does one of my fellow tenants have the right to stand up and say that we should unbolt the door? Most decidely, yes. That is the right of free speech, however miguided. That is his civil liberty. It is a different matter if he insists on passing a message to the enemy outside, telling him how to unbolt the door. That is what CND is doing by telling the world where our cruise missiles are being deployed. Does the minority tenant have the right to demonstrate in the corridors of our house against the wishes of the majority? Most decidedly, yes. It is his civil liberty to demonstrate. Does he also have the right deliberately to sabotage the work of our house by sitting in the corridor and preventing the rest of us from moving about? That is different. It is denying the majority of us our civil liberties, and that is what CND means by civil disobedience. The British people agree.

In a recent Gallup poll commissioned by the Coalition for Peace Through Security, whose results have previously been unpublished, 52 per cent. of those who had an opinion approved of the monitoring by the security services of political organisations such as CND which have adopted civil disobedience in pursuit of their aims.

Mrs. Ann Clwyd (Cynon Valley) *rose*——

Mr. Leigh: No, I shall not give way.

An even larger majority—62 per cent.—supported the monitoring of trade union activists who are members of the Communist party. Why do the British people take that clear view? They recognise that those people are less interested in free speech than in bringing the whole house of freedom tumbling down.

The delicate plant of our civil liberties can flourish only if we respect the will of the majority. The alternative is the law of the jungle, the law of "might is right", and the immediate degradation and ultimate destruction of all our civil liberties.

Mrs. Clwyd *rose*——

Mr. Leigh: I have already said no. The hon. Lady will have a chance to speak in a moment.

The state has the right to govern only so long as it is sustained by the majority. No regime unsustained by democracy has the right to destroy individual rights for the convenience of the state. Thus, the Nazi and Stalinist regimes in the 1930s, by denying the individual his individual liberty and collective voice, rendered themselves instantly abhorrent, whatever their other crimes against humanity.

To the extent also that a regime like that in South Africa seeks to limit the civil liberties of one section of the community, so it destroys its right to govern the rest.

There cannot be one law of civil liberties for those whose opinions we like and another for those whose opinions we abhor. That is why I find what has been happening in the NCCL this month so alarming, and why I welcome the debate which my hon. Friend has initiated today.

Mr. Larry Gostin's heretical opinion was to assert:

"the freedom not to take part in a strike is as much a fundamental right as the right to strike."

For those of us who believe in civil liberties there is nothing unremarkable in that statement, but to the majority of NCCL members, apparently, a collective decision to break one's contract of work by going on strike denies the individual his right to abide by his contract of continuing to work.

That decision reveals that the NCCL is far from being the guardian of the nation's liberties and is just another Left-wing pressure group. The NCCL even seems to have ignored what the sensible Left appreciates, that the failure to observe basic liberal principles of democracy was the cause of the Left's greatest defeat since the war—the collapse from within of the miners' strike because of the denial of a ballot to all the miners.

Why has the NCCL stood civil liberties on their head? A clue may come from an internal NCCL document which has come into my hands. It says:

"NCCL has a £5,000 overdraft facility which is guaranteed by the Amalgamated Union of Engineering Workers — Transport Salaried Staffs Association. In the past, NCCL has exceeded that £5,000 limit by considerable amounts. A bank manager has met the NCCL's treasurer to discuss that. The bank takes the view that it will not give an overdraft limit beyond £5,000 unless the guarantee is for a larger sum."

The NCCL is thus in the pockets of the trade union block vote. All that furore—a three to one majority against Mr. Gostin—is directed at the authors of a report, who all come from the Left of the political spectrum and who devote merely a passing obeisance to balance amidst a sustained attack on the police.

Of course, this is not the first time that the NCCL has taken such a biased line. Last year the NCCL was quick to condemn the police for issuing passes to local residents at Molesworth. The NCCL made not a peep of criticism when CND issued passes to its members to pass through its own roadblocks.

The NCCL consistently promotes the collective rights of trade unions, but rarely, if ever, the rights of individual trade unionists.

It is no surprise that I have a record of a Ms. Terry Marsland, who is a prominent supporter of NCCL and a Communist, telling an NCCL meeting that the Soviets should be praised for going to the aid of the Afghan people—no doubt to defend civil liberties.

Patricia Hewitt, who is now ensconced safely with the Leader of the Opposition, used to be the general secretary of NCCL. In that capacity she pressed, not just for political control of the police—one would expect that from her—but for political control to determine whom the special branch should investigate for subversion. Does Ms. Hewitt want local Tory councillors in Lincolnshire, who may have an axe to grind, to decide which of her chums should be investigated? I certainly do not want that, and I doubt whether she does.

Mr. Gostin, as we know, was finally forced to resign because, and I quote him, of the

"intolerable interference from the NCCL Council Left wing extremists".

His is not the first defection from the NCCL by moderates; E. M. Forster and George Orwell resigned in the 1940s when they realised that the NCCL was too close to the then Communist party for comfort. One of NCCL's general secretaries, Ronald King, was found, after his retirement, to have substantial, if subterranean, links with the Communist party.

The ideological doublespeak that permeates the NCCL is evident from a letter written by one of its supporters to *The Guardian*. It criticises a very balanced critique delivered by Mr. Hugo Young, who is not a particular friend of the Conservative party. Listen to this extraordinary doublespeak:

"Mr. Young's criticism of the NUM's failure to observe 'basic' libertarian principles and his recommendation that the NCCL should allow a 'commitment to a political principle' is so much utopian sophistry. Such a stance is, moreover, overtly political. Liberty is not a neutral commodity that may be quantified. It is merely an ideological creation."

Yes, it is an ideological creation in the hands of those Left-wing extremists who now seem to control the NCCL.

Mr. Alex Carlile: Will the hon. Gentleman give way on that point?

Mr. Leigh: No.

Liberty is indivisible. It is not an ideological football. It is a fundamental human right. As was once said, it may be dangerous, but it is the safest thing that we have.

6 pm

Mr. Andrew F. Bennett (Denton and Reddish): It is very sad that the hon. Member for Gainsborough and Horncastle (Mr. Leigh) has chosen to smear not only the Campaign for Nuclear Disarmament but the National Council for Civil Liberties. It is also very sad that he has chosen to smear politicians by his comment that he objects to political control. The government of this country is about political control. It is fortunate that in this country political control is based on democracy. If it is good enough to have democracy to run the country, it is also good enough that democracy should be involved in such

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issues as the control of the police. It is very sad when politicians who are openly involved in politics set out to smear the idea that there is something wrong with political control. Political control is right if it is balanced by the democratic right of the electorate to get rid of those who have political control if they misuse it.

I should have liked to be able to congratulate the hon. Member for Nottingham, North (Mr. Ottaway) on having chosen civil liberties as the subject of this debate. It is a subject which is not debated sufficiently frequently in the House. However, the hon. Gentleman unfortunately chose to use this opportunity to attack the National Council for Civil Liberties. I believe that that was regrettable.

Mr. Ottaway: Will the hon. Gentleman give way?

Mr. Bennett: In a minute or two, possibly.

It is unfortunate that the hon. Gentleman chose to devote the greater part of his speech to an attack on the NCCL. There are many important civil liberty issues which are far more deserving of our thought and comments than an attack on the NCCL.

If I may deal first with the hon. Gentleman's enthusiasm for a Bill of Rights, it is questionable whether we ought to embrace such a Bill. Are there absolute, fundamental rights? All of us believe that there are fundamental rights, but when one examines them more carefully one finds that almost all of them have to be qualified. The right to work appears to be a fundamental right which we ought to embrace, yet in practice we do not embrace it because there are between 3 million and 4 million people in this country who are unemployed.

There also appears to be a fundamental right of free speech. However, I do not imagine that any Conservative Member would grant me the right, late at night, to knock at all the doors in the street in which I live and insist upon haranguing the people who live in those houses. That is a right which to a certain extent is limited. One also thinks that there is a right to breathe pure air, yet people also have the right to drive motor vehicles, which, to a certain extent, pollute the air.

When, therefore, one examines the question, one finds that many of the rights which we take for granted have to be modified to a certain extent, that for most rights there are corresponding responsibilities and that it becomes increasingly difficult to define those rights. Anybody who is to be tried ought to have the right to a trial in public, yet it is generally accepted that for certain offences against the state the trial ought to take place in camera. Although there is the right to an open trial, there is also the right to screen a juvenile from the publicity of an open trial. Therefore, a balance has to be struck between rights on the one hand and responsibilities on the other.

This causes problems over a Bill of Rights. If a Bill of Rights could be written in simple language, was absolute and self-enforcing, I should be enthusiastic about the introduction of such a Bill, but a Bill of Rights would not be self-enforcing. In almost every case it would have to be interpreted and implemented by somebody. One of the weaknesses of a Bill of Rights lies in its enforcement. It would have to be interpreted, and power would have to be handed over to the judiciary to interpret the Bill.

The hon. and learned Member for Montgomery (Mr. Carlile) pointed out that if a Bill of Rights or the European convention on human rights were enshrined in our legislation it could be implemented by the lowest courts of the land, but in practice there would be appeals to higher and yet higher courts. Ultimately, the implementation of a Bill of Rights would very much depend upon the views of High Court judges, who are not elected.

Mr. Alex Carlile: I am puzzled by the approach of the hon. Member for Denton and reddish (Mr. Bennett). He seems to be calling into question the whole concept of the rule of law. Issues are interpreted by judges every day. Who else is to interpret the laws that are made in this House? I would ask the hon. Gentleman what is wrong about adopting the ordinary circumstances of the rule of law? Let the judiciary interpret, and let us rely upon the political impartiality of the judiciary.

Mr. Bennett: The problem with a Bill of Rights is that in some way it is absolute. There are many examples of the way in which judges have interpreted the law. If Parliament does not like their interpretations, the law is changed. If there were a Bill of Rights which was continually being altered by Parliament because it did not like the interpretation that judges were placing upon it, I do not believe that it would hold any attraction. The attraction of a Bill of Rights is that it is absolute, but even if it were absolute it would be subject to the interpretation of judges.

If one considers the enforcement of the constitution of the United States, one finds that it has been the willingness of judges continually to adapt and modify their interpretations that has allowed the constitution to work. Before we grow too enthusiastic about a Bill of Rights, I suggest that we ought to realise that if we enshrined such a Bill absolutely in law we should be handing over parliamentary powers to the judiciary. I am not particularly happy about the economic, class and sex backgrounds of hon. Members, but I would certainly argue that this House is more representative of the whole country than are our High Court judges.

As for the attacks on the NCCL, the strength of that body is that it is a broad coalition of interests—[HON. MEMBERS: "Of the Left."] It is a broad coalition of interests, which includes the vast majority of the people of this country. If people are interested in civil liberties they ought to be involved in the organisation and in arguing their point of view within it. The record of the NCCL during the past few years has been considerable. I pay tribute to the fact that an all-party group has been re-established in Parliament. It is sad that the previous all-party group did not have many members and that its meetings were held irregularly because insufficient Conservative Members participated enthusiastically in its activities. Had there been better attendance by all hon. Members, the group would not have had to be reformed.

There are many issues upon which an all-party group would not be appropriate. When a Bill is being considered in detail, it is appropriate that groups of Back Benchers from different parties should separately be briefed by an organisation like the NCCL. If one is in opposition, one's approach to the Government will be different from the approach of a supporter of the Government.

During the 10 or 11 years that I have been a Member of Parliament I have been impressed by the detailed briefing that has been given by the NCCL to hon. Members. Rather than attack it tonight, hon. Members should pay tribute to the back-up service that it gave those

hon. Members who served on Committees such as those dealing with the Police Bill, the Police and Criminal Evidence Bill and the Data Protection Bill. Throughout that time its secretaries and officials have briefed hon. Members extremely effectively.

I should have liked more time to consider matters which we should be spending more time arguing about, such as privacy, public order, the administration of justice, freedom of information and the pressing need for that to be implemented, and prisoners and women's rights. Sadly, in a short debate such as this, that is not possible.

The House must also spend time considering the relationship between the general public and the police. That is one of the areas in which our civil liberties are fast being eroded. I went to a football match on Saturday. Because of the large numbers of people who went to watch Manchester City, rather to my surprise, and, I suspect, that of others, I ended up going into the standing accommodation, an area to which I do not often go. Like many other older football supporters, I prefer to sit down. Among the younger age group with whom I went through the turnstiles I was horrified to find that the mass of discussion related to what they intended to do to annoy, upset and harangue the police if Manchester City were to lose.

I thought back to about 20 years ago, which was probably the last time that I went into that part of the terraces, when the same sort of discussions about what to do if the team lost went on, but with none of that antagonism and bitterness towards the police. I accept that at least 90 per cent. of the comments I heard from those young people were simply the result of bravado and that they had no intention of doing anything at all. But it represented a complete alienation between the youngsters and the police. It was also noticeable that the police no longer stand in the crowd in that part of the ground. They are down in front of the crowd, turned to face it.

We must find out why that alienation between young people and the police has come about. Unless we address ourselves seriously to repairing the breach between many of the younger generation and the police, increasingly our civil liberties will be put at risk. People will demand greater powers for the police to combat the sort of opposition that is now coming from that age group.

It is sad that although the hon. Member for Nottingham, North was right to choose civil liberties as a subject for debate, he spent rather too much of his time attacking the NCCL, whose record in Britain is excellent. Over the past few months it has had some fairly minor disagreements, but on the majority of its work there is consensus. It would have been better had he spent his time addressing himself to the more fundamental issues of civil liberties, about which we should all be worried and alarmed.

6.12 pm

Mr. Anthony Steen (South Hams): There could not be a more important subject for debate than civil liberties. I congratulate my hon. Friend the Member for Nottingham, North (Mr. Ottaway) on choosing it. It is a subject which concerns us all. Conservative Members may think that the Labour party has a monopoly on civil liberties, but it is clear from the number of my hon. Friends present that it is the Conservative party which has a monopoly on civil liberties. Three Labour Members and two alliance Members are present on the Opposition Benches. It is worth noting that there is a good attendance on the Conservative Benches tonight.

The debate has rightly centred on the rights of individuals, the liberties of the subject and the rights of the citizen. However, having listened to some powerful speeches, I find it slightly curious that not one hon. Member has mentioned that with rights come obligations. Obligations tend to be forgotten. There are obligations to neighbours, society, employers, teachers, and, above all, one's country. When one talks about rights, one should constantly couple that with obligations.

I want to talk about organisations, such as the NCCL and others, engaged in that important work. Such organisations usually raise the bulk of their funds from outside the state sector. It was revealing to hear from my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) that the NCCL has its overdraft facilities mortgaged to a trade union. That is regrettable, because it destroys the independence of that organisation.

There is nothing wrong in voluntary charitable work being financed by the state. We finance the Ombudsman out of public funds, and that does not necessarily compromise him. There would be nothing wrong in financing objectors to planning appeals, especially where the national interest is concerned. Objectors could be funded out of the public purse. Organisations committed to civil rights could be similarly funded. Instead of compromising them, it would give them a better basis for their work. The problem is that many such organisations would feel compromised if they received money from the public purse.

The trouble about so many rights organisations — welfare rights, civil rights, community rights and neighbourhood rights — is that whereas their objectives are highly laudable, they often masquerade under charitable status for the party political aspirations of their organisers — their paid staff. Regrettably, many voluntary organisations have been captured by party political activists — usually on the far Left, many of them Trotskyites — who believe passionately that their objectives and ambitions can best be pursued and advanced by using the vehicle of the organisation and twisting its objectives to suit their own party political purpose. That, I fear, is the new trend of the new Left.

I was involved, as some hon. Members may remember, in starting an organisation called Task Force in 1964. We recruited tens of thousands of young people all over London to give service to the old and lonely. By 1968 we had 70 paid staff. We raised money from local authorities, the Government and private donations. The importance of such an organisation was that it matched the aspirations of the young to the plight of the old and the lonely. In the best years we had 15,000 volunteers. The purpose of the organisation was to find and give young people something useful to do and something which they wished to do, which, at the same time, would help others less fortunate than themselves. It was a simple operation.

But today Task Force has been captured. It has now been renamed and it has become highly party-politically active. The same is true of the Young Volunteer Force Foundation, which I had the privilege of directing in 1968. It was launched by the Labour party under Harold Wilson. About 120 community workers, lawyers and social workers were directed all over the country to deal with social problems, community work, play groups and legal

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advice centres in order to help people to help themselves. That was a magnificent operation with altruistic objectives. Despite the good work of the Task Force and the Young Volunteer Force Foundation, both have been renamed and captured by the staff, and they masquerade under the banner of caring.

I cannot understand why the Devon and Cornwall branch of the Community Youth Workers Union yesterday sent me a resolution saying:

"This Union deplores the current attempt to destroy the public transport system by the present Government through the introduction of legislation to privatise and de-regularise public transport."

What has that got to do with community and youth work in Devon and Cornwall? That is what is happening on the civil liberties, community and voluntary work front. An old man told me last week that he accepted an invitation from such a voluntary organisation to go on a day trip to Brighton. He said: "I was looking forward to seeing the sea and The Lanes and down we went in a bus. We had a nice trip down and a good day by the sea, but on the way back the megaphone was switched on and for an hour and a half I was subjected to being told by a community worker that I had to protest and stick up for my rights when all I really wanted was a day by the sea. I was being harangued by social workers and community leaders into protesting about my rights." That is the way that many of these organisations have gone.

By the sound of things, the NCCL has gone the same way. It has been captured by the hard Left, and it does itself immeasurable harm by being identified as promoting a party political line. Of course organisations such as the NCCL will be political; that is the very nature of their work. But they cannot be party political. That is a difference that those who work in voluntary, community and civil rights organisations do not seem to appreciate.

Mr. Alex Carlile: Is it not a little hard to suggest that the NCCL has been hijacked by the hard Left? Although the annual general meeting may well have been attended by those of predominantly Leftish views, the election of executive committee members involved a postal ballot, and a Liberal—myself, as it happens—came top of the poll. I hope that the hon. Gentleman is not suggesting that I am part of an arrangement to hijack the NCCL on behalf of the hard Left.

Mr. Steen: The hon. and learned Gentleman has made a valid point. He is a pawn. He is highly respected in the House, and no one would think for one moment that he intended to hijack the NCCL. Indeed, some of my hon. Friends might think that he would do a better job than the present committee does. But the point is that the hard Left will use the hon. and learned Gentleman. He has not been here long enough to know just how easy it is for a Liberal or SDP Member to be used. I hope that he will be very circumspect about what is being done to him and about what may happen to him if he objects. The pattern in voluntary, community and civil rights organisations is that everybody resigns. I receive letters from the NCCL; and there is always an acting director or acting secretary, but never a real one. There is never a chairman; always a chairperson. People are always moving on.

I have always read the NCCL's briefs with great interest, and I have been very active in the House on behalf of civil liberties. However, I regret what has gone on, and I believe that the situation is very damaging for that organisation. I am concerned that the Trotskyites are using such organisations to gain a rung on the ladder and a public platform for their views. Organisations including youth leaders, social workers, and the community work professions are now all riddled with party political activists. Whether those involved be social workers in Liverpool or educationists in London, they appoint their own kind and damage their own cause as a result.

Voluntary work is an honourable estate. It provided, and still provides, opportunities for people to give of themselves to those who are less fortunate. Many of the established organisations carry out their original briefs with professionalism and compassion. But since the early 1970s a new sort of organisation has come on the scene. Such organisations obtain charitable recognition for dubious ends and then go on raising money for the pursuit of their party political work.

The NCCL has a crucial role to perform in this country, but I believe that its work is now suspect. I believe, too, that many other organisations, claiming theirs is the true democracy, manipulate their members to ensure that the voice of the hard Left is heard. Indeed, the new cells of militancy are often based in community work organisations, protesting about benefits, rights and legal assistance. I regret that that is so. I regret that party politics of extreme kinds are entering and eating into this country like a canker, destroying a great deal of invaluable and dedicated work.

I have spoken strongly, because before I became a Member of Parliament I worked in this area for about 20 years. It has dramatically changed, and the remarks of Opposition Members should be tempered by the experience of those Conservative Members who have done the work and know what they are talking about.

6.24 pm

Mr. Clive Soley (Hammersmith): As I have said on several occasions, the democratic and civil rights of the people of Britain have been seriously eroded in recent years, and particularly under this Government. That is the case that I shall advance again today.

I would be the first to concede that that erosion has been going on for many years. There are several reasons for it, not least the effect on this country of the political problems in Northern Ireland. We should address ourselves to that, but that is not the subject of today's debate. The United Kingdom has seen a terrifying erosion of civil rights and that is why we have such an appalling record before the European Court of Human Rights in Strasbourg. More than any other country, we have been brought to book by that court. As a Member of Parliament and a British citizen who is proud of our democracy, I am ashamed of that. I should like to think that Conservative Members were ashamed of it too, but I do not think that they are, or ever will be.

The Government are making a fundamental mistake in assuming that order can be imposed at a time of social and economic distress. I remind the Conservative party that social and economic distress, and in particular mass unemployment and hyper-inflation, lead to calls for authoritarian leaders. Dictatorship lies at the end of that road. In the past week or so we have heard talks on the second world war. I remember, with respect, the comment by the President of West Germany. He said that the

German people must take responsibility for what happened during the Hitler years. There is much in that, but all of us must take responsibility, because all of us are responsible in a way for what happened in Germany before 1933. When hon. Members consider the hyper-inflation in Germany then, the mass unemployment, the feeling of national disgrace and the fact that the Germans could not cope because of the burdens put on them from afar, they must bear in mind that we ploughed the fields in which Hitler so ably sowed his seeds. When we forget that, we forget what we are doing here.

More than anything else, my objection to this Government is that they have tried to impose order in numerous situations where that cannot be done.

Mr. David Ashby (Leicestershire, North-West) *rose——*

Mr. Soley: I shall give way shortly in certain circumstances, but I am conscious of the shortage of time and the number of hon. Members who want to speak.

We should always beware of the call for order. Order is one of the most dangerous concepts out, unless it is qualified with the need for law and for civil rights. If people argue for order alone, they are arguing for the Hitlerite example of order. That is what Conservative Members forget so easily. Sadly, the failure of the motion — I agree with the hon. and learned Member for Montgomery (Mr. Carlile) that the latter half of the speech of the hon. Member for Nottingham, North (Mr. Ottaway) was constructive—is that it is assumed that we can have stability in the face of economic distress. That is impossible, as can be seen in Poland, South Africa and —I hate to say it—in Northern Ireland. We should have learned from that lesson. Ultimately, one cannot go on imposing order without a severe risk to the democracy that one is trying to defend.

I am not here as a spokesman for the NCCL, but I shall say what some other hon. Members should perhaps have said. I was not at that meeting and I have not read most of the documents associated with it. However, the interpretation put on it by the hon. Member for Nottingham, North was wrong for several reasons. As I said in my intervention, the point was that the NCCL had always defended the right to go to work free of intimidation and the threat of violence, even if there was a strike. If the hon. Gentleman is saying that the right to strike is equal to the right to go to work, he is in dead trouble with the 4 million unemployed. On the other hand, if he is arguing that the unemployed are just a sad fact of life and one of the vagaries of this Government's ideological system, he is still in trouble for the precise reason that I gave earlier. If that is the case, a worker has the right to go to work when he is locked out. I might expect to see every Conservative Member defending that right, but they will not do so.

Mr. Ottaway: The hon. Gentleman has turned my argument round through 180 degrees and is arguing it in the negative. But does the hon. Gentleman agree with the statement that the freedom not to take part in a strike is as much a fundamental right as the right to strike?

Mr. Soley: I shall argue that neither of them is a fundamental right. That is why the argument is wrong and misleading. The problem is that if one argues that there are absolute rights the first right must be the right to life. Government Members do not argue for the right to life because they know that that right is qualified in terms of a member of the Provisional IRA in Northern Ireland or of a member of any other paramilitary organisation. It is qualified in war and when Conservative Members vote in favour of hanging.

Mr. Ashby: Will the hon. Gentleman give way?

Mr. Soley: No. The hon. Gentleman has not been present for the whole debate, and I am running out of time.

Mr. Ashby: I have been here.

Mr. Soley: I apologise. I did not notice the hon. Gentleman, but I must stick to the timetable.

The right to strike has always been regarded by the various international bodies as basic and important because it is linked to social and economic rights. As the NCCL says, everyone has the right to go to work free of intimidation, threats and violence. I support that stance 100 per cent. I suspect that I support it more than Government Members because it does not apply for them during a lock out.

A misunderstanding occurred over the National Front. The NCCL's position was simple. It will represent an individual but not an organisation. If an individual from the National Front said that he was in trouble with the police or the state the NCCL would advise him, but if an organisation dedicated to the destruction of civil rights asked for help the NCCL would reserve its judgment and not advise. The NCCL reserves its right to canvass for support, but some Government Members believe that it should not and that it should advise anyone. That means that it might have had to advise Hitler and that if the Provisional IRA took over in Northern Ireland it would have to advise that organisation because it would be a legal body.

The concept of equality is important to Socialists because we know that civil rights are conditioned by social and economic circumstances. A person earning a high income has more real civil rights than a person who is unemployed or on low income. That is probably why the constituent of the hon. Member for South Hams (Mr. Steen) was lectured so terribly on the bus to the seaside.

The hon. and learned Member for Montgomery (Mr. Carlile) wanted to know the Labour party's position on a Bill of Rights. It is similar to the opinion expressed by my hon. Friend the Member for Denton and Reddish (Mr. Bennett). I recognise the strength of argument for a Bill of Rights and a written constitution, but the issue is complex. The Liberal view is to go for a European state in which a written constitution and a Bill of Rights applies. If one picked on part of what is, in effect, a written constitution, and put it into a constitution under which Parliament is seen as sovereign, difficulties would arise.

As my hon. Friend the Member for Denton and Reddish said so powerfully, one of the significant differences between Britain and other western European powers and America is that entry to the judiciary is restricted to the higher socio-economic groups. That is because grants are not given to train a person through to being a judge.

Mr. Alex Carlile: What about magistrates?

Mr. Soley: The hon. and learned Member for Montgomery is supposed to be a lawyer, although from his interruptions I should not have thought so. Magistrates do not preside at Strasbourg, nor are they likely to. The point

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is that entry into the higher ranks of the judiciary in Britain is restricted. The way to change that is to give grants for study to all people who want to go all the way to the top ranks. Until we achieve that the higher levels of the judiciary will be seen not only to be against, but not to understand the problems of many people whose cases go before them. That is why I should not want to pick up one part of a written constitution and incorporate it into our constitution.

The Government are guilty of being responsible for a serious erosion of civil rights. The evidence of that is in the Police and Criminal Evidence Act which allows 96 hours remand in custody. The Government have thought of dropping the idea of the duty solicitors scheme. The Law Society says that it is not possible for the Government to go ahead with the duty solicitors scheme unless it provides more money because it cannot train and administer such a scheme in time for January 1986. If that is so, the one in five people remanded in custody who need the aid of a duty solicitor will not have it.

Mrs. Clwyd: Does my hon. Friend agree that justice was not even-handed during the miners' strike, and that something serious is wrong with the Police Complaints Board which failed to uphold any of the 74 complaints against police officers during that strike?

Mr. Soley: Even the Government are unhappy about the Police Complaints Board. We believe that the existing system is excessively bureaucratic. I should prefer a type of ombudsman with the power of investigation up to the point of public prosecution if a criminal offence is suspected, and then that case could be handed to the independent public prosecutor.

Attacks on trade union rights and restrictions on picketing in the 1980 Act made the miners' strike and other strikes worse then they might have been. We sometimes forget that industrial unrest applies in many industries. What do Government Members expect, with 3 million or 4 million people unemployed? What do they expect when they cut benefits to people who are already struggling? Do they expect the British people to be different from the people of Poland when their basic rights are attacked? What do they expect when such an attack on trade union rights was made at GCHQ?

The Government are using the police force as the Tory party's private army to enforce failed economic and industrial relations policies. Since 1979 the crime rate has been increasing, and it was up by 9 per cent. last year. Riots have taken place in our inner cities and in connection with industrial disputes. Rioting has taken place in the villages of Britain, and yet the Tories say that they are the party of law and order. It is the party of rising crime rates and increasing disorder. Its social and economic policies are the cause. So long as the Government try to address the symptoms by screwing down the lid they will fail to contain the problem and store up dangerous problems for the country.

Labour Back Benchers have stopped a number of private Bills which would have required notice before a procession could take place. I am pleased about that, because the right to demonstrate has been eroded by the Government. Permits have been required to drive from one part of the country to another. The essential difference between a CND permit and a police permit is that one is given to the state. That is a potentially dangerous power to give to the state—it is the same as the permit to move in the Soviet Union.

The Government have been responsible for jury bashing and have attacked ethnic minority groups in the British Nationality Act which creates stateless citizens now called British overseas citizens. Foreign husbands of women settled here are not allowed in, so we divide families, against our own signature to the Helsinki declaration.

The Commission for Racial Equality report leaked to *The Guardian* said that the measure was being used to keep black immigrants out. The Data Protection Act with its minimal safeguards does not even cover manual records and, as with the Interception of Communications Bill, the Government have been forced to introduce it because of the Strasbourg court.

I concede that the Prevention of Terrorism (Temporary Provisions) Act was introduced by a Labour Government but it is now being used for one of the most steady of all erosions of human rights. Yet this Government tried to take out the word "temporary". Secrecy is one of the greatest enemies of an open society and yet the Government refuse to put the security services under a Select Committee.

The GLC and the metropolitan counties are to be abolished. We must remember Sarah Tisdale, Clive Ponting and Cathy Massiter. The message if one plans to give away secrets, is to ensure that they are big secrets because one will not then be prosecuted, but if they are little secrets one will be taken to court.

There is a major threat to civil liberties. One of the dangers is the need for order that all Governments want to pursue to some extent. Therefore, the House should always be on its guard. The Government are trying to deal with social and economic problems by increasing centralised power and order. Centralised power is itself a danger to liberty, as is unaccountable power. We often hear the Tory party talking about trade unions, but how little do we hear it talking about votes in companies, votes between people—[HON. MEMBERS: "Shareholders."] Oh no, not shareholders. Every time someone buys a pint of beer, he gives money to the Tory party. Is that not right? Is it not true that that is the way in which the Tory party raises money from the consumer without a vote by anyone, and especially the employees? It is the sort of dishonesty and double standards that we have come to expect of the Tory party.

I am reminded that 340 years ago there was disorder in the House when the King broke in. Fortunately, many people resisted that and there was violence. If they had not resisted, this country would not have become the mother of Parliaments and this House would not have been the defender of civil liberties that it should be. If many Conservative Members had been alive at that time, they would have supported the King, and they know that.

The Opposition are on the side of civil rights. We do not think that there are any simple definitions or any simple answers to difficult problems. But we do know that if we try to govern by oppressing significant parts of our community, we will create trouble in our society. That trouble will sooner or later destroy our democracy.

6.41 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. David Mellor): We have just

listened to an extraordinary speech from the hon. Member for Hammersmith (Mr. Soley). I breathed a sigh of relief when I heard that the hon. Gentleman was to speak rather than the hon. Member for Knowsley, North (Mr. Kilroy-Silk), whose all-purpose ranting on these occasions is well known. But even the hon. Member for Knowsley, North might have blushed at some of the remarks in the speech of the hon. Member for Hammersmith.

I shall be brief, so I will have a self-denying ordinance with myself about picking up the hon. Gentleman's points. A great deal of his speech was humbug, especially when he prayed in aid what happened during the civil war. He showed a total lack of understanding of the courage of individuals who went through the hundreds of jeering pickets to exercise their right to work. The idea that the spirit that took England through the civil war and allowed this place to rise to the position that it exercises today was not the same spirit as that shown by Nottinghamshire miners is humbug, partisanship and a narrow sectional view of civil liberties that is quite astonishing coming from the hon. Gentleman, whose views I often commend.

Again, the hon. Gentleman's remarks about the Interception of Communications Bill were pure humbug. When the Opposition were in government, they exercised the same powers and did not dream of introducing the safeguards that this Government have introduced in the Bill. Part of his attack was on a little measure on juries that I helped to take through the House, which was proposed by my hon. Friend the Member for Skipton and Ripon (Mr. Watson). The proposal was to exclude from juries people with criminal records. What is there in the advancement of civil liberties that requires us to retain crooks on juries? I do not understand that point.

The hon. Gentleman complained about the steps necessary to protect rural communities—which, through no fault of their own, live near defence establishments—from major incursions by all manner of people who think it their right to enter their communities and make trouble. Yet he did not say a word about all the demonstrations that led to the need for exceptional measures.

The sad thing about the hon. Gentleman's speech was its lack of balance, and we must turn to balance if we are to have a civilised debate on these issues.

I congratulate my hon. Friend the Member for Nottingham, North (Mr. Ottaway) on introducing this motion. Not the least of his achievements has been to show the Labour party in its present, rather unsavoury, mood. However, the need for balance was the important point that he made. I appreciate that intellectual abstractions are as crucial to this subject as to any other, but in the end the practical business of government requires weighing the need to protect the essential rights of individuals with the equally vital need to preserve order and stability in our society. Where we strike that balance is always a matter for careful judgment. I do not believe that this Government stand in any condemnation of having got the balance wrong.

I wish to take up the hon. Member for Hammersmith on one of his examples — the Police and Criminal Evidence Act. The previous Government were sufficiently concerned about the imbalance between police powers and the rights of citizens to set up a Royal Commission. It reported and, following its proposals, legislation was introduced to provide powers necessary in each area of activity—from stopping and searching on the streets, to searching of property, through to the questioning of detained persons. The guiding principle was that the powers provided should be sufficient for the task faced by the police, but no more than were needed in the circumstances, and that each power should have a check.

The hon. Gentleman was on decidedly sticky ground when he cited the 96-hour provision. His experience in the criminal courts is sufficient to know that on a number of occasions the courts have upheld the power to detain for 96 hours or longer. The question how long the power to detain should be in each case could never be prophesied at the start. We now have the position that not only is 96 hours the maximum, so certainty is imposed, but that to get to that 96 hours there must be two hearings before magistrates at 36 and 66 hours. There is an absolute right —something that the Labour Government never gave— to legal representation where there is not a serious arrestable offence, and a right to legal representation in all but the most extreme circumstances where there is a serious arrestable offence. I think that the hon. Gentleman's attacks were well wide of the mark——

Mr. Andrew F. Bennett: Will the Minister give way on the point about duty solicitors?

Mr. Mellor: This is not the occasion to say more than that we have advocated the duty solicitors scheme and we will ensure that it is introduced. The necessary horse trading and bargaining that go on should not obscure from the hon. Gentleman the sincerity of the Government's intention. It is no good the hon. Gentleman scoffing about money. Money becomes a large criterion when Opposition Members move their bottoms from their Benches and come to the Government Benches. It is only in opposition that they pretend that they can forget about money.

I respect the sincerity and thought with which a number of hon. Members have advanced the case for incorporating the convention in some form in our domestic law. Anyone who advocates that should not be under any illusions about its significance. I want to endorse a number of the points made by the hon. Member for Denton and Reddish (Mr. Bennett). The Government have no plans for any early initiative and take the view that there needs to be a much greater consensus in favour of such a major change. The burden of proof for such a major change lies very much on those who advocate it.

The hon. Gentleman raised a valuable point when he noted the parallel with the United States — something that deals with the necessary creativity with which the dead letter has to be interpreted and have breathed into it the life of the particular age through the judiciary and not through the legislature. That crucial point should not be underestimated. Implicit in what he said was the politicisation of the process for appointing senior members of the judiciary, which might cause some of us to pause before we would want to see it in the United Kingdom. We must accept that if we adopted that system, inevitably the balance between the courts and Parliament would be altered. That is not to say that there is not a compelling case on the other side, but it needs to be made in recognition of the enormity of what is proposed.

The hon. Member for Hammersmith attacked the United Kingdom's record before the European Court. The case is not as stark as he suggested. It is true that on 11 occasions the United Kingdom has been found to have been in violation, but Belgium, a far smaller country, has

[Mr. Mellor]

been found to have been in violation on nine occasions, the Netherlands on five and Italy on six occasions, and Italy allowed the right of individual petition seven years later than we did. It is hardly fair to make a comparison with, say, France as France did not even allow the right of individual petition until 1982.

There was a good deal of unreality about the claim of the hon. Member for Hammersmith that that demonstrates that the United Kingdom is a country in which civil liberties are dead, just as there is an air of unreality about reading the Soviet constitution. The reality, however much we may want to play partisanly with the figures, is that the United Kingdom is a country in which the flame of individual freedom burns brightly; and if it fails to burn brightly, that is as likely to be because of the actions of those on the Left as anything that the present Government might propose.

Rightly or wrongly—and one suspects that the extent of interest in the matter from one country to another might determine the final outcome—there is a great deal more interest in these issues and more organisation about them in the United Kingdom. The fact that we have been found guilty of violations on 11 occasions must be set in the scales against the 823 cases that we have been notified as being brought against us.

Much has been said about the National Council for Civil Liberties. It is not much to do with the Government, but I would have hoped that any organisation devoted to civil liberties would not have taken exception to a report which said that the freedom not to take part in a strike was as fundamental as the right to strike. The special pleading of the hon. and learned Member for Montgomery (Mr. Carlile) was worrying. I admire him and I do not criticise him for trying to make that organisation work, but he will have an uphill struggle. I need only look at the motion passed by its executive in February—I do not know if he was a member of the executive then — which regretted that the inquiry had exceeded its terms of reference in commenting on the conduct of striking and working miners, and charged that the presentation of the report was

"unnecessarily damaging to the miners' cause."

What is a civil liberties organisation doing criticising a report that it set up on the basis that it was

"unnecessarily damaging to the miners' cause"?

There is more than a hint of the world that Joseph Stalin would have understood in all that.

I remind the hon. and learned Member for Montgomery that for the inquiry, which was willing to look at the civil rights of working miners, who, throughout the dispute, were faced with systematic mass picketing, violence and intimidation to prevent them from going to work, and to comment on the situation, to come out with the legal quibble that the executive and AGM of the NCCL did—that it was outside its terms of reference—verges on the contemptible in the view of most people. I wish the hon. and learned Gentleman well, but he has an uphill struggle, and, sooner or later, he will be asked whether he does more good for the NCCL by being in it or more damage to the Liberal party's standing by being in it.

I wish my hon. Friend's motion success. He presented it well. I look forward to hearing other commendations of it before, all too soon, this debate is cut off in its prime.

6.53 pm

Mrs. Ann Clwyd (Cynon Valley): I, too, shall be extremely brief, although I should have liked to comment strongly on the reactionary and bigoted comments of the hon. Member for Gainsborough and Horncastle (Mr. Leigh).

Justice has not been even-handed in relation to the miners' strike. Hundreds of miners were charged. Some were fined, and some were imprisoned, during the dispute, but no complaints have been upheld against police officers following complaints being reported to the Police Complaints Board during the strike. Indeed, today I received a letter from the board dealing with a complaint of mine against the police following an incident in my constituency outside the Phurnacite plant on 7 December 1984. There have been many comments in the press about that incident. It took six months for that complaint to be dealt with, and only after the Home Secretary intervened personally did I receive a response from the Police Complaints Board.

I wish to place on record my view that the letter that I have received from the board represents a complete fabrication of the events as they took place on that day. The board has accepted totally the evidence given by the police officer concerned and has taken no notice whatever of the evidence given by me and a Labour councillor. The board comes to the conclusion:

"Because there is no fully independent evidence to resolve the dispute between your account of the incident and that given by the officer, no action will be taken."

That method of dealing with my complaint is unsatisfactory, though I suppose one must remember that the members of the board are appointed by the Prime Minister. Clearly, they have not been able to investigate my complaint thoroughly and impartially, as they are charged to do.

The new police complaints procedure came into operation on 29 April 1985. It fails either to ensure independent investigation of complaints or to provide for legal representation for police officers in all cases when they face disciplinary action. The much-vaunted independent element is grafted on to a scheme in which investigation remains in the hands of the police. There is little in the new scheme to increase public confidence.

I regret the fact that the Minister did not address himself to the need for research to be carried out into the new police complaints system. It is clear that the system suffers from a dangerous lack of public confidence, and that has not been helped by the failure of the board to uphold any of the 74 complaints against officers reported to it during the miners' strike.

6.56 pm

Mr. David Ashby (Leicestershire, North-West): I have been extremely disappointed by the debate, in particular by the remarks of Labour Members. It is unfortunate that at a time when we have established an all-party group on civil liberties we should have had from the hon. Member for Hammersmith (Mr. Soley) the type of speech that he made.

To speak as the hon. Member for Hammersmith did, and to equate unemployment and the economic situation of the country with civil liberties was a travesty of the facts, and his remarks were totally unjustified and unworthy of him. If he wishes to speak of a Government who are pursuing to the very limits measures designed to

reduce unemployment and improve the economic lot of the nation, an Administration with a high record for civil liberties, he must speak of the present Government. Everything that the Conservatives have done and are doing has had as its prime objective the reduction of unemployment and the economic well-being of the nation. His argument was absolutely false and divisive.

I shall mention two matters that are helpful to civil liberties. The first is the role of the ombudsman. His role is extremely important in terms of civil liberties—this applies especially to the health ombudsman—and I should like to see an extension of the system to a defence ombudsman. The second relates to freedom of information. This is an aim which we should be able to achieve, if not in this Parliament, in the next one.

6.58 pm

Mr. Ottaway: Many hon. Members have expressed disappointment over the debate having been what they described as an attack on the National Council for Civil Liberties. President Truman once said that if one could not stand the heat one should not be in the kitchen. There is no doubt that the NCCL is a front-line political group which expresses political views. It must, therefore, expect criticism.

Hon. Members have said that I attacked the NCCL. I did no such thing. I merely said, as others have said, that I did not agree with the policies that it had put forward. That is very different from attacking it. This has not been an NCCL-bashing exercise; just a debate in which many hon. Members have said that they cannot agree with the NCCL's point of view.

The hon. Member for Hammersmith (Mr. Soley) made an interesting comment in reply to my intervention. When I asked whether he accepted the statement in the NCCL report, he said that basically he did not think that the right to strike—or the right not to strike—was a fundamental right. I am sure that many people will be very interested to hear that.

Question put and agreed to.

Resolved.

That this House strongly endorses the need to protect the essential rights and liberties of the individual citizen, while recognising the vital need to preserve order and stability in our society.

Felixstowe Dock and Railway Bill

Order for Second Reading read.

Mr. Speaker: We now come to opposed private business. Before calling the hon. Member for Bury St. Edmunds (Mr. Griffiths) to speak on behalf of the promoters of the Bill, I should announce to the House that I have selected the instruction in the name of the hon. Member for Ipswich (Mr. Weetch) to be debated with the Second Reading of the Bill.

7 pm

Mr. Eldon Griffiths (Bury St. Edmunds): I beg to move, That the Bill be now read a Second time.

I have a sense of deja vu because for many years I had to comment on behalf of the Government on various private Bills dealing with transport and ports matters. Now that I find myself on the other side of the water, so to speak, I shall be fascinated to hear what my hon. Friend the Minister has to say when he arrives and is ready to speak.

It is generally acknowledged that Felixstowe has become the most successful port in the United Kingdom, and it has built that success with virtually no need to resort to Government funds. Felixstowe is outside the national dock labour scheme, and it has excellent labour relations. The Bill provides an opportunity to build on the port's success and to enable it to compete on equal terms with rival ports in Europe.

The Bill will allow Felixstowe to expand its container quays by extending the limits of its jurisdiction approximately 1,000 m along the eastern bank of Harwich harbour. At the moment, the Felixstowe Dock and Railways Company is undertaking a £40 million expansion. Once that is completed—when the new Trinity terminal is ready—the port will have no further space to expand within its statutory limits. The promoters estimate that by 1987 the port will be woking to capacity, including the new Trinity terminal. Its customers—British, continental and American—will need to know by then, before committing themselves to any further trade through the port, whether it will be capable of handling their future requirements. If they cannot be so assured, they will go elsewhere. That may well mean that those customers will leave Britain and go to ports outside this country.

Since 1965, cargo passing through Felixstowe has increased tenfold to well over 9 million tonnes. The port's speciality is containers, of which some 3 million per year are handled throughout the United Kingdom. As I am sure my hon. Friend the Minister will agree, containers are the growth element in the ports' business, not just in this country but throughout the world. The OECD predicts a growth of between 3 and 5 per cent. per annum in the production of manufactured goods in years to come, most of which is likely to be traded internationally in containers. It is estimated that 10 million tonnes of cargo in the United Kingdom has still to be containerised.

The container revolution, to which this country came slowly, means that more and more containers are being carried on round the world routes by enormous mother ships which can trade only into ports which have, first, the appropriate depth of water and, secondly, but equally important, the facilities for those big ships to be loaded and unloaded and turned around very quickly. If we cannot

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provide ports with those facilities, this country will be bypassed. Felixstowe offers the opportunity for Britain to stay on the main line of world trade, but if its expansion is thwarted the big ships will not come to this country and our trade, our jobs and our economy will suffer.

It is important to say who supports the Bill. First, there are the promoters, who have explained their proposals very clearly in their note to the House. Secondly, chambers of commerce and industry from the whole of East Anglia and from the east and west midlands unanimously support the expansion. The chairman and all the shop stewards of the Transport and General Workers Union docks section throughout East Anglia are also in favour of the Bill. The Freight Transport Association, incorporating the British Shippers Council, in its statement of 9 May, said:

"Industry needs port services that are competitive with, and comparable to those available in mainland Europe.

Felixstowe docks match these criteria to a very high degree . . .

FTA sees the Felixstowe Bill as a welcome initiative on the part of the Felixstowe Dock and Railway Company to ensure that they are able to meet future demand for their services. It is welcomed by FTA in the belief that it will extend and improve the level of port services available to British industry."

In fairness, I should also say who is against the Bill.

Sir Anthony Grant (Cambridgeshire, South-West): Before my hon. Friend leaves the list of those in favour of the Bill, I hope that he will mention Trinity college, Cambridge, as the college meeting voted by 48 to nil in favour of the proposal.

Mr. Griffiths: I am obliged to my hon. Friend the Member for Cambridgeshire, South-West (Sir A. Grant). He is always diligent in standing up for the interests of Cambridgeshire and of Cambridge university. It has come to my notice, however, that certain graduates of the university and, indeed, my hon. Friend for Cambridge (Mr. Rhodes James), hope to take part in the debate, so I thought that I would leave Trinity's case to them.

Among those who are against the Bill, there are said to be fears on three main issues locally — safety of navigation in the mouth of the River Orwell, the effect on the port of Ipswich, and care for the environment. I shall deal with the effect on Ipswich first.

Ipswich, a splendid city with an excellent football team, has never opposed the Felixstowe development on commercial grounds. What is good for one port in the haven is good for the other, and our ports have grown together at similar rates. In any case, Felixstowe would be handling ships of a draught which could not navigate the upper reaches of the river. The town of Ipswich has no need to fear job losses as a result of the development. On the contrary, 24 per cent. of the work force at Felixstowe live in Ipswich, and their numbers are increasing all the time. The Bill will provide substantially more jobs for the people of Ipswich.

Concern has also been expressed about the safety of ships trading to and from Ipswich. I am glad to be able to tell the House that that concern has led to a new and very welcome draft agreement between the ports of Harwich and Felixstowe, whereby the navigable waters which under the Bill would have passed to Felixstowe will now go to Harwich. My hon. Friend the Member for Harwich (Sir J. Ridsdale) will be pleased to know that Harwich will be in charge of rights of way in the estuary and will continue to be the pilotage authority for the entire harbour. The dock company has now applied to Parliament to promote the additional provisions in the Bill to give effect to those arrangements.

I am also assured that this development, with its associated dredging work, would double the width of navigable water available between Fagbury point and Shotley spit. I am glad that my hon. Friends the Members for Suffolk, Central (Mr. Lord) and for Suffolk, Coastal (Mr. Gummer)—are listening carefully. I know of their concern about the river's width. The deepening of this navigable fairway will mean that the large container ships will be able to arrive and depart at virtually all stages of the tide. At present, large ships can move only during a limited high water period. This great improvement will mean that the incidence of delay will be substantially reduced. Ipswich traffic can be given the right of passage over vessels going to and from the new berths on the rare occasions when problems arise. I very much hope that the port of Ipswich will negotiate on the basis of this handsome offer that has been made to it for priority wherever problems might arise.

I turn to the argument on jobs in Ipswich. I was sorry to see the announcement the other day of a loss of jobs in the port of Ipswich. No doubt the hon. Member for Ipswich (Mr. Weetch) will wish to comment on that. In Felixstowe, where a large number of Ipswich dockers work, there is an industrial relations record second to none in the British ports industry. The 1,100 members of the TGWU at Felixstowe refused last year to join the second national strike. Felixstowe is, however, a closed shop. All employees belong to the TGWU, and they voted overwhelmingly in favour of this expansion plan at their last mass meeting. The convener of the TGWU at the port said:

"I support the expansion of the port of Felixstowe for three main reasons: firstly, because it gives the existing members of our work force increased job security; secondly, because it gives the people of East Anglia generally the opportunity to get more work from or through the port of Felixstowe; and finally and perhaps more importantly, this port is vital to our region's growth. I feel very much for the unemployed in Suffolk whose numbers have risen alarmingly."

I hope that those remarks will be taken seriously.

I turn to the environmental aspects. Suffolk county council gave careful thought to the Bill and decided not to oppose it. Suffolk district council voted by a narrow majority not to withdraw its petition. The vote was 24 to 22, but I understand that there were several others present who did not vote because they had a direct interest in the port. A small number of other petitioners are concerned with the environment. I want to say to them that, for five years, I was an environment Minister, and I had particular responsibility for coastal and waterway matters. No one can possibly doubt the attractions of the River Orwell and its adjacent mud flats, especially to water fowl and to all those, including myself, who enjoy sailing in the estuary. I understand that the hon. Member for Ipswich is an old sailor in the estuary.

I pledge that I shall not be a party to the Bill's going on to the statute book unless, on balance, the disbenefits it may bring to the overall local environment are outweighed by the environmental benefits that will be required of the promoters by way of widening the river, tree planting and landscaping schemes and other appropriate arrangements. Obviously, it would be up to

the Opposed Private Bill Committee to consider how far the commitments that the port has already made to environmental safeguards are adequate, but the facts to date make nonsense of such widely publicised scare headlines as "Environmental catastrophe."

The balance sheet of losses and gains on offer so far is as follows. On the losses side, 140 acres of mud flats and salt marsh would be taken into the new wharfage; but, on the gains side, there would be 87 acres of new woods and tree belts, including no fewer than 500,000 new trees—most of them, I hope, of local varieties—and 20 acres of new wetlands, 10 acres of orchid meadow and 15 acres of extra tree belts, all of which would be subject to discussion with the planning authority. Another loss would be the half-mile of river wall footpath that would disappear, but the gains would be two new footpaths doubling the path length and the 1½ miles of river wall path which would remain and sections of it which would be upgraded to bridleways for the benefit of riders.

Whether these safeguards are sufficient is up to the Opposed Private Bill Committee, but I want to remind the House of a few points of perspective. First, the shore line of the River Orwell is 22 miles long. The proposed extension covers half a mile of that shoreline—2·5 per cent. only of the total area. It can hardly be described as an "environmental catastrophe" when 97·5 per cent. of the shoreline remains untouched.

Secondly, there is an area of outstanding natural beauty, accounting for 151 square miles of the county of Suffolk. I care deeply for that AONB, but I remind the House that the port extension is just one third of one square mile of the total of 151 square miles.

Thirdly, the area that is earmarked for expansion is environmentally less attractive than the upper reaches of the Orwell. I have walked that area, as have my hon. Friends.

Mr. Peter Hardy (Wentworth): I think that the hon. Gentleman will admit that the area that he has described as mud flats is of importance in terms of the international environment and is a site covered by the RAMSAR convention on wetlands of international importance. It is recognised internationally as a site that is of such prime importance for wild fowl that it deserves the protection which we thought areas of outstanding natural beauty received.

Mr. Griffiths: I shall respond to the hon. Gentleman's points shortly.

The upper reaches of the Orwell are really attractive. The Trimley marshes are important, as the hon. Member for Wentworth (Mr. Hardy) said, but they are mainly reclaimed land. Upstream, where there is to be no further expansion, as Trinity college has made crystal clear, the banks of the estuary become more undulating, wooded, natural and beautiful, and they must be protected.

Fourthly—I come, though glancingly, to the point made by the hon. Member for Wentworth—Felixstowe recognises, as I do, that the Orwell is a valuable feeding ground for birds, especially waders. The port is, therefore, financing 75 per cent. of the cost of an extensive bird count survey. But the area of the dock extension is crucial for only three of the 30 species of birds that have been studied by the Suffolk Trust for Nature Conservation. Moreover, the trust's report—not the port company's—shows a considerable movement of the birds within the Rivers Orwell and Stour. That has strengthened the view that Felixstowe's development would displace a relatively small number of birds and would not disrupt the ecological balance of the estuary as a whole. Felixstowe has, nevertheless, offered the Royal Society for the Protection of Birds and the Nature Conservancy Council a 25-acre wetland on the adjoining marshes to provide an alternative habitat. That is very similar to the internationally recognised Minsmere project in Suffolk where the flooding of 25 acres of land has been spectacularly successful.

After some years of service as an environment Minister, I can say that the Orwell land and seascape has largely been moulded by man. That is true of most of Britain's heritage. Therefore, I look to the opportunity of Felixstowe's expansion to take steps to ensure that the overall impact shall ensure as least as much enhancement for the environment as detraction from it.

I come finally to the broader national arguments of those who say that they are against the Bill because, it is said, we already have too much port capacity. Indeed we do, but, sadly, it is in the wrong place. One of the many mistakes that I made as a transport Minister was to put £45 million into the development of Seaforth dock in Liverpool and a further £40 million into the new west dock in Bristol. Although I wish both those ports well, I have to say that, looking back, it was an investment that would have been better placed in those areas of the country that could get a greater share of the large ocean-going trade and the container trade that is so important to the country.

The central point about containers is that, carried as they are, on the big ships, they tend to be distributed within the country no longer by small vessels putting into every individual haven. How I wish that were still true. They are landed in one mother port and then carried round the country on the rail and motorway networks. That is the reality of containers. More and more we find that the great world-girdling container lines seek to stop in only one port in north-west Europe, and that port tends more and more to be Rotterdam. As a consequence, about one fifth of all the containers handled today in Rotterdam are destined for, or originate from, Britain.

Unless we can allow a modern port such as Felixstowe to develop, we shall find more and more that we are adding to the costs of our exports and imports because of the extra charge made for shunting those boxes back and forth across the North sea and then transloading them at considerable expense on to the large ocean-going vessels in Rottendam.

Sir Julian Ridsdale (Harwich): When my hon. Friend says that ports such as Ipswich should be allowed to develop, I agree with him. But will he couple it with Harwich as well?

Mr. Griffiths: I am sure that Harwich is expanding and will continue to expand. As long as it has my hon. Friend as its Member of Parliament, its success is ensured. It may be that he will wish to tell the House that in the course of the debate.

The national argument against this Bill simple does not stand up. I put it to the House that there is, on the one side, the merit of allowing the Bill to proceed and, on the other, there are the very real consequences of the House rejecting it.

Let us suppose that the Bill is refused a Second Reading. The best advice that I can obtain suggests a

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number of consequences. First, half the shippers at present using Felixstowe and planning to expand their trade there have said that they would switch their main trade to continental ports. I have explained why. They need to have access to the large ocean-going vessels.

Secondly, if we reject the Bill, there will be the immediate loss of £30 million or £40 million of new construction work in the Felixstowe port area. There will be the consequential loss of millions of pounds worth of orders for cranes and other port machinery, all of which, since Felixstowe is a "Buy British" company, will mean the loss of British jobs. Beyond that, there will be the loss of another 2,400 jobs which Felixstowe expects to be created indirectly in the Ipswich-Felixstowe area.

It is in that connection that I want to deal with some of the objections that the hon. Member for Ipswich made in the local press. The district officer of the Transport and General Workers Union for Ipswich is Mr. Peter Partridge. He wrote to the hon. Gentleman the other day strongly objecting to his using phrases such as

"Ipswich becoming a ghost port"

if Felixstowe was allowed to expand. Mr. Partridge wrote:

"As Felixstowe has prospered, so has Ipswich, and the two ports are not in competition. The fact that Felixstowe has the capacity to handle large container vessels means that there are more of the feeder-type using the Harwich estuary and of course some of those find Ipswich the more convenient port."

The convener continues:

"Another point that you should be aware of is that about 25 per cent. at present of employees at Felixstowe are living in Ipswich and these are, or were, possible Labour voters."

I quote a final comment about Ipswich made by Mr. Brendan Lamb, the chairman of the Transport and General Workers Union shop stewards throughout East Anglia. Referring to Ipswich and its recent number of redundancies, he writes:

"The news of these redundancies comes against a background in which our local Member of Parliament is effectively attempting to push new trade away from the region's ports by blocking the development of Felixstowe. Yet news of jobs losses at Ipswich shows how badly we require this further development in order to secure extra trade and to guarantee the economic well being of the local economy. I am amazed that a Labour MP should actively oppose expansion at the port of Felixstowe, which will create a very large number of new jobs in a region where unemployment figures have doubled in the past five years."

I am sure that that quotation from the statement of Mr. Brendan Lamb of the Transport and General Workers Union will be taken seriously by Opposition Members.

There would be further consequence if the House denied the Bill a Second Reading. We should be sending out a message to the watching world that the British Parliament was not even prepared to consider in detail the expansion of our most successful and profitable port. None of the economic arguments would even get to be considered in detail by the House. None of the navigational safeguards which Felixstowe has offered to Ipswich and to Harwich would even be examined. Nor would the ecological and environmental objections ever be thrashed out, as the Opposed Private Bill Committee would want to thrash them out, so that some balance could be found whereby the environment in that area was enhanced as well as subjected to expansion.

I repeat the undertaking that I gave at the outset of my remarks. The promoters are prepared to meet any reasonable conditions that the Opposed Private Bill Committee may wish to add to the safeguards for the environment, to the legitimate navigational interests of the ports of Harwich and Ipswich and to the wishes of the local authorities in respect of planning matters. I beg the House not to kill this Bill on Second Reading. It is a good Bill —good for Felixstowe, good for East Anglia and good for the British economy.

7.30 pm

Mr. Ken Weetch (Ipswich): I thank the hon. Member for Bury St. Edmunds (Mr. Griffiths) for a strong and clear statement of the case, which is what I would have expected from him. I oppose the Bill for constituency reasons and for reasons of general principle.

The hon. Member has tried to hit me with everything except the stool on which I sit and has accused me, among other things, of not knowing what my constituency interest is. I invite him to examine my political record in East Anglia, which will show that I know very well what the constituency interest is. I have been the principal objector to the Bill, both inside and outside the House, and this Second Reading debate gives me an opportunity to say why I object to it, and to put my views firmly on record. My first major objection is the potentially lethal effect of the Bill on the performance and commercial prosperity on the port of Ipswich.

Before I deal with the brass tacks, I shall make two preliminary points. First, I am not per se opposed to Felixstowe providing more competition through an expansion in its capacity, because it would be unreasonable for me to be so. That is investment, and the ebb and flow of commerce, and the port of Ipswich and anyone else has to face that fact. Secondly, nor am I objecting to the expansion of Felixstowe as a free enterprise port. I have no ideological objections to that. I am a strong supporter of the mixed economy in the ports industry. I am prepared to put on record the fact that, through managerial efficiency and good industrial relations, the port of Felixstowe has set what is in many ways of an excellent example to others.

I make it clear that I am objecting to the particular expansion brought about by the Bill, for particular reasons. I clear up one point. Ipswich has grown substantially in recent years, not because of the crumbs that have fallen from Felixstowe's table, but for a group of reasons, including our geographical proximity to Europe, our efficiency and the skill with which it serves its economic hinterland. Although it is the case that Ipswich and Felixstowe statistically have expanded together, the relationship between the two sets of figures is not necessarily causal. That is the oldest logical fallacy in the world.

I am willing to admit that in the trade that has occurred in this part of Britain there is a market square effect. Felixstowe has expanded for good reasons, and there has been a spin-off effect in Ipswich, but predominantly it is the case that Ipswich has expanded for a particular group of reasons. However, even if I conceded that Ipswich and its expansion were geared to Felixstowe and the expansion that is taking place there, that would not alter my argument, because the future is different from the past and we are now in a new and critical situation. Ipswich faces the Felixstowe march upstream, and that has altered the situation substantially.

As an operational port, Ipswich is situated at the head of the Orwell estuary and is approached by 9 miles of

estuarial channel. It is naturally concerned by any developments that take place at the estuarial mouth, and this is precisely what will happen if the Bill is passed, as it extends the port of Felixstowe further into the Orwell estuary to Fagbury point and into the designated jurisdiction area of Ipswich port authority. This will involve a major extension of quay face and the installation of major cargo handling capacity.

An important point has not been resolved, but I wish that it had been, because then I could leave all this section out of my speech. It would save me a lot of hassle if the matter had been resolved, but I am sorry to say that it has not been. Serious navigational difficulties will arise if the Bill is passed, and I took professional opinion on the point this afternoon as I prepared notes for my speech. Large ships will be engaged in berthing and unberthing manoeuvres, and when these manoeuvres take place the approaches to and the exit from the Orwell will be severely restricted.

To underline the point I shall quote from a document, not because this is the only opinion that I have taken, but because it puts the point better than I could put it. The quotation comes from the Ipswich port authority's observations to the Department of Transport, which says:

"Admiralty Chart No 2693 has superimposed upon it Felixstowe's proposed quay line from the Bill's deposited plan, and an 1800 feet diameter turning circle, which Felixstowe's management consider to be necessary for manoeuvring the smaller vessels using the proposed quay. Large vessels not capable of being turned without grounding would be turned further down stream and towed to or from the berths. It can be readily seen from the chart that these actions would totally block the approaches to Ipswich whilst the manoeuvre was being carried out. Since all but the smallest vessels leaving Ipswich are unable to turn in the Orwell there would be considerable disruption and delay occasioned to avoid a close quarters situation developing off the proposed berths."

In the face of this, Ipswich's defences against what is a potential calamity will disappear. Part VIII of the Ipswich Dock Act 1971—I could quote other dock Acts in support — gives Ipswich clear power to keep our navigation lines clear. This will be amended and cease to give us authority, and thus protection. Such amendments will cause direct damage and may cause serious complications. I could cut down all this complicated argument by saying that if the Bill is passed it will succeed in impeding the access to, and exit from, Ipswich from time to time, causing us considerable difficulty.

I wish that this were not so. If I could negotiate out of that I would, but I cannot, which is why I am making this point. We shall be strangled, and I am the constituency Member responsible. It is my obligation to stand up in the House and say so.

Mr. Roger Stott (Wigan): This is a crucial point. My hon. Friend will recall that I visited the port of Ipswich two or three weeks ago and had conversations with the chief executive of the port. He led me to believe that if he were to get a written guarantee that traffic in the river would not be altered and would not cause problems to the Ipswich port, some of his fears might be allayed. I understand that that indemnification was not forthcoming. Therefore, what my hon. Friend is saying about the problems of navigation in the Orwell estuary is a point which the hon. Member for Bury St. Edmunds (Mr. Griffiths) should take seriously.

Mr. Weetch: I thank my hon. Friend for his intervention. That is so. I do not want to give too much detail on this matter, but my most recent correspondence relating to the amendment to put navigation matters into the hands of the Harwich harbour board shows that it in no way meets our objections. I wish that it did.

Mr. Eldon Griffiths: Is not the central point this, that at the moment large vessels can get into that part of the estuary only at certain points of the tide, but with the deepening and widening there will be access for large vessels throughout the 24-hour period? Consequently, with the scenario described by the hon. Gentleman, there would not be many blockages compared with the problems that now exist.

Mr. Weetch: I do not accept that, though I wish that I could. I have had protracted and intensive discussions with professional pilotage opinion. The problems will remain. Frankly, they will remain to such an extent that they will threaten our commercial viability.

Mr. Eddie Loyden (Liverpool, Garston): My hon. Friend will be aware that the consequences of widening and deepening any estuary can never be guaranteed. In many instances, when there has been deepening and widening, it has had a disastrous effect on other parts of the river. Therefore, there is no way that the argument can be put with any certainty that deepening and widening will not have an effect on the river in other places.

Mr. Weetch: I thank my hon. Friend for his intervention. It has been said to me that the alteration to the estuary might upset its natural balance. No research has taken place. We have no hard and fast guarantee as to what will happen. It is unpredictable. I cannot accept the possibility of commercial risks for Ipswich, or the unpredictability. We should have reasonable certainty about the matter, but there is no way that we can have it.

Ipswich has expanded considerably. It is the fourth container port in the kingdom. It is the first port in the kingdom for short sea containers. It leads the East Anglian grain trade. We are the first in Britain for wheat, and in the top six for all grains. We are efficient. We turn the ships round fast, and we have an excellent record in industrial relations. All that is now fatally threatened by the Bill. That is why I am opposing it.

The timing of our largest 10,000-tonne grain ships to clear the estuary at maximum permitted draft is critical in tidal terms. In addition, on short sea container movements, our efficiency has given rise to a very fast turn round so that ships can be used on a 24-hour cycle. For port users, that means a considerable economy in the intensive use of ships. That, too, may be irreparably damaged. Traffic will decline and move elsewhere. The Bill will cripple the port and threaten jobs. There is no point in creating jobs in Felixstowe if one destroys them in Ipswich. That is one of the central points in the matter.

The hon. Member for Bury St. Edmunds gave the game away when he said in the Ipswich *Evening Star* 10 November 1984:

"Ipswich can do well with specialised cargoes."

That may be correct, but what the hon. Gentleman was saying was, "Do not worry. Ipswich can always become a jobbing port for odds and ends." I am not willing to face such a future.

The area in which the Bill will allow Felixstowe to expand has been officially declared to be of outstanding natural beauty. It was designated as such in 1970. There is serious concern and abject despondency among the

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environmental organisations in Suffolk, as well as nationally, which have petitioned against the Bill. They are alarmed by it because they realise how serious it is. A whole range of environmental organisations have petitioned against the Bill, and I have seen just about all of them. Critical and serious consequences stem from the Bill. The Royal Society for the Protection of Birds, the Suffolk Trust for Nature Conservation, the Council for the Protection of Rural England and the Suffolk Preservation Trust are all against it. Therefore, the matter is important.

The area is also a proposed site of special scientific interest. It is the intention of the Nature Conservancy Council to identify the area as one of special scientific interest. However, the Felixstowe Dock and Railway Company objects to that. In his speech, the hon. Member for Bury St. Edmunds made several environmental points. I wonder how valid they are. I have heard one environmentalist in Suffolk, who is not even a Labour voter, but a Conservative voter, saying that if one has to plant half a million trees to soften the environmental consequences, obviously the effect will be devastating. However, I am anticipating my point, which I shall now reach in small steps.

The area is a feeding and resting ground for certain species of birds of national and international importance. I am told by the RSPB that at least four species occur in internationally important numbers and another seven in nationally important numbers. There will also be a substantial visual intrusion. The hon. Gentleman will admit that those dangers are present, so let us come to the crux of the argument.

Two questions must be asked and answered. The first is whether, despite the development, that precious and irreplaceable asset can be saved and adequately protected. The second question is wider. It is whether the development is consistent with the Government's stated intentions towards areas of outstanding natural beauty, made on 29 July 1982. They said that any commercial development had to be of overriding national interest and there had to be no alternative sites. I should like to examine both propositions.

Mr. William Cash (Stafford): The hon. Gentleman mentioned national interest. Perhaps he has overlooked the point that it is a proven national interest. Does he agree that the appropriate time for considering the matters of proof will be before the Opposed Private Bill Committee, to which the Bill will be referred?

Mr. Weetch: I accept the substance of that point. In Committee such points can be argued in detail and contested one by one. We are arguing about the principle. I wish to put certain broad points to the House.

First, in October 1984 the county planning officer of Suffolk submitted a report to the county council, which it subsequently ignored. However, the report was quite devastating about the environmental impact. It made two main points, which I shall summarise. It referred, first, to the landscape impact and, secondly, to the ecological implications. Paragraph 9.2.6 said:

"The scale and extent of the proposed development is such that it cannot effectively be screened and at the same time enable the Orwell Estuary to retain the quality of landscape worthy of designation as an AONB."

That is not an argument of one of the participants in the issue. That is an independent assessment in a high-calibre report.

An additional 500,000 trees would not be able to prevent the vertical intrusion of the additional cranes nor the additional glare of security lighting and the noise of night operations. The ecological implications are even more critical. If most of the inter-tidal mud flats and the salt marsh are lost, the supporting conditions will be lost for much of the ecological life which I have outlined.

It seems that the Government are seeking votes from the environmental lobby. We have seen a distinct green edge on the Government in recent months. We now wish to examine the colour of their environmental money. A statement of policy was made in a written answer on 29 July 1982. It read:

"Confirmation of an area of outstanding natural beauty designation order confers formal recognition by the Government that the natural beauty of the landscape in the area identified is of national importance; and that we expect this to be reflected by local authorities in the preparation of structure and local plans and exercise of development control.

The Government agree with the Countryside Commission's view that, in general, it would be inconsistent with the aims of designation to permit the siting of major industrial and commercial development in AONBs. Only proven national interest and lack of alternative sites can justify any exception."

In dealing with areas of outstanding natural beauty the Government gave their

"continued commitment . . . to their safeguarding in the years ahead."—[*Official Report*, 29 July 1982; Vol. 28, c. *709-10*.]

The written answer stated that any proposal to disturb and invade areas of outstanding natural beauty would receive "rigorous examination". I wonder how rigorous the examination will be in this instance. We are debating the test case for the entire policy.

If these issues are the criteria, the argument of the hon. Member for Bury St. Edmunds falls. There are other port sites where this form of development could take place. There is excess capacity in the docks industry. Expert opinion suggests that there will be excess capacity, especially in the container trades, as far ahead as one can see. There is an alternative across the other side of the river at Bath Side bay. If press comment is reliable, a deep sea container port will be developed at Bath Side bay. That will rival Felixstowe itself. If trade does not increase in the way that is suggested by some, we shall have two massive white elephants facing each other across the estuary. It has yet to be demonstrated to me that the real increase in traffic will be such that it will absorb the present excess capacity and the potential capacity of the ports industry.

I have no doubt that the development will benefit the Felixstowe Dock and Railway Company. I can understand a commercial company trying to increase its share of the trade, but to argue that that is in the national interest is another matter. That is an argument which I reject.

Mr. Ted Leadbitter (Hartlepool): My hon. Friend and the hon. Member for Bury St. Edmunds (Mr. Griffiths) know much more about the issues lying behind the proposed development than I do. However, will my hon. Friend confirm that the Bath Side Bay Development Act 1972 provided for substantial construction works in the nature of port development? Does he recall that as recently as 1980 a Conservative Transport Minister extended the provisions within that measure until 1992 so that the proposed developments could be proceeded with in due course? Are these matters not pertinent to the debate?

Mr. Weetch: Indeed, they are extremely relevant. I thank my hon. Friend for raising them in the course of my speech.

The third section of my speech will be directed to national port considerations. The arguments involved are not simple and the complexities are many. Difficult projections and predictions are entailed. However, it is obvious to everyone concerned that the issues thrown up by the debate are very much wider than those involving the Orwell estuary. The central argument is the contention that there is an overriding national interest that the development should take place. If that is so, we are thrown back to two more questions.

Is the likely growth in deep-sea container traffic likely to justify this increase in dock capacity, bearing in mind that there is surplus capacity in other ports, many of which are capable of further expansion? Is there an advantage in the Felixstowe development from the standpoint of attracting real trade growth, as opposed to taking trade from other ports on the south and east coasts?

We are in complicated statistical and commercial waters. The research that I have done myself and that which I have had done for me highlight the difficulties of predicting future volumes and flows of traffic. The difficulties are by no means inconsiderable. I shall quote from two pieces of independent research. The first quotation comes from a report from the marine transport centre of the University of Liverpool. The second comes from a piece of research that was undertaken for Suffolk county council by the former secretary of the National Ports Council, Mr. K. A. Heathcote.

The conclusions of these two independent assessments are remarkably similar on principle. They state that while traffic in Felixstowe has grown at a rapid rate, this has stemmed largely from a two-pronged process of substitution. Felixstowe has taken a lot of traffic formerly passing through other ports. This in turn has been related to the technical switch to containerisation and the geographical switch to the east coast. This has led to a high rate of growth, but it is largely a once-and-for-all substitution growth and it will not recur because the underlying factors promoting it are losing their intensity.

If we examine commercial statistics for the major cargo groups spread over near, short and deep-sea containers from 1967 until 1984—I choose 1967 because that is roughly when the container deep-sea trades started—certain features are brought sharply into focus. First, Felixstowe is primarily a deep-sea container port, and the Bill aims to extend its deep-sea facilities. From 1967 until 1984 commerce in manufactures has expanded substantially for both exports and imports. However, the deep-sea trade has scarcely participated in that growth. In 1984, the volume of deep-sea exports was above the 1967 level by only about 500,000 tonnes. It was even below the 1976 figures. The trend in the deep-sea container section of manufacturing commerce is downwards. If that continues, the demand for deep-sea container facilities will decline further.

The second most important cargo group is foodstuffs. In 1984 this section had 27 per cent. of deep-sea container traffic. Although the figures are more difficult to interpret, they show a decline from deep-sea areas. The position is similar for basic materials and fuels. Deep-sea containerisation is still only 13 per cent. of the total and is unlikely to grow.

The main conclusion is that in cargo areas which are most likely to grow there has already been a great deal of deep-sea container penetration, which is unlikely to grow much further.

Side by side with that, however, is the fact that the deep-sea container trades of the United Kingdom are not short of port capacity. The present expansion through the Trinity terminal at Felixstowe gives the company a further two berths, while the one before the House into Trimely marshes provides a further three. That will be five extra berths.

It is difficult to see how that can be used to capacity without taking over most of the deep-sea traffic of the United Kingdom. I should not be surprised if that were not the aim. Even if it takes a fraction of the traffic, Felixstowe's expansion will be at the expense of other ports, where there will be a loss of traffic, a decline and redundancies. That is what will happen in East Anglia, and Ipswich will be the first casualty, which is why I am on my feet.

Given the massive efforts that the Government have made, and the substantial financial investment that they have had to make to reduce capacity to the demand, surely it is lunacy to create more capacity at a time of excess. The Felixstowe expansion serves no national need. I challenge the Bill's advocates to demonstrate that it is in the national interest, because they cannot do so. The expansion serves the interests of the Felixstowe Dock and Railway Company and Trinity college, which is one of the grasping landlords that we face in East Anglia.

The case will be that it is in the national interest, but some people are involved, not in the national interest, but to make a fast buck for commercial reasons. I oppose the Bill and advise the House to reject it.

8.2 pm

Sir Julian Ridsdale (Harwich): The hon. Member for Ipswich (Mr. Weetch) based his case on three contentions. The first related to environmental disadvantage. I shall not reply to that except to say, as a keen wild fowler in East Anglia, that he exaggerates his case and fears.

Secondly, he contended that the proposed extension of the port would take trade from other United Kingdom ports. He does not appreciate the real reason for the extension of the port facility. In Harwich we hope to have the port facilities extended in exactly the same way. We see the need to try and get the trade which at present goes to Rotterdam into the container ports of Harwich and Felixstowe. That would help our balance of payments. Goods would not have to be offloaded at Rotterdam and brought across the North sea in small ships. This is the reason for the dredging which is taking place in both Harwich and Felixstowe, but I shall not go into the matter in detail because it can be dealt with in Committee.

The Bill serves the national interest. Trade will not be taken from other ports, but we shall compete with the main Continental port of Rotterdam. We wish to save our balance of payments by deepening the harbours on both the Harwich and Felixstowe sides of the river. I am delighted at the spoil from dredging at both Felixstowe and Harwich, and that in Harwich we shall also have more berths. I do not oppose what Felixstowe is doing because it is in the national interest. I know that Felixstowe will not oppose us when we extend our port in Harwich.

The hon. Gentleman spoke of navigational difficulties and the fear of navigation. I have consulted pilots in

[Sir Julian Ridsdale]

Harwich, and my information is that navigational difficulties are not great. Obviously, there will be difficulties, but with dredging and the expansion of the facilities, there will constantly be a 24-hour turn round. That will enable the traffic to come to the port of Ipswich. The hon. Gentleman exaggerated the fears about that.

Mr. Loyden: I wish to return to a point I made previously. With all due respect to pilots, they act on the hydrographic surveys that take place on a river, and their information is based on them. Pilots cannot predict the consequences of changes in a port, which alter the meandering of a river or its siltation, or create new banks. No one can foresee that. In a sense that means that our approach to rivers is unscientific. The pilots are not in a position to say that there will be no problems because they cannot know until extremely detailed surveys have been carried out, and, even then, there is no guarantee of the consequences.

Sir Julian Ridsdale: I am sure that the pilots in Harwich and Felixstowe are well aware of the hon. Gentleman's point. Harwich will be the navigational authority and its pilots will decide when and where the turning will happen. Felixstowe has offered priority of passage to and from Ipswich. The point about pilotage has been exaggerated. With the good common sense that prevails in the port of Stour and the Orwell, there will be free passage of ships up the Orwell.

Ever since I became a Member there has been co-operation between the haven ports and we have had good discussions about many matters. I deplore the fact that I must come to the House to argue with the hon. Member for Ipswich. I am sure that with good sense we can find an agreement. I have every confidence that the pilots and the Harwich pilotage authority, which is co-operating with Ispwich, can achieve the objectives.

Opponents of the Bill raised the point about over-investment in capacity. I ask them to look where that over-investment has taken place in Liverpool and Bristol. As the Member for Harwich, I have taken part in many debates about investment policy in Committee on legislation to deal with the nationalisation of the ports. Each time I have said that our investment was in the wrong place. It was a complete waste of money to invest in the west coast, especially as we were to join the European community, where the trade would be. I ask those who oppose the Bill to consider where our trade by sea is. It is in the Thames estuary, the Channel and the North sea.

Mr. Stott: Is the hon. Gentleman denying that there is over-capacity in port facilities in the United Kingdom? I ask him to remember that Southampton, which is a major container port, was almost taken out because of a protracted industrial dispute—hardly anything moved in the port for almost six months — but the enormous capacity that it normally undertakes was absorbed by Tilbury and other British ports. The hon. Gentleman, with his knowledge of the ports industry, cannot say that there is no over-capacity when we all know that there is.

Sir Julian Ridsdale: That is history. We are talking now about reality and the challenge ahead. Harwich and Felixstowe are dredging the river because they wish to take trade from the port of Rotterdam. It will be in the national interest, and we can do it if the Bill gets a Second Reading. That will not only cause Felixstowe to expand, but Felixstowe and the Government I hope, will support an expansion at Bath Side, Harwich, as well.

I congratulate my hon. Friend the Member for Bury St. Edmunds (Mr. Griffiths) on his excellent presentation of the case, and I have no hesitation in supporting the Second Reading of the Bill.

8.11 pm

Mr. Ted Leadbitter (Hartlepool): I shall speak only briefly, because on such occasions it is a courtesy in the House to recognise that hon. Members more acquainted with the area concerned should have most of the time that is available to make important points on behalf of their constituents.

Private Bills are always matters of significance and are sometimes much more controversial than public Bills. From the outset, they express the determination of special interests; and, because they do so, they impinge immediately on the interests of others in the area. Therefore, there are conflicts, and hon. Members on both sides of the House are often divided because of the interests that are being expressed.

The Bill seeks to extend the limits of the Felixstowe port authority north-west into the Orwell estuary, which is under the jurisdiction of the Ipswich port authority. The latter is understandably worried, because not only will the dock workers' employment scheme not apply under the Bill, but the Felixstowe port authority will have jurisdiction over and responsibility for making regulations for motor traffic on the dock roads and in all places within the limits defined in the Bill. Therefore, if the powers and responsibilities accorded to Ipswich port authority in many Acts and orders between 1852 and 1979 will cease to apply, this Second Reading debate should contain a word of caution. In Standing Committee, we must at least examine the details so that the promoters' case can be seen to be proved.

We all recognise that facet of the business of the House. The Standing Committee stage of a public Bill often presents Second Reading opportunities, but a private Bill does the opposite. Those who are selected to serve on the Standing Committee must operate in an almost quasi-judicial role to ensure that the case is proved. I am the chairman of the departmental transport committee of the parliamentary Labour party, and it worries me that, on such matters of principle, hon. Members who are not affected by the tides of local opinion should advise the House on how best to consider such Bills.

We must ask whether there is an alternative. I referred earlier in a short intervention to the Bath Side Bay Development Act 1972. The Committee which dealt with that Bill examined in detail areas for possible redevelopment and reconstruction in the Orwell area. That examination persuaded the Secretary of State for Transport, who must have considered the matter with great care, that the period for possible extensions and port developments should be increased to 1992. Therefore, the Government intended this to be a site for port development that would not adversely affect the jurisdictional responsibilities of the Ipswich port authority. It that is the case, the Standing Committee should consider that aspect of the problem carefully. If there is an alternative site for development that will avoid placing Ipswich in the position which the Bill seems to place it—of providing

a buffer zone between itself and the open sea because of the proposed development at Felixstowe — and Felixstowe can still have the same trading advantages, the Standing Committee will have a great opportunity to decide whether the case for the Bill is proven.

When a local authority such as Ipswich borough council, working in close harmony with its port authority, believes——

Mr. Eldon Griffiths: It does not oppose the Bill.

Mr. Leadbitter: I stand to be corrected, because I do not come from the area, but if Ipswich borough council is working in close conjunction with the Ipswich port authority in their common interest to preserve their jurisdiction rights, we must consider how best to judge their position. As I understand it, the Ipswich port authority has discharged its responsibilities with considerable efficiency.

Mr. Weetch: Perhaps I could clarify that point for my hon. Friend. Ipswich borough council and the Ipswich port authority are petitioners against the Bill. The entire council—Conservative and Labour—opposes the Bill, so this is not a party political matter.

Mr. Leadbitter: That is the great advantage of hon. Members from the area doing their work——

Mr. Eldon Griffiths: I have just taken advice, and I can tell the House that the hon. Member for Ipswich (Mr. Weetch) is incorrect. Ipswich borough council and the port authority are not petitioners against the Bill.

Mr. Leadbitter: This is an occasion when those of us who have been in the House for a long time can sit back and allow a matter to be corrected in the interests of comprehension. I am grateful to the hon. Gentleman and to my hon. Friend the Member for Ipswich. I cannot lose, and am trying to be helpful from a distance.

I am informed that the Ipswich port authority has carried out its responsibilities under the Acts and orders that have prevailed for more than a century, in that it has provided good safety provisions, excellent navigation and, above all, an understanding of a developing social consideration—leisure pursuits on the river. There are some 1,700 pleasure craft on the river. The port authority has been able to combine commercial and leisure activities in such a way as to avoid conflict.

The records of Ipswich and the Felixstowe port authority are good. No one quarrels with their reputations, but my advice to the House is that as one, in its exuberance, wants to extend into the jurisdiction of the other, it is the responsibility of the House of Commons not to be satisfied merely by good Second Reading speeches. It must add a small caveat that if the Bill goes to Standing Committee, the Committee must ask itself whether the Bill's promoters have proved their case. That is what we should demand of the Standing Committee.

8.21 pm

Mr. Robert Rhodes James (Cambridge): It is a curious experience for me as a former Clerk of the House to hear a member of the Chairman's Panel inform the House that a private Bill, if it receives a Second Reading, will go to a Standing Committee. It will not. It will go to an Opposed Private Bill Committee.

Mr. Leadbitter: It was merely a slip of the tongue. It is not a great debating point.

Mr. Rhodes James: The hon. Gentleman repeated the remark several times.

The debate is of personal interest to me and to many hon. Members on both sides of the House, because Felixstowe is linked in our memory with our late colleague, Keith Wickenden, who was a special and remarkable Member of the House who spoke seldom, but when he did it was with great impact. His early death was a great loss to the House and the country.

I have to declare a direct constituency interest. When the hon. Member for Ipswich (Mr. Weetch) referred to Trinity college going for a quick buck, I thought that he was referring to my hon. and learned Friend the Member for Colchester, North (Sir A. Buck). However, I then realised that the hon. Gentleman was making an observation about the college and my constituency, with which I should like to deal immediately. Trinity college is the owner of the land. If the Bill were to be passed, the income would be substantial, but no individual fellow of Trinity or the college will benefit because the college is a major benefactor of poorer colleges, the university as a whole and, above all, foreign students, in particular from Third-world countries. Any revenue derived from the Bill will be directly and entirely devoted to the cause of higher education in Cambridge and East Anglia. I hope that that deals with that nonsense.

I should like to refer to a book by Segal Quince and Partners called "The Cambridge Phenomenon." It is not, I hasten to add, the long and eagerly awaited biography of myself. It relates to what has happened in Cambridge over the past eight years, which happens to be the period during which I have represented Cambridge. In Cambridge, ten years ago, there were 100 technology and scientific companies, and now there are 150. Trinity college's science park has been very much the result of the investment in Felixstowe, which the hon. Member for Ipswich so derides. When I was elected to represent Cambridge eight years ago, the park had one firm employing fewer than 40 people. Today, there are more than 40 firms employing over 1,400 people.

Last year, three new companies were formed in the city of Cambridge every month. Segal Quince and Partners, analysing why that was so, said that a major factor was communications

"to increase the accessibility of Cambridge to most parts of the country, London and the east coast port of Felixstowe being probably the most valuable connections."

The authors further stated:

"The Cambridge phenomenon now has firm foundations and substantial potential for sustained future development . . . it represents one of the very few spontaneous growth centres in a national economy that has been depressed for all of a decade —and certainly the only one where growth is being led by high technology industry, and indigenous and small companies at that."

In that process—communications and exports for old as well as new industries—East Anglia has been crucial. As my hon. Friend the Member for Bury St. Edmunds (Mr. Griffiths) has emphasised, Felixstowe is a success story. The proposals before the House will directly create 3,000 new jobs in port and ancillary services.

The hon. Member for Ipswich talked about the environment. As the House will be aware, for several years I was a senior consultant on the environment for the United Nations. I am a conservationist. I have studied the

[Mr. Rhodes James]

proposals made by Trinity college and the Bill, and they are remarkable—500,000 trees, careful landscaping, and the skilful use of the river frontage.

The hon. Member for Ipswich may not be aware of the fact that I know the river well. I have sailed on it since I was a child. It is one for which I feel strongly. I also feel strongly about the local environment. To go as far as he did about a scheme which covers one third of a square mile and only half a mile of 22 miles of rather grotty shoreline is carrying his argument too far.

I believe in the Bill not merely because of my constituency interest but because of my East Anglian interest. It is an area which needs further opportunities for exports, initiative and inventiveness. We in Cambridge and East Anglia have proved, as Felixstowe has proved, that if other parts of the country were to follow our example, it would be greatly in the national interest.

If the Bill were to be denied a Second Reading, it would be an act of cynical hostility to people who have demonstrated what they can do, what they have done and what they will do in future.

8.27 pm

Mr. Peter Hardy (Wentworth): Those hon. Members who have so far spoken are directly involved and almost all politically based in the East Anglian region and I am not. I hesitated therefore before I decided to speak, but I do so for a number of reasons. It is fashionable nowadays to declare a non-pecuniary interest as well as a pecuniary one. I do so as a member of the council of the Royal Society for the Protection of Birds and one who is deeply worried about the environment.

I can well understand the anxieties of Members who are interested in generating economic activities in their areas. I have a great deal of sympathy for that approach because we desperately need to stimulate economic activity in my area as well.

I am slightly familiar with the locality. I served in that part of the country in the Air Force a long time ago. I was there on holiday last summer when I visited Minsmere and Havergate Island. I realised what a tremendous tourist attraction exists in that delightful part of Britain. I am as anxious as anyone in Suffolk, and perhaps more than some Conservative Members, that the tourist potential of that attractive area shall not be destroyed for short-term economic advantage.

One point which has not yet been made in the debate is that this port development may be embarrassed by the establishment of the Channel tunnel. When the Under-Secretary of State for Transport replies to the debate I hope that he will refer to the very substantial surplus of port capacity in Britain. One imagines that Conservatives in the Southampton area would expect the hon. Member for Southampton, Itchen (Mr. Chope) to participate in the debate. I make that point not merely in order to refer to the existing surplus of port capacity but to reflect upon the effect on Felixstowe, Harwich, Ipswich and many other ports when the cross-channel link is established. It surprises me that this point has not been made because every Conservative Member would vote for the establishment of a Channel link. If Conservative Members are prepared to vote for a Channel link today, one imagines that they recognise the impact that it would have and that therefore such a massive expansion as is suggested at Felixstowe may not be necessary.

I must also emphasise that conservation bodies would describe the area which is to be destroyed as an area which is rather more important than an area of unattractive mud flats, which seems to be the accepted description of Conservative Members. Other parts of East Anglia may be more attractive and deserving of concern, but those mud flats are absolutely vital. Mud flats are becoming more vital to wildfowl as each year passes because of the scale of the destruction of wetlands in western Europe. The British Isles have made a real contribution to the destruction of those wetlands.

Conservation bodies in Britain are very pleased indeed that in recent years the Government have made repeated and emphatic claims to be the party which deserves the support of those who are interested in green issues. During the last 12 months there have been repeated claims in the media that the conservationist must associate himself with the Conservative party. It will be interesting to hear how the Under-Secretary of State for Transport defends, if he is to defend, this further destruction of the habitat. The Conservative party claims that it is concerned about green issues, the ecology and the environment, but it has done very little indeed to assist such issues and on occasion after occasion it has absolutely blocked the advancement of the conservation causes which the green lobby has espoused.

The Ramblers Association wrote to me last week about this matter. It pointed out that almost every conservation body in Britain—certainly the conservation bodies in East Anglia—is very much opposed to this development. It points out in a splendid paragraph that the Government's policy on major developments in such areas was set out by the Secretary of State for the Environment in July 1982 and that it would be inconsistent with the aims of designating such areas to permit such development unless there is a proven national need and a lack of alternative sites. That policy has always been thought to command comprehensive and all-party support. If there is to be a departure from that policy, I hope that the Under-Secretary of State will devote sufficient time to defending any departure from that policy. If there is to be such a departure, the Under-Secretary must understand that the irritation and anger that has been generated in the ranks of conservation bodies by the Government's approach and attitude in recent years will become even greater.

Since a substantial number of Conservative Members are listening to the debate, many of whom may still be seeking to catch your eye, Mr. Deputy Speaker, I think it would be wrong if I did not express my deep regret, which I hope all hon. Members who are listening to the debate share, that, despite their so-called concern for green issues which are frequently expressed by the Liberal party and the Social Democratic party, not a single member of those parties is present for the debate. It suggests to me that when the voters of Suffolk decide that they have had enough of the party of the hon. Member for Suffolk, Coastal (Mr. Gummer) my hon. Friend who now so ably represents Ipswich (Mr. Weetch) will be leading an army back to the House after the next general election. The absence of the alliance parties and their negligence is utterly deplorable. I should have liked them to be in the Chamber to witness the embarrassment of Conservative Member after Conservative Member seeking to defend the destruction of a vitally important international wetland on

the grounds that it comprises only a few acres of mudflats and that it does not really matter and seeking to ignore the reality of the prospects for investment if the Channel tunnel is proceeded with.

I am also reminded that the Royal Society for the Protection of Birds commissioned Dr. Gilman, an eminent and highly qualified person, of the marine transport centre to look at this matter in a fair and unbiased way. I know that the hon. Member for Harwich (Sir J. Ridsdale) assured the House, because of his own interest in wildfowl, that the Bill would not damage wildfowl. The RSPB is a very important, large and highly regarded organisation. No hon. Member would deny that the staff of the RSPB are dedicated and very able people. The evidence that has been given by the society either to the House or to Committees in recent years has always been of the highest quality. Therefore, I trust that no Conservative Member will seek to diminish the powerful argument that is presented in the report provided for the society by Dr. Gilman. His case is formidable.

I do not wish to delay the House — as a Yorkshireman it would be wrong of me to delay the House on an East Anglian matter—but may I summarise what is said by Dr. Gilman:

"I do not believe that the expansion of deep sea container port facilities at Felixstowe will serve any important national need, whilst if it creates any local benefits this will be only at the expense of other areas."

This will be at the expense not of Rotterdam but of other areas in this country where investment may already have taken place. Dr. Gilman points out on the other side of the equation that there would be the irreplaceable loss of an area of outstanding natural beauty. In his highly qualified, highly professional assessment, Dr. Gilman finds no evidence to support the conclusions advanced by the hon. Member for Bury St. Edmunds (Mr. Griffiths) and other Conservative Members.

After studying the evidence presented by Dr. Gilman, which is available to hon. Members and to members of the RSPB, the RSPB made the following points. It has co-petitioned against the Bill, together with the Suffolk Trust for Nature Conservation and a number of other bodies opposing the Bill on nature and landscape conservation grounds, for the following major reasons:

"The Nature Conservancy Council intends to notify a large part of the river Orwell and its foreshore as a Site of Special Scientific Interest under section 28 of the Wildlife and Countryside Act 1981"—

an Act which my hon. Friend the Member for South Shields (Dr. Clark), who has so far sat through the debate and who I hope will catch your eye, Mr. Deputy Speaker, has been seeking to improve. He would have welcomed greater improvement than this Government were prepared to allow. That is to be a site of special scientific interest and the Government have pledged themselves to protect it.

The development site envisaged by the Bill includes a very large part——

Mr. Andrew F. Bennett (Denton and Reddish): There seems to be great enthusiasm on the part of Conservative Members to protect sites of special scientific interest in general but when a specific site of special scientific interest is considered, they seem to be very happy to let it go.

Mr. Hardy: My hon. Friend is justified in making that remark. I became quite distressed about the Government's lack of enthusiasm. In February or March 1984 I tabled a Bill with all-party support which would have protected sites of special scientific interest. I had hoped that that Bill would go through on the nod in July, but two or three days before that was due to happen I was told that it was technically deficient, although I had not drafted it. An experienced draftsman had been employed and to this day I have never found out what that technical deficiency was. All I know is that since I tabled that Bill in the late winter, early spring 1984 a substantial number of SSSIs have been destroyed and now we are to see another so badly disfigured as to be made useless for conservation purposes.

That site is included in the SSSI that is proposed here. But the reason for the proposition is that that site is of great importance, particularly as an over-wintering area and a migration stop-over for a substantial number of significant species of wading birds and wildfowl. The hon. Member for Harwich (Sir J. Ridsdale) may imagine that the more common prey species among the wildfowl would not be affected by the Bill, but it is reasonable to assure the House that substantial damage would be done to some important wildfowl species and would mean that we would be failing in our international commitment, a commitment which the Government are supposed to have vigorously and enthusiastically espoused. Six species would be seriously affected.

The hon. Member for Bury St. Edmunds assured the House that money will be provided for a bird count. If that is going to be done one would imagine that it would precede the destruction, otherwise one would only be counting the birds and then destroying their habitat. Would people then be prepared to pay for a bird count to see exactly how much havoc they had wrought? Far too much havoc has been wrought on British wetlands, sometimes to provide the extra port capacity that is now lying underused elsewhere.

The estuary is important because, as the Minister will know, the Government recognise the area as a wetland that fulfils the criteria for wetlands of international importance, recognised by parties to the RAMSAR convention. That is important in conservation terms and covers wetlands which are especially relevant as a wild water fowl habitat. The United Kingdom is a signatory to that convention. As Britain already seems to be somewhat sluggardly in its response to that international commitment, we must extract from the Minister whether he, with his colleagues, is prepared to allow Britain to disregard yet another international commitment. He must be aware that Britain is a signatory to that convention.

The proposed development would cause serious damage to the feeding and resting grounds of birds which use this important area. I recognise that birds cannot directly provide the sort of funds that Trinity college may be able to give overseas students. That role of Trinity college is a welcome one, although it is a role which the Government should be fulfilling. If the Government will not do so, I welcome, endorse and applaud Trinity college's record. But it is a record that has become necessary because of the Government's attitude towards education.

I went to Suffolk on holiday last year and it is, as I said, very attractive. It is a splendid area to which many more people in Britain should go instead of perhaps joining in rather congested package tours on the Costa Brava, which hold no appeal for me. As the years pass and sense dawns,

[Mr. Hardy]

so more people in Britain may wish to visit birds on Havergate island rather than queue for sausage and mash in Benidorm.

If Conservative Members are seriously worried about the economy and the prospects of enhancing commercial activity in Suffolk, they will share my recognition that one of the principal employment creators in Britain is tourism. One of the principal aspects of British tourism, which gives us grounds for confidence, is that our ecology, our natural heritage, our areas of outstanding natural beauty, are important. It may well be that Conservative Members and Trinity college will be happy to make some fairly short-term profit from this development, but in doing so they will probably destroy tourist potential and a much larger number of long-term jobs.

Therefore, this is not just a matter for the birds or for a few people who go out to watch wildlife. Hon. Members should understand that the RSPB has more members than the Conservative party. It probably has more members than all the parties represented in the House now, including the alliance and Nationalist parties. The number of people concerned with conservation, substantial though they are, deserve as much consideration as the profits that might accrue whether they be indirectly to overseas students financed by Trinity college rather than the Government, or to the people who feel that they might get a little job which will last as long as it takes the Channel tunnel to be built.

The Government have an obligation of real importance. They have an obligation to the other areas which could be used rather than see duplication of investment. They have an obligation to the international community and to a convention of importance. They have an obligation to their own legislation which re-established the principle of conservation through the site of special scientific interest. Therefore, they have no alternative but to speak up for the long-term interests of Britain, for the environment, for our natural ecology and for the very case which my hon. Friend the Member for Ipswich has so powerfully and cogently argued this evening. In view of all that evidence, despite the effective pleading of Suffolk Members, the House cannot possibly afford a Second Reading to the Bill tonight.

8.46 pm

Mr. Tim Yeo (Suffolk, South): The hon. Member for Wentworth (Mr. Hardy) made an important point when he drew attention to the complete absence from the House today of any representative of either the Liberal party or the Social Democratic party. It sits in a curious fashion with their increasingly frantic espousal of the green vote that they have not even managed to have one of their Members present today. That is deplorable, particularly in the light of the great play that their local representatives have made in my constituency and that of my hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) of their concern about Felixstowe. That is not displayed here in Parliament. I dare say that it is the prospect of having to make up their minds on an issue that has prevented them from being here, or perhaps it is a reflection of their prospect of gaining further ground in Suffolk. I hardly think that the county council election results two weeks ago will be of much hope to the hon. Member for Wentworth or his hon. Friends in the hope that he expressed of a revival of Labour prospects in Suffolk.

The hon. Member for Wentworth said something that I found puzzling. He said that the Conservative party did not seem to be in favour of creating new wetlands. If he had read the press over the weekend he would have seen that we are the party that is spawning wetlands left and right. Whether that will lead to the country being transformed into the land of the wets remains to be seen.

I listened in vain to the speech of the hon. Member for Wentworth for anything that would offer comfort to those who are unemployed and seeking jobs in Suffolk. I listened in vain to the speeches of the hon. Members for Hartlepool (Mr. Leadbitter) and for Ipswich (Mr. Weetch) for any comfort that could be offered to prospective employees at Felixstowe. Although I readily acknowledge the work which the hon. Member for Ipswich does in his constituency—a neighbouring constituency to mine with which I am familiar—despite his clear knowledge of the views of most of his constituents on most issues, he did not tonight reflect the views or interests of the people of Ipswich. If he were representing any interests tonight, it was the interests of a narrow section of his trade union.

I speak from the viewpoint of someone with a very keen interest in conservation. I have been active in taking up environmental issues, both in the House and elsewhere, and I am strongly opposed to the pursuit of private profit at the expense of conservation and, in particular, of countryside interests. But I also speak from the viewpoint of someone who is passionately concerned about unemployment, and I am particularly anxious to prevent even more jobs from going overseas.

Mr. Andrew F. Bennett: Will the hon. Gentleman accept that the number of jobs involved in this development may be just about balanced, as my hon. Friend the Member for Wentworth (Mr. Hardy) has said, by the number of those lost from, for example, the tourist trade if such features are destroyed?

Mr. Yeo: I do not know how familiar the hon. Gentleman is with the region. I happen to live a few miles away, just the other side of the Orwell estuary. Consequently, I know that there is no prospect of the tourist trade being adversely affected. Happily, that trade is growing in East Anglia, but I should certainly like to see it expand still further. I live in the village of East Bergholt, which is already very popular, and I know that the tourist trade is attracted to all sorts of beautiful areas in East Anglia. However, I do not believe that the proposed area of expansion draws tourists to Suffolk, or, indeed, to East Anglia.

Many of my constituents have made representations to me about the Bill, as many of them live in a place which overlooks the site of the proposed expansion. They have expressed concern about several things, such as navigation, possible damage to the scenic environment, bird life and the possibility that the expansion of Felixstowe is not really needed. I shall touch briefly on each of those four points in turn. I readily understand the anxieties of local yachting enthusiasts, but I think that their fears have been greatly exaggerated. My hon. Friend the Member for Bury St. Edmunds (Mr. Griffiths) has already ably made points that should cover the navigation anxieties of those concerned with leisure craft and access to the port of Ipswich.

Concern about the scenic environment is very much to the fore among those living on the Shotley peninsula. Of course it is a serious matter, because we are talking about an area of outstanding natural beauty. However, I applaud the considerable efforts made by the Felixstowe company to meet the anxieties of local residents about the possible deterioration of their view. I also pay a warm tribute to Geoffrey Parker, the chairman, to the senior staff of the company and to their professional advisers. My contact with them has convinced me that they will take every reasonable step to mitigate any possible damage to the environment. Therefore, I publicly urge my constituents and the residents on the Shotley peninsula to contact the company and to express their anxieties to it. I shall certainly take up these issues on their behalf and will contact the company to ask for a sympathetic consideration of their views. Particular care needs to be taken over the question of the erosion of saltings.

The hon. Member for Ipswich quoted the report of the Suffolk county planning officer, but Suffolk county council had a far more extensive opportunity to consider the report than the House will have. After detailed consideration, the council came down in favour of the Bill.

The third issue, which was mentioned at some length by the hon. Member for Wentworth, concerns bird life and the loss of feeding grounds and wet lands. I understand that there is already a considerable interchange between the Orwell and the Stour. The company's offer to provide additional acreage for habitat on adjacent marshes is a real and important concession.

The fourth issue concerns the need for this expansion. It would seem that Felixstowe embodies just what anyone who favours the mixed economy should be working hard to support. It is a real private enterprise success story. It offers something which the customers clearly want. If the port of Ipswich is as successful, well managed and so on as the hon. Member for Ipswich has said—I accept that it has expanded considerably at a time when Felixstowe has expanded — what does it have to fear from continuing to compete? Is there really an anxiety that the greater efficiency of Felixstowe might in the long term undermine its prospects? If the hon. Gentleman is genuine in his support of the mixed economy, it is hard to understand why he should be anxious at the prospect of further open competition between the ports.

As hon. Members have said, there is a danger that trade will go overseas. The absence of additional facilities at Felixstowe would not help British exporters, and the House should be particularly concerned about them. Last year we had a clear reminder of the strategic importance to this country of the non-scheme ports. The role that Felixstowe played last summer was very important and could be important again if similar circumstances prevailed. Thus, the need for such expansion is well established.

I am also concerned about the possibility of additional lorry traffic. We already have a good link across on the A45, but there is an urgent need for the A1/M1 link to be built. I very much hope that that project will not be delayed unnecessarily in the planning process. That would be most unfortunate. I am also concerned about the A12, which is now the main link between Felixstowe and London or the south-east. There will be a considerable growth in the amount of traffic going down the A12 and on to the M25. The road is not by any means adequate, and I hope that my hon. Friend the Minister will convey to his colleagues in the Department of Transport our concern about the A12. Not all the right turns have yet been eliminated, and we need more grade-separated junctions on the A12, a central crash barrier, and so on. All those issues will become more urgent as a result of the expansion at Felixstowe.

Mr. Andrew F. Bennett: Does the hon. Gentleman accept that the Felixstowe dock company should take responsibility for that charge instead of leaving it with the national Exchequer? Many other parts of the country could make claims for improved roads, yet they already have adequate dock facilities and are not asking for two lots of money.

Mr. Yeo: The point is that this tremendous investment in Felixstowe is not costing the public purse a penny. Indeed, £100 million of private capital is about to be invested, with the benefit of creating jobs at Felixstowe. It is a little curious to argue that we should be touching the company for a contribution to public investment. Those problems on our roads exist today, and I mention them only because they will become more urgent in future. Even if the extension does not take place, I shall press the Department of Transport for improvements to the A12. Indeed, I may well have the support of the hon. Member for Ipswich in that. I am also concerned about the possibility of lorries straying off the main roads and into the small villages. At some stage we may need to consider having designated lorry routes.

Those areas of concern are far outweighed by the job-creating potential of the scheme. At a time of high unemployment, we cannot afford to neglect the opportunity over the medium term to create 1,000 or more jobs in addition to the employment that will be created during the expansion and construction stage. The additional jobs which the scheme could create is almost the same as that provided by the largest employer in my constituency. That company is highly profitable and has excellent industrial relations. If it proposed to close because it was worried about the effects of its business on some birds nearby, there would be a massive outcry, and rightly, because we cannot afford to allow such considerations to weigh so heavily that we ignore opportunities for jobs. Some of the opponents of the Bill appear to suggest that course.

Felixstowe has an excellent record, a superb labour force and a fine history of harmonious industrial relations. I pay tribute to Brendan Lamb, the chief shop steward at Felixstowe, who gave up a considerable amount of time to discuss his colleagues' anxieties with me. I hope that I do not damn him by mentioning that, but his action is symptomatic of the healthy labour relations there.

Felixstowe is the right place for the development. As my hon. Friend the Member for Bury St. Edmunds (Mr. Griffiths) said, the development is in the interests of the work force—existing and potential—of Suffolk and of Britain.

9 pm

Mr. Roger Stott (Wigan): My hon. Friend the Member for Wentworth (Mr. Hardy) said that, as a Yorkshireman, he did not wish to delay the House. As a Lancastrian, I do not wish to delay the House, but it is important to explore the wider port policy issues over which the Minister and I have had some difficulties in the past few weeks.

[Mr. Roger Stott]

The proposal by the Felixstowe Dock and Railway Company for an expansion of its boundaries is based on the expectation that traffic will tend to grow. It is in the local and national interest to cater for that growth.

The Felixstowe development has grown over the years and Felixstowe provides welcome employment opportunities. The company is effective and go-ahead, but some of the growth and some of the potential growth is the result of a takeover by Felixstowe of traffic which previously passed through other ports. There can be no doubt about that.

Two processes of substitution have been at work in United Kingdom ports in the past 17 years — the takeover of conventional cargoes by containers and unit load systems and a tendency to concentrate in the south-east on Felixstowe and Southampton.

Although that process has created a high growth rate during a period of substitution, it will inevitably level off once the transition is completed. There are therefore two important questions to answer when considering the need for new facilities at Felixstowe. First, what is the underlying rate of growth in national traffic and port services? Secondly, how far has the process of substitution gone?

Felixstowe is predominantly a deep-sea container port. The port has a special reputation for deep-sea container traffic and it proposes to extend that traffic. My hon. Friend the Member for Ipswich (Mr. Weetch) in his cogent speech, and my hon. Friend the Member for Wentworth mentioned Dr. Gilman of the marine transport centre at Liverpool university. I am grateful to Dr. Gilman for supplying an analysis of cargo movement.

Containerisation was started in 1967 and since then a substantial growth of manufactures has taken place. Imports have increased from just over 13 million tonnes to nearly 36 million tonnes and exports from just under 13 million tonnes to nearly 20 million tonnes. However, deep-sea trades taken as a whole scarcely participated in that growth. In 1984, the volume of deep-sea exports at 4,747,000 tonnes was about 500,000 tonnes above the 1967 level and had declined when compared with 1976 levels. Deep-sea imports, while being slightly above the 1967 level at about 7,200,000 tonnes were nevertheless substantially down on the 1976 and 1979 levels. About 39 per cent. of manufactured imports and 49 per cent. of exports were containerised in 1984.

The figures show that, while there has been a steady growth in containerisation, the deep-sea cargo part of the containerisation programme has not grown in the way in which some have tried to demonstrate. The figures supplied by Liverpool university confirm what I already believed.

Mr. William Powell (Corby): As this is crucial to the argument, can the hon. Gentleman give the comparable figures for the port of Rotterdam?

Mr. Stott: I do not have those figures. We are concerned about the volume and level of imports and exports in United Kingdom ports, and we must look at the proposed development at Felixstowe in that light. It cannot act in isolation from other ports in the United Kingdom. What happens there, and its potential for development, are bound to have knock-on spin-off effects on other ports. Those points were made by my hon. Friend the Member for Ipswich. My hon. Friend also drew attention to the fact that Ipswich is an important port for the export of grain.

The figures show that there has been relatively little growth in container potential in the deep sea sector. They also show that there is already a high container penetration in the sectors that generate most of the container traffic, and little is to be expected in the way of increases. Given the fact that the container revolution began 17 years ago, that is only to be expected. There appears to be a high degree of agreement about that in the industry.

Currently, the deep sea container trade does not appear to be seriously short of port capacity. There is no evidence of serious congestion at ports, and at some of them there is under-used capacity. For example, Southampton is at least as well suited geographically as Felixstowe to take up any slack in the trade at any particular time.

I have to tell the hon. Member for Harwich (Sir J. Ridsdale), who is no longer in his place, that he thoroughly misunderstood my earlier intervention when I was talking about over-capacity in the industry. It was only last year —it is not history— that there was a major dispute at Southampton and the port was virtually taken out for six months. Other ports coped with Southampton's capacity. There is indisputable evidence that there is over-capacity in our ports, and that any capacity developed is bound to be at the expense of the other ports in the United Kingdom. We have continued to make that point.

I was interested to listen to the hon. Member for Suffolk, South (Mr. Yeo), who made a fair constituency point about ensuring that the infrastructure is provided if the port facility goes ahead. That is in marked contrast to what his hon. Friend the Member for Bristol, North-West (Mr. Stern) said during the debate on the Ports (Finance) Bill two weeks ago about giving financial assistance to, among other places, Merseyside and London. He represents a municipally owned port, and he said that if Falmouth went ahead—that is another port that could develop in the Channel and become the mother port— he was not prepared to support the provision of massive amounts of public money to provide the infrastructure to service it. He has a more marginal constituency than the hon. Member for Suffolk, South. There is a difference of opinion.

I do not believe that it is right and proper that the taxpayer should facilitate that infrastructure when there are adequate port facilities to meet demand. Southampton has been developed and a great deal of money has been poured into it. It is privatised, and enjoys infrastructure expenditure from the taxpayer. We should not continue to provide port facilities and spend public money to provide the infrastructure to get the goods to such ports at the expense of other ports.

The hon. Member for Bury St. Edmunds (Mr. Griffiths) made an interesting speech. I understand that at one time he was a director of Euro-Canadian Shipholdings. A subsidiary of that company is a company called CAST, which operates out of Ipswich. I understand that when he was a director of that company, the hon. Member for Bury St. Edmunds took some credit for getting that firm to locate in Ipswich.

Mr. Eldon Griffiths *indicated assent.*

Mr. Stott: I have with me a letter written to the chief xecutive to the Port of Ipswich by Mr. Gill, the managing irector for the United Kingdom of CAST, in which he ays, amongst other things:

"I know that you are aware of our concern should the elixstowe Bill' be implemented . . . The investment which AST, and the Ipswich Port Authority, have made in the Port Ipswich's new West Bank Terminal runs into many millions pounds. The reclamation of land, the construction of our erminal, the purchase of heavy container handling equipment, well as the office and communications infrastructure, can be ounted in high, hard numbers . . . The major investment in ople and equipment was only made after an extensive search r the most suitable port to act as the UK distribution centre for AST's transatlantic traffic. With experience we discovered that e could supplement this nucleus of traffic, and over the past ree years our Ipswich Terminal has grown to include a strong hort-Sea service, as well as the handling of container traffic for her regular lines. Our volume in the current 12 months is likely be in the region of 60,000 tonnes."

lr. Gill goes on:

"CAST is most unwilling to accept a situation in which the ntrol of ship traffic in and out of Ipswich is effectively in the nds of a competing port. Nor are we satisfied, from a safety ewpoint, with the seeming encroachment of Felixstowe's rths into the mouth of the Orwell river."

he letter continues:

"CAST's Ipswich decision was a good one"—

e hon. Member for Bury St. Edmunds was associated ith that decision—

r our customers, our people and the IPA. We hope it will main that way, and that you will do everything possible to otect our mutual interests."

us, the company that the hon. Member for Bury St. dmunds brought, or said he brought, to Ipswich, is now ying that it is fearful about the proposals in the Bill that e hon. Gentleman is now promulgating.

Mr. Eldon Griffiths: I have no further connection hatever with CAST. Perhaps I should have, but I do not, ne point that the hon. Gentleman is missing is that the ven ports grow and prosper together; Felixstowe has nefited Ipswich, and Ipswich has benefited Felixstowe. ith an offer from Felixstowe, if Ipswich is concerned out its traffic or navigation, it should discuss the matter cause together they can reach agreement.

Mr. Stott: I accept the first point that the hon. entleman makes, about them growing together, but there mes a time when one outgrows the other to the other's triment, and to the national detriment. That is the erriding point that I am making, the point that my party lieves to be of great contention.

The hon. Member for Bury St. Edmunds spoke of vigation, which is an important issue. In particular, it ncerns my hon. Friend the Member for Ipswich (Mr. eetch). The hon. Member for Bury St. Edmunds and his n. Friend the Member for Harwich (Sir J. Ridsdale) ould be aware that I am not entirely satisfied on that tter.

The hon. Member for Bury St. Edmunds says that the lixstowe Dock and Railway Company can get together th the Port of Ipswich Authority and that they can agree some mutually beneficial scheme. I understand from visit to Ipswich that that port would dearly love to have t in writing — would like some indemnification ainst its traffic being impeded—because Ipswich has a RO system that is finely tuned to tidal waters. That olves vessels getting in and out on time. Any delay uld upset the balance of that finely tuned system.

I have with me a letter sent by Captain Wiechmann, master of the Cast Salmon, on charter to the CAST line, calling regularly at Ipswich. In that letter, dated 11 February, he said:

"From time to time the Cast Salmon has been advised by Harwich radio of large vessels docking or undocking at the Felixstowe Berths. The warnings have been such that a reduction in speed and or liaison with Harwich Radio has overcome a need to come to a dead stop.

No entry in the ship's log has been necessary for these manoeuvres.

The width of the channel off the present Felixstowe berths has allowed room for my ship to pass up or down stream safely whilst larger vessels are mooring or unmooring thus reducing the incidence of delays.

I must express my concern that if the proposed extension of the Felixstowe quays takes place into the narrower section of the River Orwell, then the reduced channel will effectively prevent any possibility of passing whilst vessels are berthing or unberthing at the new quays. The priority presently given to large ships is reluctantly conceded, but in a reduced channel it is evident that severe restrictions on movement will take place."

A sea-going captain who uses the Orwell estuary regularly has written to his employer in those terms setting out the serious difficulties that he foresees if the Bill goes ahead.

I oppose the Bill for the reasons that I have given to the Under-Secretary of State on various occasions. I believe that it flies in the face of any sensible ports policy. The Minister will doubtless claim that he has such a policy, but I rebut that claim because I do not believe that he has any such policy. In my view, any extension of Felixstowe will be damaging to the nation's ports as a whole and especially to Ipswich, it will disrupt the natural waterway for ship movements in the river Orwell and it will be detrimental to the wildlife which enjoys that habitat. I hope, therefore, that my hon. Friends will prevent the Bill from being read a Second time.

9.16 pm

The Parliamentary Under-Secretary of State for Transport (Mr. David Mitchell): It may help the House if I intervene at this point to give the Government's view on the Bill. We have had an interesting debate on an important private Bill which affects the interests of my Department in relation to the ports industry and matters of navigational safety. My right hon. Friend the Secretary of State for the Environment has an interest in the environmental and conservation issues.

My hon. Friend the Member for Bury St. Edmunds (Mr. Griffiths) introduced the Bill in a speech which demonstrated the importance of the Bill to the Felixstowe Dock and Railway Company and the economic benefits that the promoters foresee for Felixstowe and for jobs in the area.

First, I will set out the Government's view on port development projects in general. It has long been our view that ports should be free to compete for traffic on price and on the services that they offer. We see that as the main way in which they can contribute to our competitiveness as a nation. Jobs throughout much of United Kingdom industry depend on competitiveness; and transport costs are significant to exporters' ability to compete successfully.

Traditionally, the Government stand neutral in relation to private Bills and today will be no exception. That is why the Paymaster General, my hon. Friend the Member for Suffolk, Coastal, (Mr. Gummer), in whose constituency Felixstowe lies, is unable to participate in the debate.

Several hon. Members have suggested that the Bill should be opposed on what might be described as

[Mr. David Mitchell]

"national" grounds. They have argued that such a significant development ought to be the concern of the Government because it affects the national interest. In our judgment, however, there are no grounds of national transport policy on which the Government believe that the Bill should be rejected.

Dr. David Clark (South Shields): I concede that on ports grounds the Minister may be right, but he emphasised that it was also a matter for the Secretary of State for the Environment. Is he not aware that his right hon. Friend the Secretary of State for the Environment has said:

"Confirmation of an AONB designation order confers formal recognition by the Government that the natural beauty of the landscape in the area identified is of national importance. —[*Official Report*, 29 July 1982; Vol. 28, c. 708.]

Is one Department unaware of what the other is doing?

Mr. Mitchell: I referred to national ports policy. I did not deal with the environmental issues, but, if the hon. Gentleman will allow me to proceed, I shall do so.

Our ports will have to continue to adapt to changing patterns of trade, and Bills of this type may well continue to be required, but that is not to say that the case for this Bill is a wholly good one or that it is satisfactory in all respects.

I hope that the House will give the Bill a Second Reading so that the issues can be debated in more detail in Committee and a closer examination can be made of the various concessions and proposals offered by the promoters to meet the objections put forward, many of which have been mentioned tonight.

I do not think that it is productive to pursue the line of argument that Felixstowe should be prevented from expansion because capacity exists elsewhere. What matters is that capacity should be in the right place, where shippers and ship users want to use it. It is little help to have spare capacity which is inconvenient or too expensive to use. The hon. Member for Wigan (Mr. Stott) and I have crossed swords on this issue in other contexts, and I do not propose to repeat the cogent arguments that I made on that occasion. In the past, criticism has been made that Britain did not have its "Rotterdam" and that container facilities were spread too thinly between too many ports. Now that Felixstowe is emerging as Britain's leading container port, it would be illogical to stem its growth and prevent shippers and ship lines from exercising that choice: Rotterdam is doing a huge business in trans-shipment of containers for sending to the United Kingdom by smaller vessels. One point that the Committee will want to consider is whether more of that trade could come direct to the United Kingdom.

It may be helpful to say a few words about infrastructure. This point was raised by a couple of my hon. Friends. The A45 from Ipswich and beyond runs down to the entrance of the Felixstowe dock. During the past five years it has been improved as far as the A1 at Huntingdon via the A604 from Cambridge. It is now a high-standard, all-purpose, dual carriageway trunk road. A public inquiry is still in progress on the A1/M1 link to Birmingham and the midlands. Subject to the inquiry's outcome, the link will be completed by the end of the decade providing a route connecting Felixstowe with the midlands and beyond. No further improvements to roa infrastructure will be needed to cater for any increase traffic arising from the proposed development.

On the question of the railway line, my Department ha recently received an application for grant under section of the Railways Act 1974 for the Felixstowe link line ar terminal expansion at a total capital cost of £4·377 millio to build up railway capacity from the current 140,00 containers per annum to 265,000. The railway is require for the opening of the new Trinity terminal, for whic approval has already been given. The House may reca that section 8 grants are the way in which Governme contribute to environmental protection by encouragin movement of goods off the roads and principally by rai The water, gas, electricity and telecommunicatio undertakings have said that they do not expect th proposed development to cause them insuperab problems.

I turn to the navigational issues. The hon. Member fo Ipswich (Mr. Weetch) and other hon. Members have mad the point that vessels using the new docks could be danger to navigation at the mouth of the Orwell and coul damage the interests of the port of Ipswich by delaying i traffic. This is a problem of traffic control and th allocation of priorities. It must be examined in detail. have been to see the problem on the ground and the wate My hon. Friend the Member for Bury St. Edmunds (M Griffiths) says that there is no problem, but the hon Member for Ipswich envisages significant problem delays and obstruction. Interestingly enough, I note tha my hon. Friend the Member for Harwich (Sir J. Ridsdale believes that agreement can be reached locally. I hope tha all parties can agree on a solution, but this is very muc a matter for examination in Committee.

Many hon. Members have expressed concern about th environmental impact of the Bill's proposals. I know tha the Secretary of State for the Environment is similarl concerned about the effect that the development may hav upon the environment and conservation issues.

We have here a highly successful commercia enterprise whose continued success, with all th employment and wealth creation that that implies, is see to require an extension of the docks. The propose expansion is over land and an area of outstanding natura beauty. The plans are objected to on environmental an conservation grounds by a number of organisation covering different interests.

The relevant Suffolk county structure plan approved b the Secretary of State for the Environment in August 197 contains the following statement:

"The exceptional landscape and wildlife quality of the Area of Outstanding Natural Beauty will be safeguarded through th strict control of development and through positive measures o management and enhancement . . .

The expansion of Felixstowe dock and associated industria area will be limited in a westerly direction to those areas whic do not conflict with the Suffolk Coast and Heaths Area o Outstanding Natural Beauty."

In the Felixstowe town map, which was approved i 1972, the area of outstanding natural beauty is shown a extending over the western part of the site. The House wil be aware that areas of outstanding natural beauty ar designated by the Countryside Commission, subject t confirmation by the Secretary of State for th Environment.

The Government's policy towards areas of outstandin natural beauty was oulined in a statement by the forme

Secretary of State on 29 July 1982. I confirm that in our view the natural beauty of the landscape in these areas is of national importance and that in general it would not be consistent with the aims of designation to permit the siting of major industrial and commercial development in areas of outstanding natural beauty. Only national interests and lack of appropriate alternative sites can justify an exception. But each case must be determined on its merits, including consideration of the environmental effects.

In that respect the House will wish to know that the Countryside Commission is firmly of the opinion that the proposed development at Felixstowe would contribute a major intrusion into the area of outstanding natural beauty whose landscape the commission considers to be still the same high quality as when it was originally designated in 1969. The commission has visited the site and discussed the proposals with the Bill's promoters. It recognises that there are arguments in favour of the Bill. None the less, it is not satisfied that the present evidence demonstrates conclusively that there is no alternative site elsewhere.

The commission has, however, determined not to object formally to the Bill, because it is not in a position itself to suggest an alternative site with any degree of authority. The factors involved are in fact complex. None the less, it is believed that Parliament should thoroughly satisfy itself on this point before permitting the proposals to proceed.

If the House votes in favour of giving the Bill a Second Reading, the commission will submit detailed advice to that effect. The commission's advice will form part of the Department's report to be put before the Committee.

The site of the proposed development is also an area of considerable nature conservation interest which has been identified by the Nature Conservancy Council as a site of special scientific interest. That, too, has been referred to during the debate. The inter-tidal mud flats and the salt marshes provide a feeding and roosting area for large numbers of wintering wildfowl and waders. The Nature Conservancy Council estimates that about 10 per cent. of the Orwell estuary site will be affected by the proposed development and has formally advised the Department of the Environment of its objection to the passage of the Bill.

If the House decides to give the Bill a Second Reading, the Nature Conservancy Council's detailed evidence will also be annexed to the Department's report to be put before the Committee.

As to the attitude of the planning authorities concerned, as the House knows, Suffolk county council has withdrawn its petition against the Bill following its reaching a provisional agreement with the Felixstowe Dock and Railway Company and Trinity college Cambridge, the landowners, on a number of safeguarding measures, including landscaping, nature conservation, public rights of way, highway improvements, lighting, rail traffic, lorry parking, noise, development control, height of buildings, future expansion of the docks, public access and providing wetland for bird life.

On the other hand, the Suffolk coastal district council, which is the local planning authority for the area, is continuing to pursue its petition against the Bill. It, and other petitioners, will have a chance to present their objections to the Select Committee, where the issues can be examined in detail.

With regard to the environment, it is clear that the proposed development will detract from the amenity of a small part of the Suffolk coast and heath area of outstanding natural beauty. It would intrude over the ridge that separates the areas of outstanding natural beauty from the port and, as I have seen for myself, would enter the extensive flat river valley that forms the major part of the area of outstanding natural beauty. It would also damage the wildlife interest on part of the proposed site of special scientific interest, which is nationally important for certain bird species.

Against this has to be set the prospect of up to 1,100 new jobs which will be created directly, plus the 1,800 or so jobs which should follow in port-related businesses, and of the associated wealth that expansion would bring to the area. The Bill contains no environmental safeguard as it stands. It is understandable that those with a particular interest in the environment and amenity should expect the development to be justified in terms of national need and wish to satisfy themselves that there is no suitable alternative before accepting a development of this kind.

If the Bill were passed as it stands, the company would not require planning permission from local planning authorities and would be free to erect a number of buildings and structures outside normal development control, although it has agreed to some control in the agreement reached with the county council. The Bill does not contain information that would normally be incorporated into a planning application. If it were to be approved, some additional safeguard might therefore be prudent in view of the sensitivity of the location. On the other hand, the House may consider that the expansion of Felixstowe port as proposed is so important to the national economy and to the creation of jobs as to justify allowing the Bill to proceed even without such safeguards.

It is for the House to judge the arguments, but most of the matters spoken of so far can be decided only in Committee, when the detailed evidence on either side can be presented, examined and evaluated, together with reports from the Departments concerned. Therefore, I recommend to the House that the Bill be given a Second Reading and allowed to proceed in the usal way to Committee, where its provisions can be considered in proper detail.

9.33 pm

Mr. Eddie Loyden (Liverpool, Garston): I congratulate my hon. Friends the Members for Ipswich (Mr. Weetch) and for Wentworth (Mr. Hardy) on their speeches giving compelling arguments against the Bill. My hon. Friend the Member for Ipswich spoke about locality and constituency interests, which we all understand, and then about the broader-based effects of the development of Felixstowe not only on his port, but on every other port in the United Kingdom. My hon. Friend the Member for Wentworth's ecological argument was so good that if the House were to decide on the Bill only on that argument it would vote against Second Reading. I shall deal with a different argument, but I give my clear support to the arguments used by my hon. Friends.

I was not surprised to hear the hon. Member for Bury St. Edmunds (Mr. Griffiths) in his parliamentary confessional box saying that on reflection he would not have given the £45 million to support the port of Liverpool. I am sure that on Merseyside the people will consider that a further reason why they should never again elect a Tory Member of Parliament for the area.

Tory Members have advanced a narrow argument. I know of their hostility towards the national dock labour

[Mr. Eddie Loyden]

scheme and registered dock workers. That has been shown on every occasion when the docks industry or the port transport industry has been debated in the House. The hon. Member for Bury St. Edmunds has confirmed my view that the Government adopt a narrow attitude. Because of his obsessional hostility towards the national dock labour scheme and registered dock workers, he does not take into account the effects that the decline of the northern region ports has had on the hinterland of Merseyside and, indeed, of the whole north-west area. The population of the hinterland is about 19 million, and the decline of the port has had a direct effect on the people and the industry on that scale.

There has been no attempt by the Government to compensate for the decline of the port, which has been an act of deliberate policy on the part of the Government. In effect the hon. Member for Bury St. Edmunds has said that the port of Liverpool should die. His argument today has sentenced to death the northern region ports. We cannot view Felixstowe in isolation from other United Kingdom ports. There is an effect not just on the adjacent ports in the area but on all United Kingdom ports. My hon. Friends have explained that there is already surplus capacity in the United Kingdom ports industry.

Infrastructure is important. Not only are the northern region ports being sentenced to death, but the whole region's socio-economic position is being threatened. If we are being asked to accept that in future the south-east and south-west ports will be the basis for the port transport industry, any revival of the manufacturing industry in the northern region will be written off by the Tory party. If ports developed in that part of the country and if there were a revival of the manufacturing industry in the northern region—it certainly will not be under this Government—road and rail transport would be overburdened by all the traffic flowing to one or two points in Britain. One can draw that conclusion from the arguments put forward by Tory Members.

I spent most of my working life in the port of Liverpool. Before that I was a seaman.

Mr. James Prior (Waveney): I apologise for not having been in the Chamber earlier, but what the hon. Gentleman has said causes me to get to my feet. Is it not true that the workings of the national dock labour scheme, however well intentioned, have resulted in the decline of the port of Liverpool? That is probably why Felixstowe has done so well and now needs to expand. Would not the hon. Gentleman be doing a greater service to the hinterland of Liverpool and Merseyside as a whole if he recognised that fact? In recent years there have been restrictive practices and everything else that has gone with that, for reasons which we understand but are outdated in a modern society.

Mr. Loyden: I do not accept the right hon. Gentleman's analysis. The port of Liverpool was much affected by Britain's entry into the EEC, which was a political decision. I was not a registered dock worker but I was employed in the hydrographic section of the Mersey Docks and Harbour Company as it then was. I know that, before a new dock was built at Liverpool, there was a four-year feasibility study. I understand that there has been no such study on the Orwell. Unless one is carried out, there will be much uncertainty about navigation and no certainty about the natural meanderings of the river once construction takes place that bears on the flow.

It is astounding that we should be considering the Bill's Second Reading when there is no evidence that the important issues which have been highlighted have been examined by the Felixstowe Dock and Railway Company. A feasibility study should have been presented and navigation and ecology problems should have been considered before the House was asked even to entertain the Bill.

Opposition Members are not saying that Felixstowe workers are not entitled to jobs. I shall support any job creation programme at Felixstowe. However, jobs at Felixstowe should not be created at the expense of jobs in other ports. I am not prepared to accept job creation in one area that exports unemployment elsewhere.

The trade coming into and out of the United Kingdom is finite and this means that the strategic dispersal of the ports is of considerable importance. To suggest that we are out to overtake the port of Rotterdam is to whistle in the wind. The development of Felixstowe cannot endanger such a well-established port.

There has been a sad decline in coastal trade and the use of our inland waterways. There is increasing concern about the growth of the traffic on our roads that passes through towns and the countryside generally. Our coastal waters offer the best possible highways, but the Government have failed to revive and encourage what was once a flourishing industry. I was a seaman in the late 1930s and I know that coastal vessels ran from port to port around the British Isles carrying cargo. That was acceptable environmentally. If that coastal traffic is not redeveloped, the environmental consequences will be severe.

Ipswich may suffer the same consequences as Merseyside. Merseyside has lost 100,000 jobs since 1979, mainly because of the loss of a port. Although a port remains, all the port-related industries have faded and disappeared. The tremendous problems that exist with more than 21 per cent. unemployment show what has been happening. The Government have done nothing to deal with the problems which are the consequence of decisions based purely on market economic forces. With one or two honourable exceptions, we have heard only about how the market forces should dominate and influence the decisions. Those who support the Bill have not seriously questioned the consequences for jobs in other areas, the environmental consequences and the ecological consequences of those decisions.

The House would do itself a service if it did not agree to give the Bill a Second Reading. An appropriate strategy is needed for British ports such as Liverpool and the ports of the northern region. Throughout two world wars, they provided the best port facilities that we had, and now they are going into decline because of a deliberate act of policy. The thinking behind port strategy is short-term, and there are no signs of a long-term strategy. The technology of the dock industry can change, and in the not-too-distant future we may recognise that containerisation and palletisation have merely transferred the cost from the port to other areas. If there is a revival of industry in the northern regions, that may make us realise the importance of the northern region ports. We are debating an extremely serious issue and we should not give a Second Reading to the Bill.

9.47 pm

Sir Paul Bryan (Boothferry): I must declare an interest as the deputy chairman of Furness Withy, which owns the Walton terminal at Felixstowe, and an interest in associate companies, whose ships use the port. My hon. Friend the Member for Bury St. Edmunds (Mr. Griffiths) presented the Bill with a well informed and balanced speech; the hon. Member for Ipswich (Mr. Weetch) in turn, made an admirable constituency speech. I am glad that it does not fall to myself to answer his environmental arguments. He is hard to please. If one plants 500,000 trees that is wrong; and if one does not it is more wrong.

During the evening, while we listened to the opinions of about 20 hon. Members, I wondered what the views of the people of Rotterdam would be. They are going ahead with great conviction with plans to enlarge both Zeebrugge and Rotterdam. They do not have the doubts that have been voiced tonight.

I warn the hon. Members for Wigan (Mr. Stott) and for Ipswich of the dangers of using academics to forecast the future of ports. They are always wrong. If an academic of one's choice had been asked in 1955 to forecast what was likely to happen at Felixstowe, he would certainly not have said that it would become a great port. It was a very small one then. However, even had that been forecast, the Opposition, on tonight's form, would have said, "On no account must it be expanded because that would harm Liverpool and Bristol."

Some years ago the Rochdale report was published, in which the greatest or the most informed in the land foretold the future of the ports. They got it hopelessly wrong. The then biggest ports would remain the biggest ports and would become even bigger. The main ports then were Liverpool, London, Manchester, the Clyde and Bristol, and they had half the trade in the country; now they have a quarter. As my hon. Friend the Member for Bury St. Edmunds discovered, Governments cannot decide which will be the biggest ports. The people who use the ports will decide that.

There was a great movement to the east from the western ports, partly for structural reasons, because the shipowners had to deal with Europe and wished to use the eastern ports. But they also declined to use some eastern ports because the service there was so bad. For example, there is no finer port than Southampton. It is a more natural port by far than Felixstowe, and everyone would wish to use it, but, as the hon. Member for Wigan said, for six months last year it was closed. Shipowners cannot afford that sort of treatment.

Shipowners could not afford such treatment even when ships were small. I do not know whether hon. Members realise how they have increased in size. I was in Lima three or four weeks ago and visited one of our ships, which carries 2,000 containers. It is not an exceptionally large ship by today's standards, but when one stands beside it, it looks colossal. My first thought was how vulnerable it would be in war. Larger container ships use Felixstowe; they are loaded and unloaded at astonishing speed. In 30 hours, at least 1,000 boxes can be dealt with. By "dealt with" I do not mean simply loaded. The boxes are put on the ship in a place handy for unloading at a particular port. The ship may have another 16 ports to visit, and everything must be packed in order. It is a highly technical operation.

Shipowners cannot afford to have expensive ships hanging round. To stand idle for even a day could cost about £60,000. Delayed ships not only lose cash and customers, but get behind on the timetables with which all conference ships must comply.

The position that I have just described will be out of date almost before I have finished speaking. Just as in the 1970s there was a revolution in oil tankers, with enormous ships being built — finally reaching a size of half a million tonnes — exactly the same is happening with container ships. I mentioned a ship with about 2,000 containers, the new ships are more than twice that size. The number of such ships being built is phenomenal. In two or three years, United States Line will have produced 14 of those vast ships, which will operate, as never before, a round-the-world service. They are being followed by Evergreen, with ships not quite so large, and by two or three other groups. This revolution once again puts in doubt every forecast that every academic and, indeed, every business man has been making during the past few years.

The hon. Member for Ipswich need not worry about the container port on the other side of the river beoming a white elephant. That is the worry of the people who put their money into the venture. They are much more likely to be right than the hon. Member for Ipswich, Professor Gilman or any of the other people who have been quoted, because they have something at risk. We should let them take the risk. If they do as well as Felixstowe has done, God bless them.

I cannot resist making one more point which has nothing to do with the Bill, but which is relevant to the use of ports. My hon. Friend the Minister said the other day:

> "For deep-sea containerised cargo UK port costs are significantly, indeed on average, half as dear again as continental levels. . . . It is an on-cost which increases the cost of imports and loses us export orders."

However efficient people and ports are, we must get the issue of light duties right.

Ships can enter Rotterdam without payment, whereas the big ships that I have been describing would have to pay £20,000 to enter our ports. That is a penalty which they cannot be expected to endure for long. It is doubly unjust, in that merchant ships pay dues, whereas fishing boats and the Navy do not. As merchant ships become more sophisticated, they need less help from lights or pilots, but they still have to pay these enormous sums. I am aware that an inquiry has been set up to go into this matter. It is important that we get it right.

As the Merchant Navy declines, this country is getting into a humiliating position, as more and more of the trade of this famous seafaring nation is having to be carried in foreign ships. If our ports are not allowed to keep up to date, more and more of that trade will not be carried in our ships or landed in our ports. In future the biggest ships may ignore this country and deliver their cargoes across the ocean. We shall have to collect our goods in small ships. This is unacceptable. Every help should be given to those who are willing to provide up-to-date ports, and for that reason I support the Bill.

Mr. Eldon Griffiths *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House divided: Ayes 201, Noes 54.

Division No. 204] **[9.58 pm**

AYES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alton, David
Amess, David
Ancram, Michael
Arnold, Tom
Ashdown, Paddy
Aspinwall, Jack
Atkins, Robert *(South Ribble)*
Baker, Nicholas *(N Dorset)*
Baldry, Tony
Batiste, Spencer
Beaumont-Dark, Anthony
Beith, A. J.
Bellingham, Henry
Benyon, William
Best, Keith
Biffen, Rt Hon John
Biggs-Davison, Sir John
Blackburn, John
Boscawen, Hon Robert
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim
Brown, M. *(Brigg & Cl'thpes)*
Browne, John
Bruce, Malcolm
Bruinvels, Peter
Bryan, Sir Paul
Buck, Sir Antony
Budgen, Nick
Butcher, John
Butler, Hon Adam
Butterfill, John
Carlile, Alexander *(Montg'y)*
Carlisle, Kenneth *(Lincoln)*
Cash, William
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Conway, Derek
Coombs, Simon
Cope, John
Cormack, Patrick
Couchman, James
Currie, Mrs Edwina
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Dover, Den
Dunn, Robert
Durant, Tony
Eggar, Tim
Emery, Sir Peter
Evennett, David
Eyre, Sir Reginald
Fallon, Michael
Fenner, Mrs Peggy
Fookes, Miss Janet
Forman, Nigel
Forth, Eric
Fox, Marcus
Garel-Jones, Tristan
Goodhart, Sir Philip
Grant, Sir Anthony
Greenway, Harry
Gummer, John Selwyn
Hamilton, Hon A. *(Epsom)*
Hargreaves, Kenneth
Havers, Rt Hon Sir Michael
Hawkins, Sir Paul *(SW N'folk)*
Hayhoe, Barney
Hayward, Robert
Howarth, Gerald *(Cannock)*
Howell, Rt Hon D. *(G'ldford)*
Howell, Ralph *(N Norfolk)*
Howells, Geraint
Hunt, David *(Wirral)*
Jackson, Robert
Joseph, Rt Hon Sir Keith
Key, Robert
King, Roger *(B'ham N'field)*
King, Rt Hon Tom
Kirkwood, Archy
Knight, Mrs Jill *(Edgbaston)*
Lang, Ian
Lawrence, Ivan
Lee, John *(Pendle)*
Lennox-Boyd, Hon Mark
Lester, Jim
Lightbown, David
Lilley, Peter
Lloyd, Peter, *(Fareham)*
Lord, Michael
Lyell, Nicholas
McCurley, Mrs Anna
MacKay, John *(Argyll & Bute)*
Maclean, David John
McQuarrie, Albert
Madel, David
Major, John
Malone, Gerald
Maples, John
Marlow, Antony
Mates, Michael
Mather, Carol
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Meadowcroft, Michael
Mellor, David
Merchant, Piers
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Mills, Sir Peter *(West Devon)*
Mitchell, David *(NW Hants)*
Montgomery, Sir Fergus
Morris, M. *(N'hampton, S)*
Moynihan, Hon C.
Neale, Gerrard
Neubert, Michael
Newton, Tony
Nicholls, Patrick
Normanton, Tom
Norris, Steven
Oppenheim, Phillip
Osborn, Sir John
Page, Sir John *(Harrow W)*
Page, Richard *(Herts SW)*
Patten, J. *(Oxf W & Abdgn)*
Penhaligon, David
Percival, Rt Hon Sir Ian
Powell, Rt Hon J. E. *(S Down)*
Powley, John
Price, Sir David
Prior, Rt Hon James
Raffan, Keith
Rhodes James, Robert
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Malcolm
Robinson, Mark *(N'port W)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rowe, Andrew
Ryder, Richard
Sackville, Hon Thomas
Sayeed, Jonathan
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shepherd, Richard *(Aldridge)*
Silvester, Fred
Sims, Roger
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Spence, John
Spencer, Derek
Stanbrook, Ivor
Steel, Rt Hon David
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stevens, Martin *(Fulham)*
Stewart, Andrew *(Sherwood)*
Stradling Thomas, J.
Taylor, John *(Solihull)*
Terlezki, Stefan
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thorne, Neil *(Ilford S)*
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
van Straubenzee, Sir W.
Waddington, David
Wakeham, Rt Hon John
Walden, George
Wall, Sir Patrick
Waller, Gary
Ward, John
Wardle, C. *(Bexhill)*
Watson, John
Watts, John
Wells, Sir John *(Maidstone)*
Wheeler, John
Whitney, Raymond
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Michael
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Eldon Griffiths and
Mr. William Powell.

NOES

Beckett, Mrs Margaret
Bermingham, Gerald
Bidwell, Sydney
Boyes, Roland
Brown, N. *(N'c'tle-u-Tyne E)*
Brown, R. *(N'c'tle-u-Tyne N)*
Buchan, Norman
Callaghan, Jim *(Heyw'd & M)*
Campbell-Savours, Dale
Clark, Dr David *(S Shields)*
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S.)*
Corbyn, Jeremy
Cowans, Harry
Dixon, Donald
Dormand, Jack
Eadie, Alex
Eastham, Ken
Evans, John *(St. Helens N)*
Hardy, Peter
Heffer, Eric S.
Hughes, Roy *(Newport East)*
Janner, Hon Greville
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Lambie, David
Lamond, James
Leadbitter, Ted
Lewis, Terence *(Worsley)*
Litherland, Robert
Lloyd, Tony *(Stretford)*
Loyden, Edward
McKay, Allen *(Penistone)*
McNamara, Kevin
McWilliam, John
Madden, Max
Marshall, David *(Shettleston)*
Mason, Rt Hon Roy
Maxton, John
Morris, Rt Hon A. *(W'shawe)*
Patchett, Terry
Pavitt, Laurie
Pendry, Tom
Pike, Peter
Powell, Raymond *(Ogmore)*
Richardson, Ms Jo
Robertson, George
Sheldon, Rt Hon R.
Silkin, Rt Hon J.
Skinner, Dennis
Soley, Clive
Spearing, Nigel
Stott, Roger
Weetch, Ken

Tellers for the Noes:
Mrs. Gwyneth Dunwoody and
Mr. Andrew F. Bennett.

Question accordingly agreed to.

Question put accordingly, That the Bill be now read a Second time:—

The House divided: Ayes 195, Noes 59.

Division No. 205] **[10.12 pm**

AYES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Amess, David
Ancram, Michael
Arnold, Tom
Ashdown, Paddy
Aspinwall, Jack
Atkins, Robert *(South Ribble)*
Baker, Rt Hon K. *(Mole Vall'y)*
Baker, Nicholas *(N Dorset)*
Baldry, Tony
Batiste, Spencer
Beaumont-Dark, Anthony
Beith, A. J.
Bellingham, Henry
Benyon, William
Best, Keith
Biffen, Rt Hon John
Biggs-Davison, Sir John
Blackburn, John
Boscawen, Hon Robert
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim

Brown, M. *(Brigg & Cl'thpes)*
Browne, John
Bruce, Malcolm
Bruinvels, Peter
Bryan, Sir Paul
Buck, Sir Antony
Butcher, John
Butler, Hon Adam
Butterfill, John
Carlile, Alexander *(Montg'y)*
Carlisle, Kenneth *(Lincoln)*
Cash, William
Chapman, Sydney
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Conway, Derek
Coombs, Simon
Cope, John
Couchman, James
Currie, Mrs Edwina
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Dover, Den
Dunn, Robert
Durant, Tony
Eggar, Tim
Emery, Sir Peter
Evennett, David
Eyre, Sir Reginald
Fallon, Michael
Fenner, Mrs Peggy
Fookes, Miss Janet
Forman, Nigel
Forth, Eric
Fox, Marcus
Garel-Jones, Tristan
Goodhart, Sir Philip
Grant, Sir Anthony
Greenway, Harry
Gummer, John Selwyn
Hamilton, Hon A. *(Epsom)*
Hargreaves, Kenneth
Havers, Rt Hon Sir Michael
Hawkins, Sir Paul *(SW N'folk)*
Hayhoe, Barney
Hayward, Robert
Howarth, Gerald *(Cannock)*
Howell, Rt Hon D. *(G'ldford)*
Howell, Ralph *(N Norfolk)*
Howells, Geraint
Hunt, David *(Wirral)*
Jackson, Robert
Joseph, Rt Hon Sir Keith
Key, Robert
King, Roger *(B'ham N'field)*
Kirkwood, Archy
Knight, Mrs Jill *(Edgbaston)*
Lang, Ian
Lawrence, Ivan
Lee, John *(Pendle)*
Lennox-Boyd, Hon Mark
Lester, Jim
Lightbown, David
Lilley, Peter
Lloyd, Peter, *(Fareham)*
Lord, Michael
Lyell, Nicholas
McCurley, Mrs Anna
MacKay, John *(Argyll & Bute)*
Maclean, David John
McQuarrie, Albert
Madel, David
Major, John
Malone, Gerald
Maples, John
Mates, Michael
Mather, Carol
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Meadowcroft, Michael
Mellor, David
Merchant, Piers
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Mills, Sir Peter *(West Devon)*
Mitchell, David *(NW Hants)*
Montgomery, Sir Fergus
Morris, M. *(N'hampton, S)*
Moynihan, Hon C.
Neale, Gerrard
Neubert, Michael
Newton, Tony
Nicholls, Patrick
Normanton, Tom
Norris, Steven
Oppenheim, Phillip
Osborn, Sir John
Page, Sir John *(Harrow W)*
Page, Richard *(Herts SW)*
Patten, J. *(Oxf W & Abdgn)*
Penhaligon, David
Percival, Rt Hon Sir Ian
Portillo, Michael
Powell, Rt Hon J. E. *(S Down)*
Powley, John
Price, Sir David
Prior, Rt Hon James
Raffan, Keith
Rhodes James, Robert
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Malcolm
Robinson, Mark *(N'port W)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rowe, Andrew
Ryder, Richard
Sayeed, Jonathan
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shepherd, Richard *(Aldridge)*
Silvester, Fred
Sims, Roger
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Spence, John
Spencer, Derek
Stanbrook, Ivor
Steel, Rt Hon David
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stewart, Andrew *(Sherwood)*
Stradling Thomas, J.
Taylor, John *(Solihull)*
Terlezki, Stefan
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thorne, Neil *(Ilford S)*
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
van Straubenzee, Sir W.
Waddington, David
Wakeham, Rt Hon John
Walden, George
Wall, Sir Patrick
Waller, Gary
Ward, John
Wardle, C. *(Bexhill)*
Watson, John
Watts, John
Wells, Sir John *(Maidstone)*
Wheeler, John
Whitney, Raymond
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Michael
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Eldon Griffiths and
Mr. William Powell.

NOES

Alton, David
Beckett, Mrs Margaret
Bermingham, Gerald
Bidwell, Sydney
Boyes, Roland
Brown, N. *(N'c'tle-u-Tyne E)*
Brown, R. *(N'c'tle-u-Tyne N)*
Buchan, Norman
Callaghan, Jim *(Heyw'd & M)*
Campbell-Savours, Dale
Clark, Dr David *(S Shields)*
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S.)*
Corbyn, Jeremy
Cowans, Harry
Dixon, Donald
Dormand, Jack
Dunwoody, Hon Mrs G.
Eadie, Alex
Eastham, Ken
Evans, John *(St. Helens N)*
Gould, Bryan
Hardy, Peter
Heffer, Eric S.
Hughes, Roy *(Newport East)*
Janner, Hon Greville
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Lambie, David
Lamond, James
Leadbitter, Ted
Lewis, Terence *(Worsley)*
Litherland, Robert
Lloyd, Tony *(Stretford)*
McKay, Allen *(Penistone)*
McNamara, Kevin
McWilliam, John
Madden, Max
Marshall, David *(Shettleston)*
Mason, Rt Hon Roy
Maxton, John
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Patchett, Terry
Pavitt, Laurie
Pendry, Tom
Pike, Peter
Powell, Raymond *(Ogmore)*
Richardson, Ms Jo
Robertson, George
Rogers, Allan
Sheldon, Rt Hon R.
Silkin, Rt Hon J.
Skinner, Dennis
Snape, Peter
Soley, Clive
Spearing, Nigel
Stott, Roger
Weetch, Ken

Tellers for the Noes:
Mr. Andrew F. Bennett and
Mr. Eddie Loyden.

Question agreed to.

Bill accordingly read a Second time and referred to the Examiners of Petitions for Private Bills.

BUSINESS OF THE HOUSE

Ordered,

That, at this day's sitting, the Surrogacy Arrangements Bill and the Prosecution of Offences Bill *[Lords]* may be proceeded with, though opposed, until any hour. — *[Mr. Archie Hamilton.]*

Orders of the Day

Surrogacy Arrangements Bill

Not amended (in the Standing Committee), considered.

Clause 1

MEANING OF "SURROGATE MOTHER", "SURROGACY ARRANGEMENT" AND OTHER TERMS

10.22 pm

Mr. Michael Meadowcroft (Leeds, West): I beg to move amendment No. 1, in page 2, line 20, at end insert—

'(10) In any contract for a surrogacy arrangement, no part of the contract shall be enforceable at law which requires a surrogate mother to hand over a child to another person or persons.'.

We had a long debate in Committee on a number of issues, in the best possible spirit, while endeavouring to grapple with the immense complexity of the whole issue of surrogacy, and especially about the detailed items drawn out of the general debate about Warnock and about embryology and surrogacy as embodied in the Bill.

There is a general consensus among hon. Members that we do not want the delicate and intimate arrangements that might be made about surrogacy to be subject to commercial gain or even commercial contracts. Together with the hon. Member for Barking (Ms. Richardson) and other Committee members, I sought to probe the Government's view on a number of delicate and specific issues. The Government's responses, to some extent, went to the heart of the amendments, and in each case they were not pressed to a vote. It is because of the only partial response to some of the issues that have I tabled the amendment.

On Second Reading my hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) raised the whole question of the enforceability of contracts. The Bill leaves somewhat vague the question whether any contract should be enforceable in law. It has left open the question whether someone could take to court the case person who had sought to enter into a financial contract or—and this is the ground of the amendment — whether a surrogate mother should be forced to give up the child. The Secretary of State seemed to take the view that the law as it stood was clear and that no such contract—a contract to hand over the baby or the money — would be enforceable in the courts. My hon. Friend then asked the Minister whether, if he had any doubts on the point, some provision should be included in the Bill. No such provision has been made, so we are left with an ambiguity.

Replying to the debate on an amendment tabled by me in Committee upstairs when I probed the question whether any contract for a surrogacy arrangement would be enforceable by law or against any persons making it, the Minister responded that while the question of the entire enforceability was an issue about which strong feelings were held — indeed, the Warnock committee had recommended that no contract under any surrogacy arrangement should be eforceable and that any such arrangement, commercial or non-commercial, should be made illegal—in his personal opinion it should be made unenforceable for the mother to be compelled to hand over the child. He went on to say that nobody wished to see a surrogacy contract enforced, with a surrogate mother who changed her mind being obliged to hand over the child. That, he said, was straightforward.

Because the Minister made comments such as that, I have tabled the amendment. I am testing whether it is possible to distinguish between undue pressures being brought to bear on a surrogate mother and a financial arrangement which might be sought to be enforced in the court. It is reasonable to say that the whole question is highly charged with emotion. It is said that in certain circumstances it should not be illegal for a woman to bear a child for another woman. If it is said that, within a close family or, indeed, a close friendship, we would not wish by legislation to make such an arrangement illegal, we must go on to consider the question whether it is possible to exert undue pressure on the woman involved in that arrangement.

Given the delicacy of the issue and the emotion involved, our view is that such an arrangement should not be enforceable by law if the surrogate mother decides at the end of the pregnancy that she does not wish to give up the child. I understand that that is also the view of the Minister. That being so, we thought it wise to test the view of hon. Members on the issue, in particular to see whether our view and that of the Minister would gain the approval of the House as a whole.

Mr. Peter Bruinvels (Leicester, East): Having been a member of the Committee which considered the Bill, of which I am strongly in favour, I could not understand why the hon. Member for Leeds, West (Mr. Meadowcroft) had tabled the amendment. Indeed, having heard him move it, I see neither the need for it nor how it would be enforceable. It says:

"In any contract for a surrogacy arrangement, no part of the contract shall be enforceable at law".

What is the point of an amendment that is not enforceable at law? The handing over of a child is something that we do not want to happen in the first place. I should have thought that the point was amply covered by clause 9, which provides that the

"Act applies to arrangements whether or not they are lawful and . . . are enforceable by or against any of the persons making them."

That seems perfectly satisfactory to me.

Mrs. Jill Knight (Birmingham, Edgbaston): There is no clause 9 in the Bill.

Mr. Bruinvels: Yes, there is. Clause 9 is already in the Bill as drafted.

Mr. Meadowcroft: Perhaps I can assist the hon. Gentleman. I think that he means subsection (9) of clause 1. The Bill has only five clauses.

Perhaps the hon. Gentleman will also explain what he means when he says that something is not lawful. I thought that the whole purpose of introducing the Bill was to make law.

10.30 pm

Mr. Bruinvels: Yes, I meant subsection (9) of clause 1. I should have thought that that was clear. The amendment refers to page 2, line 20, and that is the part of the Bill to which I am referring. Subsection (9) states:

"This Act applies to arrangements whether or not they are lawful and whether or not they are enforceable by or against any of the persons making them."

The Bill as drafted seems to cover all the points that we debated in Committee. What is the point of amendment No. 1 when subsection (9) already makes the position clear? Subsections (1) to (9) deal with the contracts and their legal effect and I am confident that the Bill as drafted, as we debated it on Second Reading and in Committee, defines the law with regard to surrogacy arrangements once and for all.

I find it very strange that anyone should regard the amendment as necessary. I am concerned that the law should be carefully encapsulated as it is in the Bill. Most people regard surrogacy as abhorrent. We debated the matter in Committee and considefed all the amendments tabled at that stage. Whatever the hon. Member for Leeds, West may say, it seems strange to me that no amendment of this kind was put forward at that stage. Most of my colleagues accepted the Bill exactly as it was in Committee, and so did I. We had a tremendously quickly debated Committee stage under the very able chairmanship of the hon. Member for Hartlepool (Mr. Leadbitter) and I believe that the Bill should be left as it is.

The most important thing is to get the Bill on to the Statute Book as quickly as possible. We do not want any more commercial arrangements and we do not want any more surrogacy arrangements. Unfortunately, we know full well that three more children are liable to be born before the Bill reaches the Statute Book. Any kind of filibustering or delaying tactic today is totally unnecessary.

Mr. A. J. Beith (Berwick-upon-Tweed) *rose*——

Mr. Bruinvels: The most important thing is to pass the Bill as it is, unamended, in the interests of preserving family life and ensuring that no form of engagement or contractual arrangement of this kind will ever be allowed again. For that reason, I cannot possibly support the amendment.

I welcome the Bill, I am delighted that it has made such rapid progress, and I wish it every success when it goes to another place.

Ms. Jo Richardson (Barking): I really cannot understand the hon. Member for Leicester, East (Mr. Bruinvels). He seems to have gone right over the top, as he always does—or at any rate as is his usual bent.

The hon. Gentleman said that he welcomed the Bill and that he was against the commercial aspects of surrogacy. We are all against the commercial aspects. He went on to say that he wanted no more surrogacy, but that is not the purpose of the Bill. The purpose of the Bill is to deal with the narrow, profit-making aspect on which we all agree, and we wish to ensure that it does not stray any further into an area that the Government and all of us may be considering at a much later stage — the far more sensitive and difficult issue of surrogacy as such.

I support the amendment moved by the hon. Member for Leeds, West (Mr. Meadowcroft). The hon. Member for Leicester, East said that this issue was not raised in Committee. In fact, however, it was raised in the Committee, as reported at column 5 of the *Official Report*. A very similar amendment was moved and the Minister gave a most thoughtful reply, which clearly induced the hon. Member for Leeds, West to table the amendment now under discussion. The amendment merely clarifies something that could be a doubtful area if the Bill were left as it is. A number of parts of the Bill are doubtful areas, and I hope that we shall refer to them on Third Reading. I do not think that it was necessary for the hon. Member for Leicester, East (Mr. Bruinvels) to go over the top as though something disastrous had been proposed which would run a coach and horses through the Bill. Nothing like that has been proposed.

Mrs. Jill Knight: I should like to ensure that this is not altogether a party matter. I did not have the inestimable benefit of being a member of the Standing Committee, but I have read the amendment. I shall listen with enormous care and interest to my right hon. and learned Friend the Minister. It cannot be wrong to pass an amendment which says that, whatever the arrangements made at the outset of a pregnancy, a woman should not be forced to give up her child. One's mind can change very much during pregnancy and especially when the child has been born. I cannot envisage the possibility of giving up a child.

Unless the amendment has some dastardly purpose behind it which I have not spotted, it merely says that we should not have a law on the statute book which says to a woman, "However you may feel when your child is born, you must give it up." For that simple, straightforward reason, I support the amendment.

The Minister for Health (Mr. Kenneth Clarke): I am not surprised that only one amendment has been tabled. As we discovered on Second Reading and in Standing Committee, there is a consensus on both sides of the House in support of the Bill. It is plainly the wish of the House that we should not have commercial agencies to organise surrogate motherhood and advertisements freely circulating seeking partners to surrogacy arrangements. I cannot recall legislation produced by any Government which has commanded such widespread support and had such an easy and comparatively speedy passage.

I agree with my hon. Friend the Member for Leicester, East (Mr. Bruinvels) that it would be extremely undesirable to delay the passage of the Bill. If this debate turns into a filibuster, I think that there will be concern. On this occasion, it is possible that my hon. Friend has made a rare error and misunderstood the purpose of the amendment. He rightly drew our attention to clause 1(9).

Mr. Meadowcroft: The suggestion that we might be filibustering impugns our professional motives.

Mr. Clarke: I did not make that suggestion. It was a passing reference in the heat of the moment by my hon. Friend the Member for Leicester, East. This debate cannot yet be accused of being a filibuster.

Clause 1(9) does not have quite the meaning attributed to it by my hon. Friend the Member for Leicester, East. The amendment goes back to the sympathetic response that I gave to the hon. Member for Berwick-upon-Tweed (Mr. Beith) on Second Reading when he asked the extent to which a surrogacy agreement between any parties might be enforceable at law. I stated the opinion, which has been stated by others before and since, that it is almost certain that most aspects of a surrogacy agreement would be regarded as unenforceable by the courts as being contrary to public policy. The Warnock committee recommended that this point should be expressed in statutory form so that the matter could be put beyond any doubt and not need to wait for case law to be determined with absolute clarity for the purpose of parties to would-be surrogacy arrangements.

[Mr. Clarke]

We discussed this in Committee, and I explained that the difficulty that arose in deciding how to express such a matter in statutory form came when one considered those aspects of a surrogacy agreement which one wished to make unlawful and non-binding on the parties. We agreed that it should not be a case that any woman was legally obliged to hand over a child because at the time that the child was conceived she agreed to do so. If a woman changes her mind when the birth takes place, plainly it would be wrong for a court to order a protesting mother to hand over her child.

Similarly, we are agreed that if a would-be surrogate mother enters into an agreement with would-be parents and then the parents change their minds and do not go ahead with the arrangements, it would be quite wrong for the would-be mother to be allowed to sue for the fee under some contract into which she had entered.

As I explained in Committee, difficulties arise. One has to consider what happens, for example, where there is a voluntary surrogacy arrangement which for the time being would remain lawful until the House decided the wider issues when we reached the full Warnock Bill, and the sister, say, of the putative parents gives up her job, becomes pregnant, and incurs medical expenses, and then the intending parents renege on the arrangement and will not even pay her expenses or compensation for loss of employment.

I throw that out as a question. I am not sure what the right answer is when it comes to the possibility of the pregnant woman suing for at least the expenses that she will have to incur in going ahead with the pregnancy. But those are the difficulties that have led the Government not so far to be able to move an amendment to meet the Warnock recommendations and the wish of the hon. Member for Leeds, West (Mr. Meadowcroft) and others that we might put this in statutory form.

Mrs. Jill Knight: Do we know what would happen if the child was born mentally or physically handicapped?

Mr. Clarke: That is just such a situation which led us to think that commercial surrogacy was not a practice that we wished to see adopted. However else one resolves that appalling situation, I do not think that it is best resolved by, say, the mother who had given birth taking legal action to force the would–be parents to assume parental rights over the child. I am not sure how she would set about doing so, anyway. That would have to be resolved in some more suitable way by the Family Division of the High Court. It would not depend on the enforceability of the contract between the parties.

The Government remain sympathetic to the idea of providing a statutory provision to put the law beyond doubt, but we are having considerable difficulties in deciding on its exact form. If we can resolve them, we hope to consider bringing forward such an amendment in another place.

I shall then be asked by the hon. Member for Leeds, West why his amendment is not an adequate step in the right direction. On the face of it, there is nothing wrong with the amendment. He is merely saying that there shall be no contract enforceable at law which requires a surrogate mother to hand over her child to another person. The slight difficulty is that it carries the implication, or it might be argued that it gave rise to the inference, that other parts of the contract were enforceable. It might therefore unintentionally be a slight step backwards in that it could be argued that it carried the implication that, as Parliament had concentrated on that aspect of the contract and set it out specifically, it was somehow the intention that otherwise the contract might be enforceable.

In view of that, I suggest that the best way of proceeding might be for the amendment to be withdrawn or negatived at this stage on my undertaking that my Department will continue to struggle with the difficulties. I cannot give an absolute assurance that we shall produce an amendment, but we shall make efforts to do so in a form which meets the wishes of the House and makes clear those aspects of a surrogacy arrangement which ought to be unenforceable in any court of law.

10.45 pm

Mr. Beith: The Minister for Health has been uniformly constructive and helpful throughout the consideration of this and other aspects of the Bill. That cannot be said for the hon. Member for Leicester, East (Mr. Bruinvels), who thought that the alliance was filibustering. One sitting of the Committee and 45 minutes on Report must be the shortest filibuster in the annals of parliamentary history. If we are to be accused of a filibuster every time we make any attempt to debate any Bill to any extent at all, Parliament might as well pack up and go home. What are we here for if not to try to ensure that the laws passed by Parliament are sensible, workable and carry out the objectives which they are intended to carry out? I regard it as part of my job as a Member of Parliament to pay a part in that process, as do my hon. Friends.

The hon. Member for Leicester, East said that as a result of the Bill the laws on surrogacy arrangements would be clear once and for all. Of all the claims that the Government might make about the Bill, that is not one. The Bill will, I hope, effectively outlaw commercial surrogacy. I say "I hope" because I still have some doubts about some aspects of the Bill. It is a genuine attempt to do that, and the Government have drafted it carefully with that intention in mind. However, the Bill does not ensure that the law on surrogacy arrangements generally, or even on some aspects of commercial surrogacy, will be clear once and for all. They will not be, and there are many unclear aspects yet to be considered about this part of the law.

For example, as I have reminded the Minister on a number of occasions, we are still not clear, although I have my view of what the interpretation might be, whether when someone has given birth to a baby in these circumstances the child will be entitled to know the identity of his natural mother when he reaches the age of maturity, as with adoption cases. I think that the law will give the right to an 18-year-old to know the identity of the natural mother, and I am sure that that is not envisaged by people who would contemplate making surrogacy arrangements.

The Bill and the law are still unclear about whether it is possible to enforce surrogacy contracts in the courts. The general view is that they would prove to be unenforceable. That was the view taken by the Warnock committee, but that did not deter it from saying that the law should be clear on the point. It was emphatic, by a majority, on that view. It seemed to some members of the Committee that it would underpin the ban on commercial surrogacy if the contracts could not be enforced, because

people are much less likely to enter into a commercial arrangement if they know that it is not enforceable. If the key element in that arrangement—the transfer of the baby—cannot be enforced by law, they will lose the money which they have invested and the profits which they hoped to gain by it.

Mr. Peter Bruinvels *rose*——

Mr. Beith: I shall not give way to the hon. Gentleman, because he refused to give way to me.

Most of us feel that it would be ethically objectionable if a mother, after giving birth to a baby, could be forced by a legal contract to give that baby to someone else. It would be wrong to try to enforce that through the courts. Therefore, we have considered at various stages the desirability of using the Bill to make that point clear.

I recognise that there are difficulties, although some of the difficulties which the Minister mentioned would apply to anything in the Bill that we clarified, because whatever we clarify, we shall leave other matters unclear. There cannot be an argument about clarifying a major and important matter such as the rights of the mother who has given birth to the baby, although there are other aspects which might be deemed to be left unclear by not treating them in a similar way.

I recognise the Minister's genuine willingness to try to resolve this problem and to see whether we can get the law more clear on this point through the vehicle of the Bill. I accept his undertaking to attempt to make progress on the matter in the other place. I appreciate that that has to be a qualified undertaking, because he is conscious that the task may prove too difficult, and a satisfactory form of words may not be arrived at. I believe that his intentions are of the best, and I willingly accept his suggestion about the amendment.

Mr. Meadowcroft: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Motion made, and Question proposed, That the Bill be now read the Third time.—*[Mr. Major.]*

10.50 pm

Mr. Beith: It is right that we should discuss the general principles of the Bill on Third Reading. I am glad that a Bill was introduced to outlaw commercial surrogacy, but the consideration of that Bill has shown us what a difficult and complex area of law it is.

There have been those who, during our discussions on the Bill, seem to have formed the opinion that it either will, or could, if it had been suitably amended, outlaw surrogacy generally. That is not what the Bill will do. It was not the intention of the Bill. In my view, it should never have attempted to do so. It would have been wrong had either the Government or hon. Members attempted to do so.

After careful consideration of the matter, I have come to the conclusion that to attempt to outlaw surrogacy generally would be unrealistic and involve extending the area of criminality into places where it should not be. However, in doing so, I believe that we accept that, if we give the Bill a Third Reading tonight, we will appear to have acted in defiance of a firm Warnock recommendation that some matters should be made criminal. For example, in the Warnock report there was a clear recommendation that professional people would be committing an offence if they involved themselves in many of the matters in the Bill. We have decided not to frame it in such a way that it has that effect, so in some respects it is an anti-Warnock Bill. It goes against a definite Warnock recommendation. In other matters, it has simply deferred consideration. That was inevitable.

The Bill represents a valuable step, rightly applauded by many in the country, to outlaw the odious practice of seeking to make profit out of infertility and childless couples. For that reason, it will be widely welcomed.

10.51 pm

Ms. Richardson: At the risk of incurring the wrath of the hon. Member for Leicester, East (Mr. Bruinvels), I hope to make a few points. Nobody should accuse me of filibustering. I have some important points to make.

The Bill has gone through the House speedily. It has gone from Second Reading to Third Reading in just two days under a month. That is a measure of the willingness of Parliament to respond to the natural distaste that has been evident among the public at large and also in Parliament towards the commercial aspects and profit-making by another party or agency, the intention of which is simply to bring couples and surrogate mothers together to make money out of their situation.

While we may congratulate ourselves on the speed with which we have dealt with the Bill in the House, I am a little more cautious in saying that I believe that we have got the Bill exactly right. The Minister for Health, in response to the short debate on the amendment, had one or two reservations about whether there should be an amendment here at an amendment there, which could be tabled in another place. Areas of doubt remain, which I find worrying. I tabled several amendments in Committee and withdrew them. I have been unable to find a way of tabling them in a way that would meet the approval of the Minister and the House. Therefore, I propose to air again the three principal points that I raised in Committee.

It is no shame to say that it is difficult to frame amendments because we are, after all, legislating for an entirely new area of the law. Surrogacy is not something that the House has considered before. Although there are precedents in some respects with regard to adoption and so on, it raises different matters from what the House has talked about on previous occasions in other ways. Therefore, we are right to be cautious about how we handle the matter. The Minister, and hon. Members on both sides of the House, has said frequently during the passage of the Bill that we need time to consider all the remaining aspects of what he calls, and what I suppose will become known as, the wider Warnock Bill to come. I can understand that he and his Department may be having some difficulty drafting the Bill.

I hope that the speed with which we have considered the Bill will not cause problems for the innocent. That is my principal worry. Unless the Bill is amended in another place, we shall have to wait to see how the Bill works when enacted. We may have to catch up with certain nasty practices when the wider Warnock Bill is introduced.

I shall refer briefly to the three areas about which I am still uncertain. First, there is the possibility of payment to those who advise or counsel the parties involved in a surrogacy arrangement and who receive payment for professional services. In Committee we had a fairly lengthy and most interesting exchange on this issue. It appears that a solicitor who is consulted by the parties may tell them what the law is — what we have decided in Parliament — but may not suggest that parts of arrangements to which they have come are not fair. The Minister says that to do so would be to negotiate and would mean that the solicitor would fall foul of the Act, unless he or she took no money for doing so. It is unlikely that a solicitor would advise without taking some sort of fee. Indeed, I do not see why he or she should give professional advice for nothing. Perhaps we shall see the springing up of advisers in law centres where charges are not made. That might be a way of skirting the problem.

Since our consideration of the Bill in Committee, I have been advised by one or two solicitors that, if it were not possible for a solicitor to tell one of the two parties to be wary about part of the agreement, the solicitor might be in breach of his professional standards. There is a duty upon a solicitor to give the best advice that he can offer. It will be ludicrous if a solicitor has to stay silent when he reads an agreement which he is asked to put into legal words and thinks that it is manifestly unfair to one side or the other.

Similarly, I assume that if a host mother engages a solicitor to advise her—that would not be a stupid thing to do—and the parents engage another solicitor, neither legal representative will be able to act without flouting the law or without taking any money. In other words, we are saying to the parties, in effect, that there is no point in ascertaining the best arrangement to which they can come. This measure is entitled the Surrogacy Arrangements Bill, but notwithstanding that title a solicitor will not be able to help or advise the parties without falling foul of the law or offering advice without charging a fee. It is probably not possible to do that in legal cases. That is a bad feature of the Bill and I hope that the Minister will give it further thought. Perhaps it will be considered by those in another place so that persons such as solicitors and others who give helpful advice will not unwittingly be caught by the bar on negotiating.

Secondly, I am concerned about the liability that is imposed on publishers by clause 3(2). The Minister will have read the letter from the Newspaper Society of 15 April, which was 10 days before we considered the Bill in Committee. I received a copy of the letter only this morning. I shall quote from it briefly as I think it important to place certain passages on the record.

The Newspaper Society said

"the comparison which Mr. Clarke made with libel law is not a valid one: leaving aside the fact that in many cases newspapers are protected by 'privilege' in libel actions, the law relating to editorial matter is quite distinct from that relating to advertising. At the very least, the law presumably reflects the point that editorial matter is by and large produced 'in house', whereas advertising matter merely consists of the reproduction of that which is composed by others."

We explored that point in Committee. I said what the position of someone on a newspaper would be who took the text of an advertisement over the telephone and might not know exactly what it meant. The Newspaper Society continues—

"The distinction drawn in the Bill between newspaper publishers and broadcasters does not seem to have been discussed in Committee."

It was not. The letter continues—

"This, in effect, gives broadcasters a defence of innocent dissemination. Why should newspapers not have similar protection?"

The Newspaper Society finally stated:

"we were a little confused by Mr. Bruinvels' reference to 'disclaimers'."

Indeed, the hon. Member for Leicester, East (Mr. Bruinvels) leapt to his feet from his vast experience in the newspaper industry before he came to the House. The letter continues:

"In our experience this is not the usual practice. Mr. Bruinvels may be thinking of a newspaper's terms and conditions of acceptance of advertisements, which sometimes contain provisions relating to the recovery of legal costs. However, these conditions cannot always be enforced and are no substitute for a clear defence in law."

That is the alarm expressed by the Newspaper Society. It makes genuine points, to which the Minister may be able to reply.

My third point relates to my continued anxiety about the penalties attached to the offence. In Committee we discussed the inhibition placed on a defendent through not having the option of a trial by jury. I could not find a way to draft an amendment. In Committee the Minister gave a flat "No" when I asked him whether there was a way to ensure that the option of trial by jury could be available, although the maximum sentence is three months. That "No" cannot be right. Parliament is sovereign. If we wanted to provide the right of trial by jury for parking on a single yellow line, we could do so if we had the will. In 1964 the point was made strongly by the then Sir Peter Rawlinson, who is now in the other place. He is remembered by hon. Members as a former Conservative Attorney-General. When he was asked whether the House could amend the Obscene Publications Act 1964 with no imprisonment or fine, but merely the destruction of books, he said:

"there is certainly no objection in principle to proceeding for forfeiture . . . being tried by a jury in a court of criminal jurisdiction. It would be an innovation, but that . . . should not prevent it from happening."—[*Official Report*, 3 June 1964; Vol. 695, c. 1216.]

When one argues today for the precious right of trial by jury, one is told that it automatically increases the term of imprisonment. I have done a little research into the matter and found an example where that is not so. The Official Secrets Acts lay down penalties for conviction on indictment and conviction on summary jurisdiction. In both cases the term of imprisonment provided is not a minimum or a mandatory sentence, but a maximum. Therefore, it follows that it is not necessarily true that trial by jury automatically carries longer sentences of imprisonment.

The Minister also said in Committee that the courts were clogged up—those are not his words, but that is what he meant — and that it was not a practical possibility to draft legislation that would give the option to defendants. But it would be a sad day when Parliament said that it is not a practical possibility to uphold the Magna Carta's promise of trial by jury to all who stand in danger of losing their liberty. I hope that the Minister will take the points I have raised in the spirit in which I made them and will reflect on them. Perhaps it will be possible to alter the Bill, or to have something said about it, in another place.

I have voiced some worries and warnings about the drafting of the Bill, but I do not doubt the Minister's and the Government's intentions. I know that the Minister wishes to leave the general issue of surrogacy until later, but, as it stands, the bill could effectively prevent any involvement in surrogacy by a non-profit making agency or any professional assistance being given to surrogates. It could catch innocent people and people who could help the commissioning parents and the surrogate mother. It could send surrogacy underground. All those would be retrograde steps which none of us would want.

Although I support the Bill, I hope that the Government will take those warnings to heart. I hope that the Department will reflect on them and will see whether they can reconsider the drafting of the Bill without destroying its intention, thus ensuring that we shall not have something on the statute book that we may regret later.

11.6 pm

Mrs. Jill Knight: I assure my hon. Friend the Member for Leicester, East (Mr. Bruinvels) that it is not my intention to filibuster, but it would be wrong if I did not express now my reservations and worries about the Bill.

The hon. Member for Berwick-upon-Tweed (Mr. Beith) said that the Bill would outlaw commercial profit from surrogacy, but, from my reading of the Bill, that cannot be right. As I understand it, no profit-making agency may set up in business to provide surrogate mothers, but there is nothing to prevent the woman herself from setting up in business as a surrogate mother. That is how I read clause 2. I shall listen carefully to my right hon. and learned Friend the Minister's reply, because I know that he has done his best with a Bill in a difficult area about which there is much public concern.

However, if I have read the Bill correctly, it would appear that a woman may become a surrogate mother and earn a profitable living. Money may change hands, as long as it goes to the woman directly from the would-be parents. That worries me greatly, because I find womb-leasing utterly repugnant, and I believe that the Warnock committee also took that view.

Non-profit making agencies are not covered by the Bill. Perhaps I have become cynical after many years in the House, but there are many ways to get round such a ruling. Will the police check the accounts of non-profit making

[Mrs. Jill Knight]

agency set up to make surrogacy arrangements? Will there be investigations to ensure that that agency is not benefiting from the arrangements that it makes?

I cannot help wondering about foreign agencies, because hon. Members will be well aware that it was an American agency that set up the Baby Cotton case which alerted the public to the dangers of what is happening. I do not see how the Bill could stop any arrangement made with a foreign agency, for example in Holland or America, which advertised for women to become surrogate mothers and relayed such information across the Atlantic.

Mr. Meadowcroft: The hon. Lady mentioned profit and asked whether accounts would be examined. As far as I am aware, profit is not mentioned as a criterion. The criterion is a "commercial basis". In the Bill "commercial basis" is defined as any payment that is received or given. That is rather different from the profit that the hon. Lady suggested. She may have mistaken "commercial basis", for "profit". They are different things under the Bill.

Mrs Knight: I do not know whether I am being oversimplistic or overcynical. As I understand it, under the Bill an agency cannot arrange a surrogate mother to bear a child for would-be parents for profit. An agency can make such arrangements provided that it does not make a profit.

Mr. Meadowcroft: No.

Mrs. Knight: I am delighted to hear that. I shall be interested to hear what my right hon. and learned Friend the Minister for Health says. Outside the House the view is that non-profit making agencies are not covered by the Bill. I am anxious to know the true position.

The Bill covers only advertisements in the United Kingdom. I fully understand that we can cover only those advertisements. Agencies could advertise in America or Europe. A woman could be informed of those advertisements and make her arrangements with the agencies if they were not in the United Kingdom. The agencies might be in Jersey, Guernsey or somewhere like that. That would be handy.

I am worried about the suggestion that has been made — it was contained in the Warnock report — that surrogacy is all right provided that no profit is made from it. I questioned Dame Mary Warnock, as she then was, about that point. I said, "Have you ever known cases where women have borne children for nothing?" She said, "Oh, yes. I knew of a case where the eldest daughter, who was 16, had a child, and the family brought up the child as its own." That is not what I understand to be a surrogate mother. We are talking about financial arrangements by which a woman lets out her womb and conceives and bears a child which she will give up for money.

I have never known a case where a woman has been willing to do that for no return. That aspect of the matter worries me, because I can imagine difficulties in the family if a sister were involved. There could be problems later with the marriage. All kinds of difficulties would arise when the child was known to be the child of the person whom he or she calls aunt.

When we tinker with such matters we uncover difficulties which we have not fully understood. I salute my right hon. and learned Friend for his efforts, but I must place on record my deep anxiety about how the Bill will work in practice.

11.14 pm

Mr. Peter Bruinvels: I am glad that we have finally reached the Third Reading of the Bill. I want to reassure my hon. Friend the Member for Birmingham, Edgbaston (Mrs. Knight) that if she reads the explanatory memorandum she will note that it says:

> "This Bill prohibits the recruitment of women as surrogate mothers and the negotiation of surrogacy arrangements by agencies acting on a commercial basis."

That is why I could not support the Liberal amendment. I should prefer there to be no surrogacy arrangements, but the Bill deals specifically only with commercial surrogacy arrangements.

The Bill also prohibits advertisements of or for surrogacy services, and it covers the whole of the United Kingdom. This is a very important point. The advertisements referred to in clause 3(2), (4) and (5) make it quite clear that the proprietor, editor or publisher of a newspaper or periodical published in the United Kingdom which contains an advertisement to which the section applies is guilty of an offence. Later we read what that offence is. Furthermore, the offence is not restricted to advertisements published knowingly, because the proprietor, editor and publisher should know what they are publishing.

The hon. Member for Barking (Ms. Richardson) referred to my involvement in the newspaper industry, in which I spent two and a half years. I do not regret what I said in Committee, and I repeat it now. I said that newspapers have a right to be protected. The letter referred to by the hon. Member for Barking from the Newspaper Society dated 10 May makes it quite clear that I was referring to the terms and conditions relating to the acceptance of advertisements. If advertisements are inserted which newspapers know contain this information they will be liable at a later date.

Clause 3(4) provides that one must not publish such advertisements. If one does, one is clearly committing an offence. If, therefore, as my hon. Friend the Member for Edgbaston pointed out, foreign advertisements are knowingly put into the shop windows of newsagents, they will be breaking the law. Similarly, anybody who knowingly causes advertisements in foreign newspapers to be distributed in the United Kingdom—this covers the point made by my hon. Friend—will be committing an offence. The distributor of a newspaper or periodical which is published abroad and sold in this country will be committing an offence.

The British Medical Association who wrote to me on 24 April 1985 said that from a medical point of view it completely supported the Government. I apologise to the hon. Member for Berwick-upon-Tweed for not giving way earlier, but I knew that other Liberal Members wanted to speak. It is important to protect the baby and we need to provide an arrangement that will last. The Newspaper Society wrote the same letter to me as they wrote to the hon. Member for Barking. I share its concern about one point. It is extremely concerned that clause 3(2) imposes a strict liability on the publisher of any newspaper containing an advertisement referring to surrogacy arrangements. My right hon. and learned Friend the Minister for Health will, I know, allay that particular fear.

The Newspaper Society refers to inconsistency in the drafting of the clause. I believe that it is well drafted, but if the Newspaper Society is concerned about this point a reply is obviously required.

Mrs. Anna McCurley (Renfrew, West and Inverclyde) I am grateful to my hon. Friend for giving way. Does he not think that all the panic about advertisements and the possibility of mail shots from the United States are completely unfounded? It is a question of scale. Very few people require surrogacy arrangements. Therefore it would be impracticable and uneconomic for anybody to indulge in this practice, even some fanatic in the United States.

Mr. Bruinvels: I agree with my hon. Friend, who has done so much about the surrogacy arrangements, who introduced a ten minute Bill almost a year ago and who has been a leading light in the campaign. The claimed advertisements will not happen. Arrangements for commercial reasons will not now be made. Of course, in the past in Scotland non-financial arrangements were made when a girl was unable to have a child. An agreement was reached with her sister, for example, and no finance was involved. Such arrangements are made and they will not be precluded under the Bill.

I welcome the Bill which I believe to be desperately wanted. The Bill is absolutely right for our society, for protecting our families and for ensuring that never again will the unseemly arrangements associated with the Baby Cotton case arise. It will ensure that when couples want a child they can have it in the normal way and that money will never enter into such sickening and unfortunate arrangements.

11.20 pm

The Minister for Health (Mr. Kenneth Clarke): I finish the debate on a note of complete support for the Bill. I hope that the House of Lords will take note of that and that the Bill will enjoy a speedy passage.

On Third Reading, hon. Members have confirmed their support, and a number of Committee points have been repeated. Hon. Members are anxious not to hold up the measure, but the issue is so complex that worries have to be voiced about the exact drafting of various provisions. The Government will continue to pursue those anxieties and they will be examined closely in another place. The opportunity will be taken to tidy up certain matters.

The Bill addresses itself to two narrow issues. They are deliberately narrow so that we can achieve an agreed objective. We reserve for later the much wider and related issues of assistance for infertility, the legitimacy of children and the legality of many issues considered by the Warnock Commission.

The hon. Member for Berwick-upon-Tweed (Mr. Beith) does not think that we can do much more in relation to voluntary surrogacy. I share his view that the private, informal arrangements that have existed since time immemorial will not be tackled by the law. The big question that the House will find difficult to resolve is that raised by my hon. Friend the Member for Birmingham, Edgbaston (Mrs. Knight) about agencies acting on a non-commercial, non-fee basis. A division of opinion is inevitable and the House will return to that issue later.

The Bill makes it illegal for commercial agencies to thrive in this country. That is done in a particular way, set out in clause 2, which is aimed at making the negotiations and the assembling of information which would enable agreements to be negotiated unlawful if payment is received for those negotiations. I paraphrase the provisions loosely. Those interested must look at the exact text. The Bill also makes illegal advertising by anybody in a publication published in the United Kingdom or through a broadcast aimed at the United Kingdom. The hon. Member for Barking (Ms. Richardson) expressed again her anxiety about the position of professionals such as solicitors, social workers or doctors who might accept a fee for giving certain advice to parties to voluntary surragacy arrangements and thereby fall foul of the Bill.

I shall attempt, as briefly as possible, to reiterate the points I made in Committee, in the hope of making matters a little clearer. The starting point must be that anyone who is trying to work out whether he or she is committing an offence under the Bill must look at clause 2. Clause 2(1) sets out under three subheadings the acts that are made unlawful. They will be unlawful if they are done on a commercial basis as defined in subsection (3), that is, if any payment is received for committing the act. Therefore, it is unlawful only if anyone receives a fee for being involved in negotiating arrangements as defined in that subsection.

To apply that to the points raised by the hon. Member for Barking, first, a lawyer or any other professional cannot really commit an offence if he is giving advice only to one party or the other. Any lawyer dealing only with the intending parents or only with the would-be surrogate mother cannot become involved in any negotiations. As long as advice given to one party or the other does not extend into negotiations or anything plainly aimed at negotiations as defined in clause 2, it would not be unlawful. Therefore, a lawyer can safely give advice to one party or the other provided that he deals only with the one side and has nothing to do with the other side.

Ms. Richardson: What the Minister is saying is interesting and helpful. But surely where two parties, in whatever sort of contract, have their own solicitors, there must come a time when they wish to communicate to make an agreement. Is the Minister saying that the solicitor for one party cannot write to the solicitor for the other party because the moment he does so he is negotiating and therefore flouting the law?

Mr. Clarke: I am saying just that. If one solicitor gets in contact with the other solicitor, and the moment that he does any of the acts defined in the clause, he will be guilty of a criminal offence if he takes a fee.

In drafting a Bill aimed at outlawing commercial surrogacy agencies, the most effective way to achieve that is to aim at the principal activity of those agencies, which is to bring together the parties or to compile information to enable them to be brought together—for example, lists of would-be surrogate mothers and lists of intending parents—and then to negotiate an agreement between the two. That is why the Bill is drafted to make that unlawful.

The moment we say that that is unlawful unless that person is a solicitor, a doctor or a professional social worker, we have an anomalous position and the law will be unenforceable.

While a solicitor is giving advice about the general law to one party or the other, who has come to him with his

[Mr. Clarke]

worries, it is highly unlikely that he could fall foul of this legislation. The question arises of what happens if all three parties go to a solicitor together to get his advice. That solicitor will no doubt realise that he must address himself to the precise terms of what will be an Act of Parliament to know what he can or cannot do. He could certainly give general legal advice to all three parties and tell them what it is unlawful for them to do. But he would be committing an offence if he began negotiating an agreement or arrangement between the parties and took part in the interchange about terms and so on.

I do not think that I can explain the bill further than that. I underline te fact that, in practice, whether an act is unlawful will depend entirely on whether it falls within the definition in clause 2 and whether that act has been for payment. If hon. Members still have doubts, I ask them to consider how else one is to define the activities of a commercial agency in an effective way.

Mr. Beith: In supposing that a solicitor could give extensive advice on a surrogacy arrangement, is not the Minister relying on a narrow interpretation of clause 2(1)*(c)*, which refers to compiling

"any information with a view to its use in making, or negotiating the making of, surrogacy arrangements."

The right hon. and learned Gentleman talked of that as though it meant information such as the location of a possible mother. It could mean information about the existing law relating to that matter.

Mr. Clarke: I will reflect on that. What the hon. Gentleman puts forward is ingenious, but I do not think that if a solicitor, for instance, had copies of surrogacy arrangement legislation on his shelves, he would be likely successfully to be accused of compiling

"information with a view to . . . making, or negotiating the making of, surrogacy arrangements."

Thus, if the parties all went to a solicitor and asked, "If we go ahead on our own with a surrogacy arrangement by which we hand over a fee from one to the other, what then?" He would be able to advise them, for example, that no penalty could apply to any of the three people, or he could try to advise them on whether the contract would be unenforceable as contrary to public policy, if we were not able to secure a clause in another place.

He would, therefore, be able to give general legal advice, but he would not be safe if he began to do anything which amounted to the making or negotiating of a surrogacy arrangement—if, for example, he began to draft a suitable form of contract and negotiate terms between the parties.

I have not had the advantage of seeing the letter from the Newspaper Society, I apologise if it has reached my Department but has not reached me. I appreciate that most hon. Members seem to have their copies. I will consider the letter when I receive it. My reaction to the point made about it by the hon. Member for Barking is that a newspaper can be liable for publishing a defamatory advertisement in its pages, just as it can be liable for publishing defamatory editorial matter. A newspaper would not escape entirely if some wholly defamatory advertisement aimed at any one of us appeared in its columns.

There is a distinction between the drafting of the Bill as it affects newspapers and broadcasters. That is because publication in a newspaper means putting out the printed word. It is reasonable for the publishers and others to be held responsible for what they have allowed to appear on a printed page that they could have read.

For a broadcaster dealing with, say, a phone-in programme, it is possible for things to be blurted out over the air—for example, if a delay button has not been fitted—in a way that is completely beyond the control of the broadcaster. That is why "knowingly" appears in the Bill in relation to broadcasters and gives them a slightly advantaged position.

I accept that the hon. Member for Barking is concerned not so much with penalties as with the right to trial by jury of any parties who are brought to court under the Bill. It would not be impossible to draft a Bill to give a right to trial by jury even when there is no penalty of imprisonment. Indeed, if this measure were to provide for a penalty of imprisonment of six months or more, there would automatically, under other legislation, be a right to opt for trial by jury. That is not given by the Bill because the maximum penalty is three months.

As we pointed out in Committee, we are against the hon. Lady on this issue and do not see the case for trial by jury. There must be some, less serious, criminal matters which are reserved to the magistrates' court and which need to go to the Crown Court at the option of the accused. The nature of proceedings under the Bill is not likely to be similar to those in ordinary criminal proceedings.

The very existence of an Act of Parliament will stop any reputable commercial body from seeking to make a living in this way. Trying to break the law will become a rather foolish and high risk way of making a very limited living. If proceedings have to be brought, however, they are unlikely to turn on the issues of fact that often arise in criminal cases. I do not envisage people producing alibis or denying a large part of the factual information. Evidence will be given describing a particular state of affairs and the court will be called upon to decide whether it is unlawful within the terms of the legislation. That should be well within the competence of a magistrates court.

My hon. Friend the Member for Edgbaston raised a point that was not dealt with by the other three hon. Members who spoke—the position of the woman who offers herself as a surrogate mother and, as my hon. Friend fears, seeks to make a living by so doing. My hon. Friend is certainly correct in saying that under the Bill the woman could not be guilty of a criminal offence if she received a fee in that way, although she could be guilty of a criminal offence if she advertised her services the opportunities for making money in that way will be seriously inhibited.

It has not been made a criminal offence for a woman to enter into such an agreement because we were seeking consensus on this and that was the view of quite a large number, although not all, of the people who considered this aspect. In some circumstances, one could regard the surrogate mother as a victim or potential victim whom we should be seeking to protect. The would-be parents could also be seen as possible victims, their desire for a child being exploited by an agency arranging surrogate mothers.

To impose criminal penalties on a foolish woman who may have given way to the temptation of a large sum of money when she was in a vulnerable position is a contentious matter. To impose such penalties on the would-be parents, who may have been carried away by their desperate desire for a child, would also be a

contentious matter. Moreover, if any child was born as a result of such arrangements it would be a very unhappy start in life for a child if either its natural mother or its intended parents were promptly prosecuted. It would also be extremely difficult to preserve the confidentiality of the child in such circumstances.

I assure my hon. Friend the Member for Edgbaston that we considered the point seriously, but we were sure that we should not command universal support in the House if we attached penalties of that kind to the mother and I think that it would be unwise to consider doing so at this stage.

I hope that I have dealt with all the points raised, although probably at too great a length, and I return to what remains the one common theme of this evening's debates on the Bill. Everyone supports the Bill and is anxious to see it on the Statute Book. There is absolutely clear agreement between us, which I am sure reflects the vast bulk of public opinion outside, that the sooner we have a law that stops commercial agencies and advertisements in this area, the better.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Prosecution of Offences Bill *[Lords]*

As amended (in the Standing Committee), considered.

New Clause 1

EXPENSES

'.—(1) There shall be paid out of money provided by Parliament such sums as the Attorney General may, with the consent of the Treasury, direct in respect of the expenditure incurred by the Director of Public Prosecutions in the discharge of his functions under this Act.

(2) Any expenditure incurred by the Secretary of State or the Attorney General which is attributable to this Act shall be payable out of money provided by Parliament.'. — *[Mr. Mellor.]*

Brought up, and read the First time.

11.38 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. David Mellor): I beg to move, That the clause be read a Second time.

The clause enables expenditure arising as a result of the Bill to be funded by parliamentary Vote. I commend it to the House.

Dr. John G. Blackburn (Dudley, West): I wish to make just one point. Those who have read the *Official Report* of the Second Reading debate will know that I was particularly anxious to ensure that the cost of administering the Crown prosecution service did not fall within the orbit of the Home Office. It is extremely important that not only the financing but all the arrangements for the Crown prosecution service should be completely outside the orbit of the Home Office. I am delighted that the new clause has been introduced, and I welcome it warmly.

Question put and agreed to.

Clause read a Second time and added to the Bill.

Clause 11

TRANSFER OF STAFF

Mr. Mellor: I beg to move amendment No. 1, in page 7, line 29, leave out 'and'.

Mr. Deputy Speaker (Sir Paul Dean): With this it will be convenient to take Government amendments Nos. 2 and 3.

Mr. Mellor: These are technical amendments which make some changes to the regulations so that the existing contracts of employment of any employee who considers himself adversely affected by the regulations may be terminated so that he might, under certain circumstances, receive redundancy payments.

Amendment agreed to.

Amendments made: No. 2, in page 7, line 30, at end insert

'; and

(c) for the termination of the employment with the authorities concerned of persons to whom the regulations apply (whether or not they are transferred in accordance with the regulations) and as to the consequences of that termination.'.

No. 3, in page 7, line 35, at end insert

'and may make such modifications in the application of any enactment as the Attorney General considers appropriate in connection with any provision of the regulations of a kind mentioned in subsection (2)*(c)* above'.—*[Mr. Mellor.]*

Clause 12

STAFF COMMISSION

Mr. Mellor: I beg to move amendment No. 4, in page 8, line 27, leave out 'one month' and insert 'three months'.

The amendment is made necessary by the welcome speed with which this measure has proceeded through the House. The period of three months instead of one month will give us that amount of extra time to ensure that the staff commission can be appointed within the time scale prescribed by the Bill.

Amendment agreed to.

Clause 16

DEFENCE COSTS

The Solicitor-General (Sir Patrick Mayhew): I beg to move amendment No. 5, in page 14, line 35, leave out 'or' and insert

'(a)

(on an appeal under that Part against conviction—)

(i) substitutes a verdict of guilty of another offence;

(ii) in a case where a special verdict has been found, orders a different conclusion on the effect of that verdict to be recorded; or

(iii) is of the opinion that the case falls within paragraph *(a)* or *(b)* of section 6(1) of that Act (cases where the court substitutes a finding of insanity or unfitness to plead); or'.

The amendment enables the Court of Appeal to make a defendant's costs order where, on an appeal against conviction, it substitutes a verdict of guilty of another offence, orders the recording of a different conclusion of the effect of a special verdict, or substitutes a finding of insanity or unfitness to plead.

Amendment agreed to.

Clause 20

REGULATIONS

The Solicitor-General: I beg to move amendment No. 6, in page 20, line 38 after 'means', insert '*(a)*'.

Mr. Deputy Speaker: With this it will be convenient to take Government amendment No. 7.

The Solicitor-General: These are technical amendments consequent upon an amendment moved by the Lord Chancellor in another place.

Amendment agreed to.

Amendment made: No. 7, in page 20, line 41, at end insert 'or—

(b) an order made in a criminal case by the House of Lords for the payment of costs by a party to proceedings.'. — *[The Solicitor-General.]*

Clause 22

POWER OF SECRETARY OF STATE TO SET TIME LIMITS IN RELATION TO PRELIMINARY STAGES OF CRIMINAL PROCEEDINGS

Mr. John Morris (Aberavon): I beg to move amendment No. 8, in page 22, line 37, at end insert:

'(2A) Regulations made pursuant to subsection (1) above shall be made either,

(a) as experimental regulations, which regulations shall be expressed to apply for a period not longer than 18 months; or

(b) as permanent regulations, which regulations shall be made by statutory instrument requiring an affirmative resolution of the House of Commons,

and in respect of any area specified in such regulations only one set of experimental regulations may be made.'.

We went over this ground in Committee. The object of the amendment is to ensure that there is ample opportunity for the House to consider and approve any permanent regulation and to limit temporary regulations for an experimental period. I thought in Committee that the Minister was showing some sympathy with the idea. I am glad that the amendment has been selected. I want to be sure that the Government will give an assurance that the House will have an opportunity to consider the proposals that emanate following the experiments that are now taking place.

Mr. Mellor: As the right hon. and learned Member for Aberavon (Mr. Morris) has said, I have considerable sympathy with his point. The only obstacle that stands in the way of acceptance of the amendment is the possibility that, as a result of the field trials, we may well think it expedient to introduce perhaps as many as half a dozen different time limits to cover different parts of the country. Obviously, circumstances vary from area to area. A time limit would be pointless unless it was specifically geared to the part of the country in question and toned up the system there.

I suggest that if a number of different time limit orders were needed, or they needed to be changed, it might be oppressive to require an affirmative resolution each time. Plainly, it would be a good idea to ensure that we had at least one debate, and possibly more. I give an undertaking to the right hon. and learned Gentleman that I shall ensure that he is informed when we are ready to lay these orders. Arrangements can be made for a debate the first time and on subsequent occasions, if the right hon. and learned Gentleman wishes. It may well be that after one or two occasions it would not be thought necessary that a change had to be made each time. I hope that, on that basis, the right hon. and learned Gentleman will feel able to withdraw the amendment.

Mr. John Morris: On the basis of that assurance, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

11.45 pm

Mr. Mellor: I beg to move amendment No. 9, in page 24, line 44, at end insert—

'(12A) For the purposes of section 29(3) of the Supreme Court Act 1981 (High Court to have power to make prerogative orders in relation to jurisdiction of Crown Court in matters which do not relate to trial on indictment) the jurisdiction conferred on the Crown Court by this section shall be taken to be part of its jurisdiction in matters other than those relating to trial on indictment.'.

I trailed this amendment in Committee. It does what I said then we intended to do. On that basis, I hope that it will be acceptable to the House.

Amendment agreed to.

Clause 23

DISCONTINUANCE OF PROCEEDINGS IN MAGISTRATES' COURTS

Mr. Mellor: I beg to move amendment No. 10, in page 25, line 17, leave out from 'discontinued' to end of line 19 and insert:

'with effect from the giving of that notice but may be revived by notice given by the accused under subsection (6) below.

(3A) Where, in the case of a person charged with an offence after being taken into custody without a warrant, the Director gives him notice, at a time when no magistrates' court has been informed of the charge, that the proceedings against him are discontinued, they shall be discontinued with effect from the giving of that notice.'.

Mr. Deputy Speaker: With this amendment it will be convenient to discuss Government amendments Nos. 11, 12 and 14.

Mr. Mellor: Again, these amendments deal with matters in respect of which I revealed to the Committee the Government's intention to introduce provisions to this effect. I hope that they will be acceptable.

Amendment agreed to.

Amendments made: No. 11, in page 25, line 29, at end insert

'within the prescribed period; and where notice is so given the proceedings shall continue as if no notice had been given by the Director under subsection (3) above.'.

No. 12, in line 34, at end insert—

'(8A) In this section "prescribed" means prescribed by rules made under section 144 of the Magistrates' Courts Act 1980.'. —*[Mr. Mellor.]*

Schedule 1

MINOR AND CONSEQUENTIAL AMENDMENTS

Mr. Roger Sims (Chislehurst): I beg to move amendment No. 13, in page 29, leave out lines 9 to 18.

The amendment raises a matter which has not been referred to earlier in proceedings in this House or another place.

In the administration of justice, the magistrates' courts face a difficulty in the impression that the public have of how they function. The police investigate an alleged offence, they charge an alleged offender, a summons is served on him to attend court — a court still known popularly as "the police court"—and in court the police conduct the case against the defendant.

Some defendants who are not familiar with the ways of the court—and some of those who are—are convinced that once the police have started investigations and pressed a charge, that is it, because the police and the court are part of one set-up to ensure that that person is convicted under the system.

We know that that is not so, that it is the job of the police to investigate a crime and to bring a case to court if they consider that there may be a case to answer, and that it is left to the court to decide—a magistrates' court or a higher court, all of whom form part of our independent judiciary. It is up to the court to decide guilt and to sentence.

Alas, that is not how it is always seen. This Bill is a very important step in clarifying the position by setting up an independent prosecution service—independent of the police and independent of the courts. They will be three quite separate entities.

My fear is that if the lines to which I refer remain in the Bill, that appearance of independence will be seriously prejudiced. That is not only my view, because I speak for the Magistrates' Association, which represents more than 90 per cent. of active magistrates in England and Wales — and its concern is shared by the Justices' Clerks' Society and by the Association of Magisterial Officers, which I have the honour to advise.

As the Bill stands, in a case where there is a plea of guilty by letter, as frequently happens, the normal procedure will be for the clerk to read the prosecution statement. That will be the case even if the defendant appears in court having already pleaded guilty by letter, because presumably there will be no one present from the prosecution service, and the clerk will be expected to read the prosecution statement.

The magistrates and the court staff know that others have prepared that prosecution statement and that the clerk is simply the mouthpiece. But others who are not familiar with court procedures will not know that. What sort of impression will they get? What will be the impression of those sitting in the public gallery—the casual visitor, or those sitting waiting for their cases to be heard later in the morning? The impression will be given that the clerk is very much involved with prosecution procedure, and he will be seen to get up and apparently to present the case. This must undermine the image that we are trying to convey—that the prosecution service is independent.

I suspect that my hon. Friend will argue against this on grounds of expense, but I am not suggesting that it is necessary to have a highly qualified solicitor in court simply to deal with a strong of please of guilty by letter. However, an assistant in the prosecution service, or somebody from it who is not part of the court staff, should be seen to be presenting the case, even when it is a guilty plea by letter.

I hope that my hon. Friend will feel able to accept my amendment. If he is not, perhaps he can explain to the House the thinking behind the proposal in the Bill. Is it intended to cover exceptional circumstances? That is understandable, but if it is to be the general practice that the court clerk is expected to read out the prosecuting statement in the circumstances that I have described, that is regrettable, both in principle and in practice, and it will impose upon the clerks a duty that they do not wish to have, and, for the reasons that I have set out, it is inappropriate for them to have.

Mr. Mellor: My hon. Friend the Member for Chislehurst (Mr. Sims) has considerable experience, as a justice of the peace, of Home Office matters. Therefore, it is with some care that I deal with his points. I know that he is putting concerns that are felt by the Magistrates' Association and the Association of Magisterial Officers. I reassure him that in most circumstances courts will be attended by members of the prosecution service, and that will plainly be in everybody's interests. However, there are circumstances, when a court is dealing with pleas of guilty by letter, when it would not be contrary to the interests of justice if the clerk were to read out the agreed statement of facts.

We would be sensitive to any suggestion that we were placing an officer of the court in an invidious position. We would not allow matters of economics to compel us to take that action if we thought that we were doing that. While

[Mr. Mellor]

economics are relevant in this sector as in any other, and we must govern our actions to som extent by this, we would not do anything just for the financial aspect alone.

However, there is some sensitivity about this, and officers need not be as troubled as they are. After all, we are dealing in the main with traffic offences, relatively trivial matters by the standards of the worst crimes in the criminal calendar, which the defendant has decided is a fair charge, and should be the subject of a guilty plea by letter.

It has always been the case that when the guilty plea by letter arrives, it will almost certainly contain some passages of mitigation, and it has always been the case that the clerk reads out those passages of mitigation. All that we are suggesting that he will do under these arrangements is also to read out an agreed statement of facts, which will already have been submitted to the defendant, and about which he will know before making a plea of guilty. If he were unhappy about any of those facts, he would either have asserted that by way of his plea, or by mitigation in his letter.

As it has not been suggested, and it would be wrong if it were suggested, that the clerk of the court was entering the arena on behalf of the defendant by reading the defendant's letter to the justices, it would also be wrong to suggest that the clerk was entering the lists on behalf of the prosecution by reading out the statement of fact.

On a proper analysis, I believe that the statement of facts, once they are agreed by the defendant, becomes more than a partisan assertion. They become the agreed facts of the matter.

I hope that, on that basis, my hon. Friend will see that there is quite a compelling case for doing what we do. Although one is always reluctant to be at odds with any part of the magistracy or its clerks, it would be difficult for me to do as he asks. I hope that my explanation has been helpful and that on that basis he will agree to withdraw the amendment.

Mr. Sims: I am grateful to my hon. Friend for his explanation. I accept that the defendant would be well aware of the situation, and the statement being read out by the clerk would be an agreed statement. My concern was the impression that the general public might have as to the involvement of the clerk in the prosecution procedure. I have explained the fears that the magistracy and the magistrates' clerks have. My hon. Friend has done his best to put those fears at rest. I hope that in the event they will prove to be unfounded. In the light of what my hon. Friend has said, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 14, in page 29, line 36 at end insert—

'*Contempt of Court Act 1981 (c.49)*

3A. In paragraph 7 of Schedule 1 to the Contempt of Court Act 1981 (meaning of "discontinuance" in relation to criminal proceedings), the following sub-paragraph shall be inserted after sub-paragraph *(a)*—

"*(aa)* in England and Wales, if they are discontinued by virtue of section 23 of the Prosecution of Offences Act 1985",

3B. After paragraph 9 of Schedule 1 to that Act there shall be inserted the following paragraph—

"9A Where proceedings in England and Wales have been discontinued by virtue of section 23 of the Prosecution of Offences Act 1985, but notice is given by the accused under subsection (6) of that section to the effect that he wants the proceedings to continue, they become active again with the giving of that notice.".'.

No. 17, in page 30, line 6 leave out '(1)' and insert '(2)'.—*[The Solicitor-General.]*

The Solicitor-General: I beg to move amendment No. 15, in page 30, leave out lines 29 to 44 and insert—

'(5) For paragraphs 6 and 7 there shall be substituted the following—

"6. Where the criminal division of the Court of Appeal makes an order as to costs to be paid by—

(a) an appellant;

(b) an applicant for leave to appeal to that court; or

(c) in the case of an application for leave to appeal to the House of Lords, an applicant who was the appellant before the criminal division.".'.

This is a technical amendment substituting a new paragraph. It deals with the enforcement of cost orders made by the Court of Appeal. Cost orders made by the House of Lords will be enforced as part of the inherent jurisdiction of that House.

Amendment agreed to.

Amendment made: No. 16, in page 31, line 13, leave out 'award' and insert 'order'. — *[The Solicitor-General.]*

Schedule 2

REPEALS

Amendment made: No. 18, in page 32, line 26, leave out '32(1)' and insert '32(2)'.—*[The Solicitor-General.]*

Motion made, and Question proposed, That the Bill be now read the Third time.—*[Mr. Garel-Jones.]*

11.57 pm

Mr. John Morris: The Bill has been improved during the legislative process. I, for one, welcome very much what was achieved in another place, in that acquitted defendants in summary trials are able to obtain their costs. That is a major improvement.

Great as is the temptation, I do not propose to go through the Bill at this late hour, save to say that in our deliberations we concentrated on three matters—costs, children, and time limits, to which we returned tonight. The Bill went through its processes speedily, speedier than most of us had anticipated. Some organisations felt that had there been more time available, some of their views might have had further consideration.

I wrote to the Solicitor-General about a document that I had received from Mr. John Harrison of the Paddington Law Centre, and the hon. and learned Gentleman kindly replied to me on 29 April, on the eve of the last consideration of the Bill, about the fear of Mr. Harrison that the Bill inadvertently abolished the tort of malicious prosecution or at least substantially reduced its scope. The hon. and learned Gentleman kindly went through the arguments. What had escaped Mr. Harrison was the fact that the initial decision whether to institute proceedings continued to be taken by the police, so for the most part it would appear that those fears were dealt with by the hon. and learned Gentleman. There remained a small proportion of cases where the Director of Public Prosecutions instituted prosecutions. The Solicitor-General set out the record and reputation of the Director and explained the unlikelihood of him being sued. Perhaps the right hon. and learned Gentleman will explain further

the extent of the reduction to which proceedings in tort may be instituted for malicious prosecution. If he does so, we shall know exactly what has been done.

I spent much time on Second Reading talking about accountability and I ended by saying that Parliament will have only begun its task in establishing the machinery of accountability when the Bill is enacted. We shall have to monitor its workings in the years ahead. I welcome the Bill and wish it well, because its main purpose is to establish a prosecution service that is independent of the police, which is what many on both sides of the House have talked about for a long time. I am pleased that that has been achieved tonight.

12 midnight

Mr. Eldon Griffiths (Bury St. Edmunds): At this late hour I am sure that the Ministers, who have worked on the Bill from Committee until this stage, will not welcome lengthy contributions. Consequently, my remarks will be brief.

The Bill makes sense, and I welcome it. I regret the entire removal of the prosecution function from the police service because over the years, with its faults, it has been a relatively efficient and not terribly expensive service. However, the House has been right to agree to the proposals contained in the Bill.

I wish to ask my hon. and learned Friend the Solicitor-General three general questions. First, "criminal proceedings" are henceforth to be the responsibility of the prosecution service and no longer that of the police. Will this relieve the police of responsibility for all criminal proceedings that take place in the courts? Is it intended that "criminal" shall be an all-embracing definition covering any breach of common and statute law, including minor motoring offences? Will it remove from the responsibilities of the police administrative matters that are dealt with in the magistrates' courts such as firearm certificates, liquor licensing and objections to occasional licences and extensions, which currently involve police time? If the prosecution service is to take over criminal matters, let it take them all over.

I am concerned about resources. If the Bill is to achieve its main intention, it is essential that all court work, not most of it, be undertaken by the new service. Any savings which do not release the police from all forms of advocacy will be insignificant. It is the Government's judgment that 600 police officers, mostly of supervisory rank, will be freed by the Bill. They will not be relieved of advocacy work unless all the minor matters are undertaken by the prosecution service.

Secondly, in clause 13 a "fair contribution" is to be made by other bodies for part of the service. The inference is that, in addition to the money from the Government, other funds will be extracted, perhaps properly, from county councils or the police authority. At present budgets in the police service are tight. Some of my hon. Friends may be shocked to hear that throughout the country police numbers are not rising, but falling sharply. Almost 1,500 officers fewer are now in post than there should be according to establishment figures. We were elected to achieve establishment figures. I recognise, however, that there has been a substantial increase on previous years.

If a "fair contribution" is to be extracted from police authorities, where is the money to come from? Is it to come from not recruiting more policemen or not building more police stations? I have read the Committee reports, but I have not seen a detailed quantification of the amount of money that the phrase "fair contribution" means. I should like some assurance from my hon. and learned Friend that those contributions will not be extracted from police budgets if it means less police man power when the service is as stretched as it is today.

My final point, on which I should like my hon. and learned Friend to comment, is the matter of delays in bringing cases to trial. My hon. and learned Friend will recall that last year the Home Affairs Select Committee reported on those inordinate delays — they were commented on frequently in Committee — but was misguided in that it appeared to suggest that each and every delay in bringing often complex cases to trial was occasioned by the prosecution. I am willing to accept that many, and perhaps most, delays arise because of the prosecution, and the terms of the Bill appear to follow that assumption. However, anyone with a little experience in legal affairs—I am so advised by the police service—will accept that often those delays are occasioned by the defence.

I hope that the Bill is even handed, but I do not read it that way. I should like my hon. and learned Friend to comment on the view of the Police Federation that the Bill is not even handed, that it implies that all delays arise from prosecution and that it does not provide for effective pressure on the defence to get a move on.

I hope that my hon. and learned Friend will be able to deal with those questions. I join the right hon. and learned Member for Aberavon (Mr. Morris) in welcoming the general drift of the Bill.

Mr. Alex Carlile (Montgomery): The fact that little controversy has surrounded the stages of the Bill does not mean that it is perfect. It introduces a most welcome and much awaited element of independence into the prosecuting function. We look forward with confidence to the development of that independence. I hope that when the Government monitor the way in which the independent prosecution service operates, and if it works well, they will consider the possibility of extending its role to include other forms of prosecution, such as trading standards' prosecutions and other functions which are administered at considerable expense by local authorities, which are not always best equipped to deal with them.

The most significant improvement was made in the other place when an absurd provision to give the prosecution the power to make theoretical appeal against certain sentences was removed. I welcome that removal, but I hope that we shall have an assurance from the Government that that proposal will not be regurgitated in the next Session of Parliament.

I join those who have expressed their good wishes to the Bill, and I hope that it will prove to be at least the basis of the success which most of us believe it will be.

12.9 am

Mrs. Virginia Bottomley (Surrey, South-West): I welcome the Bill, in that, since the peak age of offending is 15, it seems reasonable on Third Reading to spend some time on the implications of the Bill for juveniles. In Committee, my hon. Friend the Minister said that the Director of Public Prosecutions was well seized of the special considerations affecting juveniles and of the implications for training and development of the new service. He said that he had undertaken that where there

[Mrs. Virginia Bottomley]

is sufficient juvenile court work to justify specialisation, whether whole time or part time, officers of the new service will be assigned and trained specially to deal with juvenile cases.

That is some assurance, but there is anxiety among those used to dealing with the juvenile courts that the Bill will lead to further delays. Slow justice is poor justice for everybody, but especially for juveniles. They have great difficulty in understanding the process, and the strain on them and their families while waiting for a court hearing is great and potentially damaging. In the case of juveniles, the damage of a case coming to court with insufficient evidence is most harmful, and no doubt the new Bill will assist in that area.

I have been a magistrate in an area where there was special difficulty between the police and the local community, and I would welcome the clear separation of the police having to apprehend and investigate crimes, but the decision to prosecute being made elsewhere. But I would not wish to underestimate the important expertise that many police juvenile bureaux have developed over the years in knowing the local circumstances and in understanding juvenile crime in context. It would be a shame if an unintended consequence of the Bill was that the widespread and variable use of cautioning was undermined. We are agreed that, for juveniles, prevention and diversion are essential.

In conclusion, I welcome the Bill and I hope that it is but a first step to an overall review of the juvenile justice system.

12.12 am

Dr. John G. Blackburn (Dudley, West): Unashamedly, I take a few minutes of the time of the House, because my involvement in the Bill goes back to 1979, when the roots of what we are debating started. That was the Royal Commission on Criminal Evidence, under the chairmanship of Sir Cyril Phillips. Then I came across the fundamentals of this move in the Home Affairs Select Committee, and yet again I look to the Government Front Bench and remember with great pleasure the many weeks we spent together in Committee on the Police and Criminal Evidence Bill, which eventually fell immediately before the general election. I have great pleasure, as I am sure do all hon. Members, in seeing this measure come before the House. I also have a great sense of duty fulfilled.

However, I must make two points which I hope my hon. and learned Friend the Solicitor-General will consider in the days ahead. I was especially impressed by the comments of my hon. Friend the Member for Bury St. Edmunds (Mr. Griffiths), who made the plea that even-handedness should saturate the pages of the Bill. It will not come as a surprise for those hon. Members who served in Committee to hear that my next words will be in direct conflict with the comments of the hon. and learned Member for Montgomery (Mr. Carlile).

I have had the opportunity of speaking with magistrates who have expressed genuine anxiety about some sentencing procedures. I pay a warm, generous and sincere tribute to the members of the bench who give up their time to administer justice in the courts. When magistrates have a defendant before them who they believe should receive a higher sentence they have the power, which they exercise, to commit that person to a higher court for sentence. Magistrates feel frustrated by the fact that under the new public prosecution system people will receive a lighter sentence than they would from the magistrates.

Under clause 16 we have a right of appeal against conviction or severity of sentence. I have consistently held the view that the Crown prosecutor should equally have the right to appeal against the leniency of a sentence. That point was well ventilated on Second Reading and in Committee. Even at this stage it is something that could be considered. I commend that point to my hon. and learned Friend, because it is one that has been debated since the Bill was conceived.

12.16 am

Mr. Sims: I shall avoid the temptation of pursuing the point mentioned by my hon. Friend the Member for Dudley, West (Dr. Blackburn). I know that his comments about the work done by magistrates will be appreciated. I can say that they are well deserved, because I am now precluded by the rules laid down by my noble Friend the Lord Chancellor from sitting on my Bench, much as I should like to do so.

I invite my hon. and learned Friend the Solicitor-General to tell us to what extent he anticipates court staff will be involved in the administration of the prosecution service. If that seems a strange question, I ask it because I understand that informal approaches have been made to court staff about the extent to which their accounting facilities might be used by the prosecuting service. I understand that in some circumstances that might be convenient; for example, for paying the expenses of prosecution witnesses and such matters.

On principle, I should have thought it better, for reasons that I have already given, to keep the prosecution service and the court staff separate. If, however, it is found convenient to use the court staff for some aspect of the prosecuting service's work, I hope that the Home Office will bear in mind the fact that court staff are already heavily engaged, with limited numbers, and that if extra work is to be imposed upon them, the resources to do that work should be made available.

12.19 am

The Solicitor-General: I am grateful for the expressions of support and approval that have come from so many of those who have spoken on Third Reading. The Bill primarily implements the decision of my right hon. and learned Friend the Home Secretary to establish an independent prosecuting service for England and Wales. The Bill has, as we are aware, also provided a useful vehicle to make important and necessary changes in the arrangements for costs in relation to criminal cases and to bring into the English system measures analogous to those which have operated for a long time in Scotland relating to delays in bringing cases to trial.

I have been asked to reply to a number of individual points. In Committee the right hon. and learned Member for Aberavon (Mr. Morris) asked about the fears which had been expressed that, inadvertently, the Bill might have abolished the common law tort of malicious prosecution, and the right hon. and learned Gentleman fairly summarised the reply that I gave to him then. At this time of night I think that I can usefully express it in this way.

It was thought that because under the provisions of the Bill prosecutions were to be conducted by the prosecution service it would no longer be possible to sue the police for

the tort of malicious prosecution. However, as I explained to the right hon. and learned Gentleman, that argument failed to take account of the fact that responsibility for the institution of proceedings will remain, under the provisions of the Bill, with the police. It will be recalled that the recommendation of the Philips Royal Commission was that a distinction should be made between the functions of the police, which were respectively the investigation of offences and the institution of proceedings — that is, charging suspects — and the functions of conducting the prosecution and taking the decisions that are relevant to prosecutions once a charge has been laid. Those latter responsibilities are to be conducted by the independent Crown prosecution service.

There is, therefore, no effective change in the position of the director. Certain matters will fall to be considered by him, and in rare cases he will be empowered to institute and will in practice institute proceedings. I accept that in those circumstances it would be difficult successfully to bring proceedings against the director, but, as I pointed out to the right hon. and learned Gentleman, that is a measure of the respect in which the director is held by reason of the record for impartiality and for diligence that he has acquired over the years in the course of the conduct of his duties. Therefore, we do not believe that there is any need to fear that inadvertently the Bill has abolished the tort of malicious prosecution or that it has abolished the means whereby the police can be prosecuted for malicious prosecution in a proper case.

On the points raised by my hon. Friend the Member for Bury St. Edmunds (Mr. Griffiths) on behalf of the Police Federation, whose interests he so diligently represents, he asked, first, whether the criminal proceedings referred to in the Bill will be all-embracing, in the sense that the independent service will be responsible for every offence committed under any statute which can strictly be described as a criminal statute. Strictly speaking, the answer is no. Firearms certificates and liquor licensing applications will continue to be dealt with separately and will be the responsibility of the police, as will minor motoring offences. That is a sensible division of responsibility. I do not believe that the information that I have given contains any surprises.

My hon. Friend the Member for Bury St. Edmunds also referred to the equivalent of 600 full-time police officers being saved by the new provisions. That calculation was made on the basis that the new service will undertake functions which do not include such minor matters as firearms certificates and liquor licensing applications, to which I have already referred.

I was asked about the cost referred to in clause 13 and whether it would involve the resource currently allocated to the police. Clause 13 requires that the Secretary of State shall make "a fair contribution" and provides for disputes to be resolved. The balance will have to be found by the local authority, which will have to decide from where that balance can be found. In a slip of the tongue earlier I added, motoring offences to the category which included fire arms applications and licensing matters. That was an inadvertent slip, for which I apologise. Motoring offences will be the responsibility of the new service.

I was asked about the new provisions on time limits. The Scottish law provisions relate to time limits which have to be observed by the prosecution at all stages of the prosecution process. The object is to ensure that delays for which the prosecution is responsible are not allowed to result in the accused person being denied trial. The same pattern is followed in the Bill. In some cases the defendant is responsible for delays, but the defendant usually pays the cost of being in prison pending trial on remand. The Bill deals with delays caused by the prosecution.

I am grateful for the welcome which the hon. and learned Member for Montgomery (Mr. Carlile) gave to the Bill. A major change is being made and much remains to be finalised in regulations to be made by the Attorney-General. The report of the management consultants, published by the Home Secretary only last Friday, has still to be considered in detail before we can decide on the precise form of the service.

I agree that a body of expert and experienced people should remain to deal with juvenile crime. It is not necessary to extend the Bill's provisions, but I acknowledge that juvenile crime is an important part of the responsibilities of those who have to deal with criminal justice.

Like my hon. Friend the Member for Dudley, West (Dr. Blackburn) I recall with pleasure the many weeks that we spent examining another Bill, when I learnt to enjoy and to value his contributions.

I realise that there is a real sense of public concern about sentencing. My right hon. and learned Friend the Home Secretary, in his Second Reading speech, said that it was entirely proper that the public should be concerned in these matters and that the House and the Government should recognise that concern.

My hon. Friend said that, on occasions, magistrates were disappointed with the sentence passed by the Crown court. I do not doubt that that may happen, but Parliament has laid down a procedure whereby the Crown court considers matters afresh. I do not think that my hon. Friend would wish to deny it the independence and judgment which the statute has conferred upon it and hold that it could impose only a sentence which was in excess of what the magistrates may, by law, impose.

I differ from my hon. Friend when he argues about a right of appeal by the prosecutor against too lenient a sentence. The Government hold to the view that it is important to distinguish between the proper function of a prosecutor and the proper function of the judiciary. It is the judiciary, quite independent of any other influence, that should deal with sentencing. It would be sad if the prosecution were to identify itself with sentencing. That could lead to many undesirable and dangerous developments.

My hon. Friend the Member for Chislehurst (Mr. Sims) asked what would be the extent of court staff involvement in the arrangements for the operation of the Bill. It is not possible to give a clear answer. He knows that the management consultants' report was published recently, and we shall have to decide what is the best, the most economic and the most effective way to deal with such matters as witnesses' expenses. I take his point about the importance of distancing court staff from association with the prosecution. I understand his anxiety in that regard.

I do not wish to detain the House. The provisions of the Bill are well known to hon. Members in the Chamber tonight. I reiterate only the pleasure of the Government in the Bill meeting with general approval from all sides of the House. My right hon. and learned Friend and I are grateful for the constructive and consistently helpful contributions of the right hon. and learned Member for Aberavon and all who have taken part in our debates. They have enabled

[The Solicitor-General]

us to make rapid progress with a Bill that is of major value and importance to our criminal justice system. I commend its Third Reading to the House.

Question put and agreed to.

Bill accordingly read the Third time and passed, with amendments.

PROCEDURE

Ordered,

That the Standing Order of 20 March 1984 relating to the nomination of the Procedure Committee be amended, by leaving out Mr. Allen Adams and Mr. Jim Callaghan and inserting Mr. Gregor MacKenzie and Mr. John Golding.—*[Mr. Boscawen.]*

Great Britain (Economic Divide)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Boscawen.]*

2.33 am

Mr. Tom Pendry (Stalybridge and Hyde): The words of Lord Stockton in another place in November last year echoed the thoughts of millions of people in this country when he said:

"it breaks my heart to see what is happening in our country today." — [*Official Report, House of Lords*, 13 November 1984; Vol. 457, c. 240.]

Without any doubt, Britain is a divided country and becoming more so with this Government's divisive economic strategy that is superimposing new inequalities on the traditional regional disparities.

In 1979 the Prime Minister pledged to rebuild our economy and to reunite a divided and disillusioned people. In truth, the nation has never been more torn and separated than it is today. From the outset, I wish to make it clear that the social and economic deprivation rampant in our society are not confined to the north. When my hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott) and I toured the country as regional spokesmen for the Labour party before the last general election we saw problems in the south-east as great as any experienced in the north. In London, the Medway towns, the Isle of Thanet, Portsmouth, parts of the south-west and Cornwall, we saw those problems writ large. Nevertheless, the southern parts of the country have a significantly better deal than the areas in the north-west, the north-east, Yorkshire, Humberside and the midlands.

Both provinces—for that is, in effect, what they are — have approximately the same populations; 23·5 million in the north and 23·3 million in the south, namely, in the south-east, the south-west and East Anglia. But the economy of the southern province is significantly larger. Its GDP in 1981 was £13 billion greater than the GDP in the northern province. In total personal income terms, there is £7 million less in the north than in the south.

Low pay, compounded by unemployment, means that a southerner has £100 in his pocket for every £88 in a northerner's pocket. Male average weekly earnings in Greater London in April 1983 were £200 whereas in Greater Manchester they were £160. The proportion of full-time male workers in Greater Manchester earning less than £75 a week was double the figure for Greater London in the same period.

Since 1979, the northern region has lost over 784,000 jobs, or 42 per cent., of total job losses in the United Kingdom. Today, there are more manufacturing jobs in the south than in the so-called industrial north. However deeply ingrained were the traditional problems of the regions prior to 1979, they have been intensified since then.

The scale of job losses has heightened the intensity of the regional problems. Since May 1979, 1·5 million manufacturing jobs have been lost, with an unprecedented level of redundancies. For every redundancy in the southern province during the conservatives' reign, there have been two in the north. The northerners have suffered 190,000 more redundancies than have those in the southern province. The north-west has been hit most of all, with 111,000 redundancies since 1979.

When the Conservatives came to office, the north-west had 1·1 per cent. higher than the national average

unemployment rate. Today it is 2·6 per cent., and it is 6 per cent. higher than in the south-east. The problems of the northern region are further compounded by a tax on public spending imposed by the Government, much of which has been centred on housing. Between 1979 and 1983, the number of housing starts fell by more than 38,000, and 83 per cent. of those cuts were concentrated on the northern province.

Cuts in housing capital expenditure, also an element of regional injustice, have been compounded by cuts in housing benefit. About 1·5 million people have lost housing benefit completely and 4·5 million have been affected in some way. Again, the northern province has been pushed into another downward spiral.

In local authority expenditure, the Government's logic belies belief. Their understanding of need is, to say the least, puzzling. They say that the northern province is less in need than the southern province. Although 170,000 more people live in the north, it has 375,000 more pupils to teach, has vastly more poverty by any criteria, has more single-parent families, according to the Black report, and it has areas such as Tameside, one of the most deprived health districts in the country, and much more unemployment. Yet in the view of the Department of the Environment the local authorities in the north need less help than those in the south. I put it to the House that that is nonsense.

With the new Right at the helm, what chance have the poorer regions? I wish the right hon. Member for Cambridgeshire, South-East (Mr. Pym) luck with his Centre Forward group—he will need it. Very few Tory Members from the north and the north west seem to want to join that group and to redress the imbalance in our society. My own authority of Tameside is monitoring the activities of Tory Members in the north-west and the reports make interesting but disturbing reading, especially for those of their constituents who are living on or near the poverty line. Naturally, they will be rumbled before or at the next election, but in the meantime their actions merely widen the gap between north and south and make areas such as the north-west even poorer.

In the short time allotted for an Adjournment debate it is impossible to set out all the arguments and to bring home the full impact of the Government's policies on the poorer regions. Until the Government recognise the need for a regional dimension in planning and public expenditure, and reverse their narrow monetary policies, the two parts of our nation will be pulled ever further apart.

If there was a crowning act of madness by the Government which would exacerbate the problems of the division still further, it would be to develop Stansted airport at the expense of Manchester airport. Is it really a priority of our nation to encourage the creation of 25,000 jobs in rural Essex where they are not wanted when all the logic calls for the development of Manchester airport where jobs are vital? I hope that the Minister will assure the House that the Government do not intend to take that course. I hope that he will also announce a change of course on the economic front, although I very much doubt it.

With your permission, Mr. Deputy Speaker, I should like to conclude my remarks at this point so as to allow some time for my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon). No one in the House has spoken up more for the people of Tameside and the north-west than my right hon. Friend, and I hope that the Minister will heed what he says.

12.42 am

Mr. Robert Sheldon (Ashton-under-Lyne): The House will have listened with great interest to what my hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry) has said about Britain being a divided country. That fact is becoming ever more widely accepted—and fact it is, as my hon. Friend so clearly showed. Not only are people becoming more aware of it. In the north they are becoming angry about it. That is the major change that has taken place.

In the 20 years that I have been Member of Parliament for Ashton-under-Lyne I have witnessed many complaints, but I have never before witnessed such a level of consciousness and of frustration as, day after day, people see on their television screens the kind of life being lived in the more favoured part of the country.

The right hon. Member for Old Bexley and Sidcup (Mr. Heath), who represents a constituency in the south-east, put the matter very well when he said that the south-east was overdominant. That is the situation today. Up to 40 per cent. of the firms in my constituency have closed since 1979. The firms in my area are not large firms. They are small firms, which the Government are supposed to support. They are neither high tech nor low tech—just middle tech, but doing a valuable job for their employees, their customers and their town.

Those firms find themselves in great difficulty because of the enormous advantages enjoyed by the south-east. They watch with horror as Johnson Matthey Bankers receive £75 million while the firms in my constituency get nothing. They see with growing awareness the £12 billion a year that passes out of our country via the City of London to other countries. This money, which could and should have been used to expand our industrial base in the north, is used to finance other economies.

These firms know full well that the high value of the pound is a great disadvantage to the manufacturing sector. My area earns its living from manufacturing industry. It does not have the international banking or financial operations of the City. The people earn their living by making and selling goods. They see that the way in which the economy has been run has favoured financial rather than industrial operations. They note full well that this system has no particular bearing on the needs of the country as a whole.

I ask more Ministers to come to the north. If one gets out at Piccadilly station in Manchester and walks around the streets there, one sees the difference between that area and London and the south-east generally. One does not need statistics or facts to note that great difference; one can see with it with one's eyes. I have drawn attention to the fact that because of economic stringencies, certain roads in my area are not looked after in the same way as roads elsewere.

My hon. Friend the Member for Stalybridge and Hyde rightly drew attention to the discussions on Stansted airport. There will be extreme anger and dismay in the whole of the north-west if there is expansion in the more favoured parts of the country again. It is not just a matter of deciding where the airport should be. A whole area could use a successful airport based upon Manchester which used the initiative of the people of the north-west.

[Mr. Robert Sheldon]

Britain is a divided country, and a nation cannot be operated in that way. There is a growing feeling that Britain is divided. Sooner or later, unless the process is reversed, there will be grave problems with regard to unity. I hope that the Under-Secretary of State will offer us some hope that this reversal will come about shortly.

12.47 am

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. John Butcher): It is legitimate for the right hon. Member for Ashton-under-Lyne (Mr. Sheldon) and the hon. Member for Stalybridge and Hyde (Mr. Pendry) to raise this topic in the House, albeit on the Adjournment. I am sure that they agree that the subject is huge, wide and complex. Perhaps, we should have more time to debate the complex reasons behind the discrepancy in the economic performance of the various regions of Great Britain.

A number of figures have been bandied around. I put it to the House and to those who are concerned about discrepancies in economic performance that there is something rather chilling in the following figures: in 1964, the United Kingdom had 14 per cent. of the share of world trade in internationally tradeable goods and services; by 1978 that figure had fallen to 8 per cent.

The CBI tells us—and I am sure that we all believe the integrity of its figures—that for each 1 per cent. of loss in our share of world trade, Britain exported 250,000 jobs. From that one factor alone, we have exported 1·5 million jobs.

I ask hon. Members to consider other good, hard, data produced by the Labour party in its finance and economic affairs committee report in 1976, which, I am advised, pointed out that by 1980 there could be 2·5 million people unemployed in the United Kingdom. The committee cited all sorts of factors—the demographic factor, the loss of competitiveness, the erosion of the advantages that we gained through successive devaluations, and so forth. But, just as I agree with hon. Members that it is the manufacturing sector which has borne the brunt of Britain's decline in job opportunities through loss of world market share, the recession and other factors, I hope that they will agree that we have a very complex set of clauses on our hands and that it is disingenuous for any hon. Member to lay the blame for the totality of the 3·25 million unemployed at the door of the current Administration.

I leave those thoughts with the House only by way of inviting a further response by hon. Members when we discuss this very serious issue.

First, let me agree that there are differences between the economic situations of various parts of Great Britain. Of course there are economic differences, as there are geographical, social and cultural differences. They are by no means a new phenomenon.

Variations in, for example, unemployment rates and gross domestic product per head of population have existed for a long time. For many years, unemployment rates in the northern regions have tended to be higher than in the south and midlands. Since 1979, unemployment in the west midlands has also been above the national average, but the causes of the problems of that region go back well beyond that year. I shall come back to unemployment a little later in my speech.

Before I do that, let me look at some of the other aspects of this so-called divide. If we look at GDP, we see that the south-east is the only region with above average GDP per head. The region contains 31 per cent. of our population and contributes 37 per cent. of GDP. But, again, although there have been changes in the pattern of GDP per head in the past decade or so, there have long been significant differences between regions.

A further major point about the north-south differences is that the contrast between a depressed north and a prosperous south can be overstated. In saying this, I do not want to deny what I have just acknowledged in the generality. As a generalisation, there are significant and long-established differences, as shown by various methods of measuring economic wellbeing between the south and the north. Various remedies have been tried by successive Governments to solve the problem, and the evidence suggests that a lot of extra jobs have been created in the assisted areas—of the order of 500,000 by the early 1980s — but, despite this massive programme of assistance, the problem still persists. This is a reflection of the deep-rooted causes of regional economic disparities.

Regional economic problems used to be largely ascribed to dependence on low growth or no growth industries, and to peripherality—that is, distance from main markets. Over the last two decades there have been significant changes in the industrial structure of the assisted areas, in part as a result of the operation of regional policy, and the differences are now less marked. Nevertheless, in some cases the problems of an area can still quite clearly be attributed to the decline of a major industry in the locality. There is no preordained law which states which industries go into decline, and therefore it is folly to describe whole industries as sunset industries. In the words of my right hon. Friend the Secretary of State, there is no such thing as a sunset industry; there are only sunset managements. Differences in performance by companies in the same sector beg a whole series of questions, many of which are far too complex and perhaps controversial to be dealt with in an Adjournment debate.

With improvements in transport links, the nature of the peripherality problem has changed. Fast road links are more comprehensive than they were 20 and 30 years ago, though many business men in the east and west midlands would give their eye teeth for a cross-country route to match the Liverpool-Manchester-Hull motorway capacity. The peripherality problem today may rather be one of keeping in touch with the myriad decisions made by business contacts and maintaining awareness of market opportunities in the major commercial centres, most significantly in the south-east, but even in this area technology is coming to the rescue. The provision of telecommunications infrastructure is as important for today and for the future as the development of railways was in the 19th century, and the upgrading of the road network has been in the past decades.

More recently, academic research has pointed to the existence of other structural characteristics and perfomance measures which may help to explain variations in the economic performance between regions. There is evidence that, particularly in relation to the south-east, many of the assisted areas have a somewhat unfavourable rate of product innovation and an industrial milieu less conducive to successful new firm formation. Those features are thought to be related in part to he relatively low numbers of managerial and professional

people resident in some assisted areas, and to a high level of dependence on manufacturing employment in branch plants owned by national or internatinal companies whose United Kingdom headquarters and research and development facilities are concentrated in the south-east. The low proportion of new firm starts in the assisted areas is particularly marked. In 1983, the four northern regions accounted for 29 per cent. of business starts as against their 36 per cent. share of working population.

Mr. Tom Normanton (Cheadle): There can be no doubt on either side of the House that there has been for a long time growing concern about what is called the north-south syndrome. Is it not true to say two things? First, to describe the north as a wilderness dying is a complete distortion of the reality of the facts. In that context, I quote the example of Stockport where, until a year ago, successful efforts were made by the Conservative-controlled council in attracting new and expanding industries. Secondly, is it not wrong to categorise the north as being beyond hope? There are many prospects for expansion of the new types of industry. These are the ones about which we are talking, and we should be bringing the national and European interest to be more aware of them.

Mr. Butcher: I recognise the long-standing and distinguished work that my hon. Friend has put in on behalf of the north-west region as a whole. I agree that it is ludicrous to categorise a whole region in a particular way. Within any region there may be significant areas of dynamism and growth. Labour Members have made a political point tonight and seem to be conniving in a campaign mounted by the Thameside borough council to target north-western Conservative Members of Parliament. Therefore, I have to respond in kind by saying that if the Stockport idea, were to be adopted, in some of the Labour-controlled local authorities there would be grounds for more optimism about attracting more business for existing firms within those localities.

Mr. Tony Lloyd (Stretford) *rose*——

Mr. Butcher: If the hon. Gentleman had come in earlier, we might have been able to come to an arrangement, but I have much information to respond to, and there have been two contributions from the Labour Benches.

I shall look particularly at the issue of the great divide as it has been described by a report published and put together by the Tameside district council. I believe that I am quoting accurately the leader of that council, Councillor Oldham, as he in turn was reported in the *Ashton-under-Lyne Reporter* on 17 April, as follows:

"'This Government, aided by people such as our own North West Tory MPs, has damaged the fabric of the North to a greater degree than the South.'"

To a certain extent that tends to give the game away, that that report is mainly a propaganda exercise. It seems to be short on economics and long on politics. The leader of the council was further quoted in the newspaper as follows:

"'Places like Tameside have ratepayers who are suffering as a result of this. If we can stop it, and expose it, it will be to their benefit, because they will pick up the extra cash and support that is due to them'"

That is very cynical nonsense. If we look at the record, we find that, for example with block grants, the rate support grant system does much to compensate the differences in wealth and social problems between the north and the south. If block grant were paid on rate bills, some £3 billion would go to the north—in this case including the east and west midlands—and £5·5 billion to the south. However, it is distributed to compensate areas with lower rateable resources and higher incidence of needs. In practice nearly £5 billion goes to the north.

Similarly, when we talk of doing down the ratepayer, we should look carefully at the Tameside record. It did not do too badly out of the 1985-86 rate support grant settlement. While it gained only a 1 per cent. increase in its spending target, its block grant entitlement for keeping to target this year—about £47 million—was slightly more than it received in 1984-85. However, the council has decided to overspend its target by 3·3 per cent. and will therefore suffer grant loss or penalty of about £5 million. As a consequence, the council had to increase the rates by 10 per cent. The rise could have been lower if Tameside had kept to the Government's guidelines. In so doing, it could have looked after the interests of the commercial and industrial ratepayers in the borough.

Even more spectacular than that, we have to note a figure that has been accepted in the past in recent debates. Since the general election in 1979, when this Administration first took power, some £2,700 million in industrial assistance has gone into the four regions that we can define as the north of Great Britain, in terms of the motion. That is an act of massive generosity by any stretch of the imagination. With block grants, there has been a similar and significant incidence of positive discrimination.

I notice that there was a reference in the report, "The Great Divide", to the discrepancy in Arts Council grants. If one takes out of the equation support for national arts companies such as the Royal Shakespeare Company, the Royal Opera House or the English National Opera, the highest per capita spend on regional arts associations is in the northern region. Northern Arts received 58·4p per head of population, whereas the Southern Arts Association received 20·9p. When we discuss such an issue, if it is seen to be relevant to the report published by the council, surely we can get our facts right. I am afraid that the basis of the Tameside borough council report is spurious, but I am grateful to it for kicking off a debate on reasons for discrepancies and differentials in performance between the regions.

The Question having been proposed after Ten o'clock and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at three minutes past One o'clock.

House of Commons

Tuesday 14 May 1985

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

SOCIAL SERVICES

Ethnic Minority Groups

1. **Mr. Deakins** asked the Secretary of State for Social rvices if he will ask the Social Services Inspectorate to estigate the provision of social services to members of nic minority groups.

The Minister for Health (Mr. Kenneth Clarke): The cial Services Inspectorate is continuing the work on this ject already started by the former Social Work Service. have sponsored research, disseminated the results of t research, and held seminars with staff of social vices departments on this subject. The inspectorate's gramme of work outside our formal powers will be ided shortly by a joint steering group of representatives our Department and local authority associations. I will ure that the needs of ethnic minorities will be discussed en that programme is being decided.

Mr. Deakins: As this is a very important topic, ecially for those hon. Members who live in areas with stantial ethnic minority populations with special blems of language, culture and age structure, will the nister bear in mind the long-term need for a special elopment group in his Department to co-ordinate gress and research in that area and perhaps provide rmation and advice to local authorities with these blems?

Mr. Clarke: I am not sure about the hon. Gentleman's posal, but I will consider the matter. A great deal of earch is being carried out, and the results are being seminated among local authorities. I agree, however, t there is some evidence that ethnic minorities have less ess to social services than the bulk of the population. n sure that everyone would wish to address themselves hat problem.

Mr. Terlezki: I appreciate that we should consider the nic minorities, but may I say that, as a member of an nic minority, I sincerely hope that we shall not be ted any differently from or better than anyone else?

Mr. Clarke: The main purpose of social services work o aim at the needs of deprived people, of whatever ial origin. However, we must consider the special blems of particular sections, and we are doing so.

Mr. Janner: When considering the connection ween ethnic minorities and social services, will the nister take the opportunity to pay tribute to the members of the Asian minority for the way in which they not only look after their own elderly people but serve the elderly of the rest of the community? Without them, we could not keep open the old people's homes in areas such as Leicester.

Mr. Clarke: I quite agree. One reason why the Asian community makes so little call on the work of the social services departments is its excellent record of caring for its own old people in a wide family network. However, even among the Asian community, social patterns are changing. We must ensure that we do not over-rely on that aspect of the Asian community, with the result of neglect.

Mr. Budgen: May I remind my right hon. and learned Friend that the ethnic minorities have already been damaged by the Department of the Environment's policy of reverse discrimination in the granting of various forms of financial aid? If my right hon. and learned Friend's Department now adds a policy of reverse discrimination in the social services, the ethnic minorities will be severely damaged because they will come to be deeply resented by the white majority.

Mr. Clarke: I take my hon. Friend's point. We have to make sure that we give sensible assistance to local authorities to help them to deal with the problems of ethnic minorities. We are researching into the problems of aging and of the under-fives in ethnic communities, and so on, and we are trying to develop a sensible pattern of provision that will not unintentionally damage the interests of those ethnic minorities.

Ms. Harman: Does the right hon. and learned Gentleman recognise that there is some evidence that members of ethnic minority groups do not have equal access to services? Would it not be helpful for local authorities which are attempting to provide services for all those who need them to have a development group set up to advise them? Will the Minister ensure that such a development group, if set up, has enough money to do the job, that it starts soon, and that the Government provide the finance to ensure that the proposals that it makes are carried out?

Mr. Clarke: Access to services must be based on need rather than on statistics, as the hon. Lady will agree. We have sent to all local authorities works such as that by Juliette Cheatham, entitled "Social Work Services for Ethnic Minorities in Britain and the United States". So long as her approach is applied sensibly, we can add to the work of social services departments. We must beware of some of the pressures from so-called anti-racist groups, which probably do more harm than good.

Mr. Meadowcroft: Is it the Minister's opinion that the recruitment of social workers from the ethnic minorities is both culturally and linguistically useful? Will he encourage such recruitment?

Mr. Clarke: Yes, Sir.

Chief Executive Officers

2. **Mr. Hirst** asked the Secretary of State for Social Services how many health authorities have so far appointed chief executive officers in pursuit of the recommendations of the Griffiths committee; and if he will make a statement.

The Secretary of State for Social Services (Mr. Norman Fowler): The appointment of regional general managers is almost complete. Thirteen have been appointed, and the remaining post has been advertised. Good progress is also being made in appointing district general managers. One hundred and sixty-five district health authorities out of a total of 191, and six out of eight special health authorities, have now appointed general managers.

Mr. Hirst: Will my right hon. Friend bear in mind the importance of chief executive officers in the proper and efficient disposition of human and physical resources in the Health Service? Is he satisfied, from the appointments made, that the salary scales are sufficient to attract applicants of the necessary calibre?

Mr. Fowler: Yes, they are. Of the total that I have just given, about 30 have been attracted from outside the Health Service.

Mrs. Renée Short: Is the Secretary of State aware that I have considerable sympathy with general managers who have been appointed, especially those who were in similar posts before the Griffiths report was introduced? They face two major problems: first, the considerable reduction in the number of hospital beds since 1979; and, secondly, the transfer of resources from the Health Service, for which they are responsible, to local authority services for the care in the community policy.

Mr. Fowler: The hon. Lady will agree that improving the management process inside the Health Service will help with those problems, as with all others. The reforms that we have made in that area are some of the most important that have been made during the past 10 years.

Mr. Hickmet: Is my right hon. Friend aware that his Department refused to sanction the appointment of the chief executive to Scunthorpe district, and that that has caused anxiety to the health authority there? Will he look at the matter again? Will he not refuse to sanction such an appointment because the terms and conditions of service, for example, may not be in line with what some of his departmental officials believe is right?

Mr. Fowler: We are recognising the terms of service of that appointment. The Department and I would be much more open to criticism if we rubber-stamped every proposal from health authorities.

Mr. Pavitt: When did the Secretary of State last discuss the Griffiths appointments with Mr. Trevor Clay and the Royal College of Nursing? Has he taken into account the fact that the only paramedical workers in the National Health Service, on whom his Department spent millions of pounds on training management, are nurses? Will he alter his present policy, under which too few nurses are being appointed as managers?

Mr. Fowler: I am entirely happy to talk to Mr. Trevor Clay about that situation. Indeed, I have in the past talked to him about it, but I am content to talk about it again.

I entirely agree with the hon. Gentleman's second point. I should like to see more nurses appearing in management jobs, because the potential of nurses in the Health Service is one of its underused strengths.

Housing Problems

3. **Mr. Sedgemore** asked the Secretary of State for Social Services what assessment he has made of the effect of housing problems on the demand for social services.

The Parliamentary Under-Secretary of State for Health and Social Security (Mr. John Patten): There may be important connections between housing conditions and demands on the personal social services, but research has not so far established and quantified the various relationships.

Mr. Sedgemore: As bad housing is causing outbreaks of dysentery in some parts of the country, and in Hackney is placing such a strain on the health and social services departments that people are dying before their time, will the Minister plead with his right hon. Friend the Secretary of State for the Environment to restore the cuts in the capital housing programme to prevent poisonous and deadly consequences?

Mr. Patten: I am sorry that the hon. Gentleman should speak in such extravagant terms about the connection between dysentery and housing conditions and spread unnecessary alarm. I understand that there is anxiety in Hackney about housing conditions, and that the director of social services has produced an interesting report suggesting some connection between bad housing and the demands on social services. I ask the hon. Gentleman to produce some real results and statistics rather than unfounded general allegations.

Mr. Kennedy: When taking note of the relationship between demands on social services and housing conditions, will the Minister use all the means at his and his right hon. Friend's disposal to ensure that the Department of the Environment ploughs money into the housing programme at a time when the care in the community programme will offload more mentally ill people, in a welcome sense, back into the community? Does he agree that they will need housing and special services to achieve the objective of the programme?

Mr. Patten: Bad and inadequate housing conditions are taken into account when the personal social services element of the grant-related expenditure assessment is calculated.

Secondhand Cookers (Supplementary Benefit)

4. **Mr. Loyden** asked the Secretary of State for Social Services what is the policy of his Department on the provision of secondhand cookers to people on supplementary benefit.

The Parliamentary Under-Secretary of State for Health and Social Security (Mr. Ray Whitney): Single payments of supplementary benefit for cookers are intended to meet the cost of reconditioned items, if these are available, and of new items if they are not.

Mr. Loyden: Is the Minister aware that many of the cookers that people in receipt of social security are compelled to buy because of the price limit are dangerous and inefficient? Is he further aware that recently one of my constituents bought a cooker which subsequently exploded while her four children were in the house? Does he agree that it is about time that this matter was considered? Simply because people are in receipt of social security, they should not be put at risk in that way.

Mr. Whitney: I am aware of the case to which the hon. Gentleman referred, and I have called for a further report from the Garston local office about that incident. On the hon. Gentleman's general question, I should say that the guide set by local officers for such cookers allows for the purchase of safely reconditioned cookers and for proper safety standards in their installation.

Dr. Glyn: Does my hon. Friend agree that the important point is not only that the cooker is properly tested, but that its installation is tested?

Mr. Whitney: Of course, I agree with that. The allowances made under the single payments arrangements allow for such installation.

Mr. Meacher: Will the Minister confirm that single payments for items, such as cookers, for those on supplementary benefit—2 million of which were made last year at an average value of £77—will be axed under the Government's supplementary benefit review? The Government are already taking back £700 million a year from the unemployed through the taxation of unemployment benefit, have already ended the earnings-related supplement to unemployment benefit, which was worth £16 a week, and are now apparently demanding that the unemployed and those in receipt of supplementary benefit should pay one fifth of their rents and rates. How much further will this vendetta against the unemployed and those on supplementary benefit be taken?

Mr. Whitney: The hon. Gentleman must contain his impatience about the contents of the social security reviews until those reviews are published. I remind him that spending on the social security programme has increased in real terms by 28 per cent. since the Government came to office.

Nottinghamshire

5. **Mr. Ashton** asked the Secretary of State for Social Services if he will make a statement about personal social services in Nottinghamshire.

Mr. Kenneth Clarke: In Nottinghamshire, as with every other local authority having a social services department, the provision of personal social services is a matter for the local authority to decide, taking into account its statutory duties, local circumstances and its priorities.

Mr. Ashton: Exactly. Will the Minister take note of the local election results 10 days ago, when my constituents showed that they were delighted with what the Labour-controlled county council was doing for them? They voted on a basis that would have increased my majority from 3,000 to almost 11,000, and the Labour party would have won back three seats in the city of Nottingham and in Sherwood. Does the Minister accept that if he continues with his plans to remove earnings-related pensions, maternity grants and death grants, that trend will sweep the country and his party will be out of office?

Mr. Clarke: My recollection is that the net loss to the Labour party in Nottinghamshire in the local elections was about six seats. Matters may have been all right at the hon. Gentleman's end of the county, but the Labour party is now almost extinct at my end of the county, and it lost seats in Nottingham and in Gedling. There is no doubt that the social services in Nottinghamshire have greatly advanced during the past five or six years, despite the allegations of so-called Tory cuts. I hope that the electorate in Nottinghamshire will ensure that they get proper value for money from the increased expenditure that the county council is incurring.

Mr. Lester: Will my right hon. and learned Friend take note of the fact that in constituencies covered by the same county council we actually won seats back from Labour, so presumably the same criteria apply? Will my hon. Friend also take note of the extensive and worthwhile review by the Nottinghamshire social services committee on the position of the mentally ill? There is a great deal of concern that the community care policy, which both he and I support, should be carried out in the most intelligent and sensible way, and that there should be adequate provision by the social services in Nottinghamshire for those who would be better off in community care than in institutions.

Mr. Clarke: I accept what my hon. Friend says. There is considerable commitment to the idea of moving over to a community-based service in Nottinghamshire. It is vital to have the right level of community services in place as the patients are transferred from hospitals, and that will require a high level of co-operation between the health authority and the county council. We have to ensure that that co-operation is forthcoming, regardless of political control, over the next two or three years.

Mr. Alexander: I point out to my right hon. and learned Friend and to the hon. Member for Bassetlaw (Mr. Ashton) that more than three quarters of the spending on social services in Nottinghamshire goes on wages for its employees. I remind him that for one administrator——

Mr. Speaker: Order. The hon. Gentleman should be asking questions of the Minister.

Mr. Alexander: Is my right hon. and learned Friend aware that in Nottinghamshire the social services are spending the money for one administrator per 1,995 people, whereas in the rest of the country the figure is one administrator for nearly 1,000 people more?

Mr. Clarke: The background in Nottinghamshire is not one of cuts. In the past five years, spending on social services has gone up by one quarter over the rise in prices. Nottinghamshire, rather more than most shire counties, has to ensure at least that amount of added service and value to the community. Administrative costs are high there compared with most other Conservative-controlled county councils.

Children in Care

6. **Mr. John Fraser** asked the Secretary of State for Social Services what steps he is taking to reduce the number of children in care.

Mr. John Patten: I am glad that the number of children in local authority care has been decreasing. We support the growing emphasis on preventive measures in child care. It is for local authorities to provide services for children in need, so as to keep them with their families or, in the interests of the children, to provide alternative arrangements for their care.

Mr. Fraser: Will the Minister take steps to amend section 1 of the Child Care Act 1980 to enable local

authorities to spend money on preventing children from going into care as well as spending resources to get them out of care? Secondly, as the number of children in care is often concentrated in the areas of greatest deprivation, will he in future disregard, for rate support grant penalty purposes, the money that local authorities, such as Lambeth and Southwark, spend in keeping children out of care instead of penalising those authorities for spending money in that way?

Mr. Patten: Matters relating to rate support grant penalties are for my right hon. Friend the Secretary of State for the Environment, and not for me or my right hon. Friend the Secretary of State for Social Services. However, the hon. Gentleman raises a serious point, and I know that he means it seriously. The provisions under section 1 of the Child Care Act 1980 are very important. Some councils use them in such a way as to aid preventative measures, and social workers do a very good job by and large in preventing children going into care. We are adding our contribution by doing more to get children out of care. Yesterday, we announced the bringing into force of the provisions of custodianship from 1 December this year, and we are seeking to introduce a new and better system of review of the cases of children in care so that they will be brought out of care as soon as possible and put into a proper family environment where possible.

Mr. Pawsey: Will my hon. Friend confirm that the best place to bring up children is in the family? Will he remind the House of the actions that his Department has taken over the past five years and what it proposes to do in future to ensure that more children remain in the family?

Mr. Patten: Above all else, we want as soon as possible to get out of care as many children as we can from among the 85,000 children in care at the moment—and that is a fall from 100,000 five years ago. That is why we introduced the custodianship provisions of the Children Act 1975. That is why we are seeking, through regular and better reviews of children in care, to get them out of care and into foster homes, homes that provide custodianship or adopted homes, as soon as possible.

Basildon Hospital

7. **Mr. Amess** asked the Secretary of State for Social Services how many people were waiting for urgent operations at Basildon hospital in each of the last five years.

Mr. John Patten: On 31 December 1984 the provisional inpatient waiting list total for all surgical specialties in Basildon hospital was 1,720. The corresponding figures for the years 1980 to 1983 were 2,194, 3,190, 2,100 and 1,891, respectively, the figure for 1982 reflecting the effects of the unfortunate National Health Service industrial action in that year. It is not known centrally how many of these were urgent cases.

Mr. Amess: Will my hon. Friend join me in condemning the alarmist and highly irresponsible remarks of one or two of the Opposition Front Bench spokesmen when they visited Essex, and Basildon in particular, and take this opportunity to put the record straight by praising our local health service?

Mr. Patten: I think that my hon. Friend must be referring to the hon. Members for Holborn and St. Pancras (Mr. Dobson) and for Peckham (Ms. Harman) who have got hold of a set of totally incorrect and fallacious figures and have used them to knock the National Health Service, in particular the National Health Service in Basildon, which has a splendid record of increased numbers of operations and, best of all, has brought about since 1979 a radical reduction in the number of people on waiting lists for over a month.

Mr. Dobson: As the Minister says that his Department does not hold figures centrally relating to those on urgent waiting lists in Basildon, perhaps he will explain to me why I am in possession of a document headed "Form SBH 203, Dept of Health and Social Security", which records that on 30 September 1984 no fewer than 436 inhabitants of Basildon and Thurrock were awaiting urgent operations and that no fewer than 279 of them had been waiting for more than a month for urgent treatment.

Mr. Patten: I do not know where the hon. Gentleman gets his figures from and in which brown envelopes the figures were delivered to him. What I do know is that the waiting lists in the Basildon area are decreasing, that waiting times are coming down fast and that the standard of health care has improved radically in the last five years.

Privatisation

8. **Mr. Campbell-Savours** asked the Secretary of State for Social Services what estimates he has made about the effect on the budgets of regional health authorities of the introduction of privatisation.

Mr. Kenneth Clarke: None, Sir. All savings derived from competitive tendering will be retained by health authorities and used to improve their services to patients.

Mr. Campbell-Savours: Are not all of those savings being made on the backs of National Health Service workers by cutting their wages? Is it not immoral for the Minister to instruct the West Cumbria district health authority to vary its standing orders in such a way as to secure wage cuts? Is he aware that many members of that district health authority believe that such action is morally indefensible and that it simply cannot be done by means of a resolution?

Mr. Clarke: The savings are being made by better management of the services and by reducing costs to an acceptable level. Failure to do that can only be at the expense of patients and patient services. I understand that West Cumbria has made a commendable proposal, whereby its in-house service will save about £100,000 each year. That is a good bid, which should be compared with what reputable contractors can make in order to examine whether greater savings can be made. Other health authorities are saving almost £500,000, or more, on their services, and that is £500,000 that can be spent extremely well by the health authorities concerned.

Mrs. Jill Knight: Is it not the case that private contractors usually effect savings of about 20 per cent. by means of greater productivity and increased efficiency, which surely must mean that more money is available to be spent on patients? Will my right hon. and learned Friend therefore resist those who seek to let expensive sleeping dogs lie and instead continue to pursue his present policies?

Mr. Clarke: I shall certainly take my hon. Friend's sensible advice. It is pointless deliberately to put up the

cost of cleaning, cooking and laundry at the expense of patient services. Despite all the controversy about a number of contracts, there are hospitals that have found a marked improvement in the standard of those services when they have gone out to good and reputable contractors.

Mr. Tony Lloyd: Is the Minister aware that the North-West regional health authority recently wrote to the Trafford district health authority telling it that if it did not withdraw the fair wages clause in its privatisation contract it would not pass on to it some £70,000 which should have been made available for the elderly and severely mentally infirm and, more importantly, to deal with the drug abuse problem, a programme which the Government have been emphasising? This is clearly a case of blackmail. Will the Minister condemn that and tell the regional health authority to give that money to Trafford, or does he condone such an action?

Mr. Clarke: Off the cuff, I cannot remember the precise details of Trafford's proposed tender documents, but where the so-called fair wages clauses are being insisted upon they tend to involve a combination of pay terms and conditions, sickness benefit, holiday and pension entitlement, trade union rights and so on. That is an absurd attempt by health authorities to intervene in negotiations between private contractors in their areas and their employees. If a district health authority insists on proceeding on a wastrel basis, a regional health authority is entitled to consider whether that health authority should have the difference made up, usually at the expense of other districts in the same region, which carry out the policy sensibly.

Mr. Carter-Jones: Is the Minister aware that there is a disagreement about privatisation in Salford? Will he give a firm undertaking to the House that he will not be involved in any disproportionate cuts in the allocation to Salford as a result of that dispute?

Mr. Clarke: The hon. Gentleman may not be aware that the Salford district health authority has, I am glad to say, resolved to follow the Government's tendering policy. I am sure that the patients of Salford and the service there will benefit as a result.

Mr. Dickens: Are there not many hidden benefits from privatisation within the NHS? Is it not amazing how hospitals all over Britain have rushed to put their house in order in their laundries, kitchens, transport services and other areas because the very mention of privatisation has crystallised their thinking about efficiency within the Health Service in their desire to prove that they are as competitive as private enterprise, which, of course, they are not?

Mr. Clarke: The benefits are not that hidden. So far, savings of about £13 million have resulted from the tendering exercise, and that is being spent on patient services. But the process has only just begun and we expect substantial benefits to come to the NHS when all authorities have made proper progress in implementing the policy.

Mr. Meadowcroft: What co-ordination is there in the Department of Health and Social Security to ascertain the transfer costs of low-paid workers from one part of the DHSS to another? Is it not the case that there is no saving whatever simply because the cost of low-paid workers is transferred under social security either through family income supplement or unemployment benefit?

Mr. Clarke: A standard pattern is for most employees who already work for the in-house service to be taken on as employees by the contractor who wins the contract if it goes outside. If the hon. Gentleman is trying to say that somehow family income supplement claims wipe out the benefit to the Health Service, his mathematics are way out.

Mr. Meacher: Is the Minister aware that, whatever profits privatisation is producing, it is also worsening standards of care in the NHS? Is he aware that a hip operation on a woman in her sixties had to be cancelled last month at Addenbrooke's, Cambridge, when blood and bone was found on the floor because the private contractors, Office Cleaning Services, failed to clean the theatre after the previous day's operation, and that such examples are frequent? How does he justify the fact that the level of cross-infection in hospitals has now reached the record level of 9 per cent., which it has never been anywhere near before, and is undoubtedly due partly to the squalid standards of much privatised cleaning?

Mr. Clarke: A great deal of scandalous propaganda is going on in support of vested interests, largely in the trade union labour movement, which wishes to keep cleaning costs up. The example that the hon. Gentleman quotes is entirely untrue in the way that he has given it. The blood and bone dust found at Addenbrooke's was found in a part of the hospital not included in the specifications of the outside cleaners. A great deal has been made of it, when in fact the fault cannot be laid at the door of the outside contractors. There is no intrinsic reason why the service should be better whether the employees are employed in-house or by a contractor. It does not make any difference to the standard of service whether they are in the union or not. What matters is good management to produce a cost-effective service of the right standards. Many health authorities find it easier to get the standards of outside contractors improved than to cope with the low standards of some in-house cleaners, when bad management over the years has allowed standards to decline.

Nursery School Places

9. **Mr. Barron** asked the Secretary of State for Social Services what plans he has to increase the number of places available in public sector day nurseries for children aged under five years.

Mr. John Patten: This is a matter for local authorities.

Mr. Barron: Is it not right to say that the Minister's own Department feels it necessary to put £2 million a year until 1986 into voluntary bodies, while at the same time the Secretary of State for the Environment is attacking the public sector and it is very likely that there will be no increase in day nursery places, either full or part-time, if he does not stop this attack on the public sector by attacking the rate support grant?

Mr. Patten: The hon. Gentleman's question presupposes that most people think that day nurseries are the best form of help and care for under-fives. That is not the case with a great many authorities. Indeed, the Select Committee on Social Services said

"it is expensive and unwieldy to provide unlimited facilities of day care."

What we need is a mixed economy of care for the under-fives, including an increased number of places with child minders and an increased number of places in play groups. All of this must be supported and underpinned by the excellent under-fives initiative to which the hon. Gentleman has already referred.

Mr. Jessel: Are not day nurseries of great value in giving children a sense of security? Is it not an unkind and needless act for the Richmond upon Thames borough council to threaten to throw out 38 Vietnamese boat orphans at present in the care of the Save the Children fund at Hampton Court house? Will my hon. Friend repeat the offer that he has already made, in view of the fact that the sale of the house has been advertised in the latest number of *Country Life*, to provide not only for the maintenance of the children but for the payment of a fair rent to the borough council?

Mr. Patten: I am deeply concerned about the welfare of the children. There have been suggestions that Richmond upon Thames borough council, which I understand is under Liberal party control, is more interested in making money than in the welfare of the children. I do not know whether these allegations are true, but Liberal-controlled Richmond upon Thames borough council has a fine opportunity now to demonstrate that it does have those children's interests at heart.

Supplementary Benefit (Review)

10. **Dr. McDonald** asked the Secretary of State for Social Services when he now expects to announce the results of his review of supplementary benefit; and if he will make a statement.

16. **Mr. Roy Hughes** asked the Secretary of State for Social Services if the review of the social security system has now been completed; and if he will make a statement.

17. **Mr. Redmond** asked the Secretary of State for Social Services when he now expects to announce the results of his review of housing benefit; and if he will make a statement.

18. **Mr. Allan Roberts** asked the Secretary of State for Social Services if he will now publish the evidence submitted to his review committees; and if he will make a statement.

Mr. Fowler: The Government's proposals on social security will be published in a Green Paper after Whitsun. Over 4,500 written pieces of evidence were received. Those who submitted evidence are free to publish it and many have done so.

Dr. McDonald: Does the Secretary of State agree that the phasing out of the state earnings-related pension scheme will mean that more pensioners in the future will have to rely on supplementary benefit and that both workers and employers will have to pay higher national insurance contributions for workers to get far less by way of pensions in the future? Does he further agree that the Prime Minister has moved on from being the milk snatcher to being the pension snatcher?

Mr. Fowler: No, I think that that is a pretty silly statement, even by the hon. Lady's standards. The House will have to wait for the proposals. I am entirely content to be judged on the proposals in the Green Paper, but I am not prepared to be judged on half-baked scare stories put forward by the Opposition. Whatever changes are made, the proposals do not affect the basic pensions, and our position on that is clear. The basic pension has increased by 84 per cent. compared to a 77 per cent. rise in prices, and we remain absolutely committed to the pensioners of the country.

Mr. Hughes: Is not the much-heralded campaign to scrap the earnings-related pension scheme yet another attempt to cut public expenditure so as to give further tax handouts to the rich, irrespective of the fact that 11 million contributors could lose their pension rights and that many thousands more could be living in poverty at the turn of the century?

Mr. Fowler: I certainly do not accept the last part of the hon. Gentleman's comments, and nor will he when he sees the proposals. It would be utterly irresponsible of any Government not to look forward and make some judgment about the costs that the country will have to meet.

Mr. Roberts: Instead of devising ways to take money from those in our community least able to support themselves and instead of devising ways to scrap housing benefits for millions of people, why does the Minister not consider in his review ways to help those in most need? For example, why does he not extend to the elderly living in public sector housing the right to live rent-free in the way that owner-occupiers, having received, quite rightly, income tax relief on their mortgages, live mortgage-free after 25 or 30 years of subsidy?

Mr. Fowler: One of the aims of the social security review—and I think that there is no difference between the two sides on this—is to have an overall look at social security provision. Another aim is to seek to simplify the system, and again I think that there is a consensus on that. A third aim is to make the best use of available resources and to channel them to those most in need. That is the right way to proceed, which is why the Government set up the review.

Dr. Mawhinney: Does my right hon. Friend accept that many of us are eagerly looking forward to his review, in the confident expectation that it will fully protect the standard of living of those of our fellow citizens who are genuinely in need?

Mr. Fowler: Yes, and that will be one of the standards which my hon. Friend and the country will want to apply to the proposals when they are set out. There appears to be total agreement that the social security system must be reviewed. The Government are doing that, while other Governments have funked it.

Mr. Eggar: Have not our society and the needs of our citizens changed during the past 40 years? Would we not be failing in our duty if we did not take this opportunity to review the system?

Mr. Fowler: My hon. Friend is absolutely right. It is clear that need, and the definition of need, have also changed. One of the areas that gives me most cause for concern is that of families with children, where there is undoubted need. We must have a modern social security system, which is why the Government are putting forward a Green Paper. The public will then know what the issues are.

Mrs. Beckett: Since extending private pension cover to those covered by the state earnings-related pension scheme seems likely to cost about £3 million to £6 million in tax reliefs alone, can the Secretary of State tell us how soon we can expect the Chancellor to renege on his commitment not to change tax reliefs for occupational pensions, as thoroughly as the Secretary of State and the Prime Minister have reneged on their commitments to pensioners?

Mr. Fowler: There are no plans to change the tax relief on occupational pensions. The biggest deceit is to make the promises that the hon. Member for Oldham, West (Mr. Meacher) does, when he knows perfectly well that they cannot be fulfilled. The biggest swindle of pensioners was carried out in 1976 by the last Labour Government when they changed the basis of uprating and saved £1,200 million. That is what the Opposition did when they were in government.

Mr. Forman: When announcing his reforms in his statement after the recess, will my right hon. Friend be careful to leave open the possibility of moving towards an integrated tax benefit system as one of the longer term consequences of his proposals?

Mr. Fowler: It is an important aspect of the study, and the debate which will follow it, to consider the relationship between the social security system and the tax system. I am conscious of that, as is my right hon. Friend the Chancellor.

Private Residential Care

11. **Mr. Boyes** asked the Secretary of State for Social Services when he will announce the membership of the team to review private residential care for the elderly.

13. **Ms. Harman** asked the Secretary of State for Social Services what has been the percentage increase from 1979 to the latest available date of the number of private, not voluntary, residential care homes for the elderly.

Mr. John Patten: I assume the hon. Member for Houghton and Washington (Mr. Boyes) is referring to the proposal that has been put forward by the Social Care Association for a general review of residential care, which would not be confined to the private sector nor to the care of the elderly alone. We are currently consulting the local authority associations about this proposal, and I shall be meeting them later this week. As far as the number of private homes for elderly and disabled people is concerned, these have increased by 99·3 per cent. between 31 March 1979 and 31 March 1984.

Mr. Boyes: During the discussions, will the Minister take into consideration the fact that in the newly introduced regulations on board and lodging for people living in the voluntary sector the allowance is far too low? I understand that the Leonard Cheshire Homes, for example, have to raise over £1 million to carry on their services. Is not this attack on the elderly and disabled another example of the Government's hit and run philosophy?

Mr. Patten: It is no attack whatever on the elderly and disabled. My hon. Friend the Minister for Social Security has the issue under active consideration.

Ms. Harman: Is not the boom in private profit-making old people's homes being largely subsidised by the Department of Health and Social Security? Would not public money be better spent on allowing local councils to provide meals on wheels and home helps to enable people to stay in their own homes rather than on subsidising institutionalisation in private homes?

Mr. Patten: The private sector has an important part to play. We are also concerned about the public sector. The hon. Lady will be aware from the position in her own constituency, at Nye Bevan lodge old people's home, that there seems to be a substantial cover-up by Southwark borough council, which is not making information available to Opposition members of its social services committee. I believe that the hon. Lady is very keen on the disclosure of information. I hope that she will join me in pressing Southwark council to make all the information available.

PRIME MINISTER

Engagements

Q1. **Dr. McDonald** asked the Prime Minister if she will list her official engagements for Tuesday 14 May.

The Prime Minister (Mrs. Margaret Thatcher): This morning I had meetings with ministerial colleagues and others, including one with the President of the Cameroon. In addition to my duties in the House I shall be having further meetings later today. This evening I hope to have an audience of Her Majesty the Queen.

Dr. McDonald: Does the Prime Minister repudiate the views of ex-Cabinet Ministers in her own party that the Government should intervene directly in industry to create jobs and that the Chancellor's cherished tax cuts are becoming a victim of his own economic strategy?

The Prime Minister: As the hon. Lady is aware, the Chancellor's tax cuts, indicated in the Budget recently, will take effect this month. I do not think that the hon. Lady will oppose them. With regard to what has been said by former members of my Cabinet, I heartily agree with the comments on the Labour party:

"Labour is riddled with anti-democratic elements and saddled with policy commitments that would undo most of the good of the past six years."

I am grateful for the support of my right hon. Friend who made that comment.

Mr. Moynihan: In view of the succession of Conservative swings in the last three council by-elections in Lewisham, East, culminating in the outstanding victory last Thursday in a once safe Labour ward, does my right hon. Friend agree that their Lordships would be wise to listen to the views of those in Lewisham rather than pay attention to the redundant and ill-informed propaganda above County Hall, behind the far Left of this Chamber?

The Prime Minister: I heartily congratulate my hon. Friend on the excellent election result in Lewisham. It is an absolute confirmation of the wisdom of rate capping.

Mr. Kinnock: As we grieve with those who were most directly affected by the tragedy at Valley Parade on Saturday, may I ask the Prime Minister two questions of immediate relevance, on both of which immediate reassurance is required? First, will the Government ensure

that none of the bereaved or those who suffered grievous injury on Saturday will have to endure additional suffering if it becomes evident that Bradford City Association Football Club does not have sufficient insurance cover to meet all legitimate claims? Secondly, are the Government prepared to use part of the large revenues which they derive direct from football for the purpose of immediately undertaking an extensive programme of improvements to safety at public sports grounds?

The Prime Minister: The answer to the first part of the right hon. Gentleman's supplementary question is that it would be best if he allowed us time to look into all the financial matters first to see exactly how much is covered by insurance. Various disaster funds have been started. The answer to the second part is that I shall be seeing the chairman of the Football Trust tomorrow. The right hon. Gentleman will be aware that the situation is complicated, in that £7 million a year goes to the Football Trust from 20 per cent. of the turnover from "Spot the Ball" competitions. Half of that goes to the Football Ground Improvement Trust for ground improvements at Football League clubs. Last year, 1984, the Football Ground Improvement Trust accumulated £3·3 million in its bank balance because there had been insufficient extra demand from league clubs for improvements. That money was distributed, on the initiative of the Football League, as retrospective grant to those clubs that had already received grants from the trust. I have been inquiring into the finances. It would be best if we made a very thorough inquiry before jumping to any conclusions.

Mr. Kinnock: I trust that the inquiries will not merely be thorough — as I would expect them to be, and I certainly support the right hon. Lady's activity in that respect—but will also be urgent, because, both in terms of those who are now in deep anxiety and in terms of the implications for crowd safety, it is clearly necessary that effective action is taken as quickly as possible.

The Prime Minister: As I told the right hon. Gentleman, I shall be seeing Lord Aberdare tomorrow. I had intended to see him long before the tragedy last Saturday; that makes it all the more urgent.

Mr. Lawrence: Does my right hon. Friend agree that the remarks attributed in the Falklands to Labour's Front Bench spokesman on foreign affairs will have left the Falkland Islanders in no doubt that Labour has not the faintest interest in protecting their rights?

The Prime Minister: Yes, Mr. Speaker — *[Interruption.]* Those remarks must have been deeply wounding and we on these Benches reject them absolutely.

Q2. **Mrs. Peacock** asked the Prime Minister if she will list her official engagements for Tuesday 14 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mrs. Peacock: Will my right hon. Friend today extend congratulations to those involved in the building of the Falkland Islands airport? Nowhere else in the world has a project of this nature been achieved under such difficult conditions in such a short time. Does my right hon. Friend agree that it is evidence of British industry and the British work force at their very best?

The Prime Minister: Yes, I gladly join my hon. Friend in congratulating all of those concerned in the building of the airstrip—*[Interruption.]*—and I should have thought that Labour Members would have been more generous-minded and would have wished to congratulate the work force, which achieved the building of that airstrip in 16 months from the date of its being started — a truly brilliant achievement.

Q3. **Mr. Dixon** asked the Prime Minister if she will list her official engagements for Tuesday 14 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Dixon: During the right hon. Lady's busy day, will she reflect on the fact that since she first came to power in 1979 the last shiprepair yard in my constituency has closed, the last shipbuilding yard in my constituency has been put in mothballs, the last pit in my constituency has been closed, the last steelworks in my constituency is to be phased out at the end of this year and that MacGregor has just announced that the Whitburn workshops in my constituency will be closed? — *[Interruption.]* If some Conservative Members would stop shedding crocodile tears about unemployment, we might get somewhere.

Is the Prime Minister aware that in my constituency one in three men are unemployed and that of those 40 per cent. have been unemployed for more than 12 months? *[Interruption.]* This is no laughing matter and if some Conservative Members tasted unemployment, they would not be so niggly and sniggly about it. Is the right hon. Lady further aware——

Mr. Speaker: Order. The hon. Member is taking a long time over his supplementary question.

Mr. Dixon: Some of the hooligans on the Government Benches should be called to order, Mr. Speaker, rather than me, because we are talking about men and women who are anxious to earn a living. Will the Prime Minister speak to the Secretary of State for the Environment—bearing in mind the devastation that Conservative policies have caused to my area—and tell him to redesignate the area from a programme authority to a partnership authority?

The Prime Minister: I shall of course speak to my right hon. Friend. May I point out to the hon. Gentleman that he knows some of the answers to some of the problems? In shipbuilding, there is a surplus of world capacity. We cannot go on keeping a surplus capacity here. We cannot compete, even with the generous subsidies that have been given to shipbuilding. In steel, he will be aware that his Government also had to close surplus steel plants. As for coal, he will be aware that if we want a successful coal industry we must concentrate on the pits of the future. No Government have put greater investment into the coal industry than this one.

Mr. Conway: Will my right hon. Friend take time today to study the latest CBI report about a 50 per cent. reduction in the number of strikes? Will she consider ways of promoting such an achievement by this Administration, in order to encourage not so much the Centre Forward but those of us who play left back?

The Prime Minister: I saw the report. I believe that it is partly due to the legislation passed by this Government to give each and every person in trade unions the right to a secret ballot, first, to elect their own officers and,

secondly, to reach a decision about whether there should be a strike if the union is to keep its protection and immunities.

Mr. Steel: Does the Prime Minister recall telling the House a fortnight ago in answer to a question from me that the matter of planning permission for the Palumbo tower was not for her but for the Secretary of State for the Environment? If that is the case, will she confirm press reports that she was round at the Department of the Environment the next morning looking at the planning application? If so, what was she doing there, and what is her attitude to the application?

The Prime Minister: Yes, Mr. Speaker. That visit had been arranged long before the right hon. Gentleman asked his question. Of course I went round and looked at the model. The decision was, and is, for my right hon. Friend the Secretary of State for the Environment, and I hope that he will be making it shortly. I hope that the right hon. Gentleman realises that it is not unknown for a Prime Minister to visit a Department to see exactly what the problem is.

Mr. Gerald Howarth: Has my right hon. Friend noted the apparent Damascene conversion of the Labour party with its decision to allow council house tenants to buy their own homes? Does she agree that, while there may be greater joy in Heaven over the one sinner that repenteth, council house tenants should remember that it was the Tory party which gave them that right?

The Prime Minister: Yes, Mr. Speaker. But I note that the Labour party's conversion is far from complete. I understand that it has left it to Left-wing authorities to opt out. I can, therefore, hardly say that the Labour party has been converted. I should be more likely to say that it was shown in its true colours when it fought the Bill line by line during its passage through the House. Those who own their council houses owe that to the Government's courage and determination.

Q4. **Mr. McKay** asked the Prime Minister if she will list her official engagements for Tuesday 14 May 1985.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. McKay: Will the Prime Minister note that tomorrow is the launch of the coalfields community campaign? [HON. MEMBERS: "What is that?"] I regret that that remark shows the opposition's ignorance. *[Interruption.]* It shows the ignorance of Conservative Members about organisations, led by many eminent people in the House and outside, representing over 11 million people who are worried by the Government's policies on colliery closures, which have raised unemployment figures to 18 and 20 per cent. in those areas. Will she send a message of congratulations to that campaign and insist that collieries do not close, except for economic reasons, unless there are replacement jobs?

The Prime Minister: No, Mr. Speaker. The hon. Gentleman is fully aware that he is asking for management to opt out of its responsibilities to manage and for unlimited amounts of subsidy from the taxpayer. He is well aware that this Government have poured more investment into the coal mines of the future than any other. He is also aware that there were more colliery closures under Labour than under the Conservatives.

Mr. Colvin: With regard to the earlier question from the hon. Member for Jarrow (Mr. Dixon), will my right hon. Friend find time today to refresh her memory on what was known as the King's Lynn scheme whereby 100 jobs and 100 houses were offered to unemployed workers in Jarrow? Does she recall that only 36 people applied for those jobs and that, at the end of one year, only 15 remained in King's Lynn? Will my right hon. Friend consider getting in touch with my right hon. Friend the Secretary of State for Trade and Industry and asking him to send a load of bikes to Jarrow?

The Prime Minister: I think that we would all wish that we could bring more jobs to people. As my hon. Friend knows, that can be done only if more people are prepared to start up businesses and more goods are sold in this country and overseas. That means good design and good salesmanship. There is no other answer.

Q5. **Mr. Frank Cook** asked the Prime Minister if she will list her official engagements for Tuesday 14 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Cook: Will the Prime Minister take time this afternoon to ponder on the fact that, during Prime Minister's Question Time last Thursday — [HON. MEMBERS: "Reading".] I am not reading. I am prepared to let hon. Members see the document. Will the right hon. Lady ponder on the fact that, in response to a question from her colleague the hon. Member for Langbaurgh (Mr. Holt), she allowed herself to be misled, that in doing so she misled the House and that, in her anxiety to malign the honourable and dedicated teaching profession, she misrepresented the facts relating to the Endeavour school in Middlesbrough? Will the right hon. Lady agree this afternoon to accept a copy of a letter setting out the truth, which was written by a constituent of mine who is a member of the staff at that school? Having had that letter checked, will she have the decency and courage to return to the Chamber and admit that, yet again, she has got it wrong and apologise not only to the teaching profession but to the staff of a very dedicated establishment?

The Prime Minister: Of course I will receive that letter. I believe that the hon. Gentleman is referring to a question about a school where supervision at a meal times had been withdrawn. I understood that that school was in the constituency of my hon. Friend the Member for Langbaurgh (Mr. Holt) and that he was well aware of the matter. If I am wrong, I apologise. But I wish to see the facts.

Mr. Bell: On a point of order Mr. Speaker. We often consider the question of the Prime Minister's accountability to the House of Commons. Question Time is a treasured opportunity for Back Benchers to render that accountability real. Is it not important, Mr. Speaker, to remind the House that questions to the Prime Minister should be related to her executive responsibility and not to statements made by members of the Labour party and to matters that have nothing to do with her executive responsibility?

Mr. Speaker: I think that I was in error in not pulling up the hon. and learned Member for Burton (Mr. Lawrence). Of course questions to the Prime Minister must be about her responsibility.

Mr. Skinner: On a point of order, Mr. Speaker. Did you receive any nods or winks during Prime Minister's Question Time from members of the Centre Forward team? It has come to my notice that one of the members of the Centre Forward team—the right hon. Member for Chesham and Amersham (Sir I. Gilmour)—looks as though he was tripped up by a dirty centre half. His arm is in plaster.

Mr. Speaker: I am sure that we all commiserate with the right hon. Member for Chesham and Amersham (Sir I. Gilmour). I do not always read the newspapers, so I do not know what the hon. Member for Bolsover (Mr. Skinner) is talking about.

Mr. Tom Clarke: On a point of order, Mr. Speaker, arising from questions to the Prime Minister. You will recall that the hon. and learned Member for Burton (Mr. Lawrence) asked a question that referred to my hon. Friend the Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes). I ask you, in the interests of fair play, to ensure that my hon. Friend is given the opportunity to give his account of recent events, in view of the fact that not all statements in recent months and years on the Falklands have been shown to be entirely accurate.

Mr. Speaker: The hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) will have to seek an opportunity to do so.

Mr. Bill Walker: On a point of order, Mr. Speaker. May I draw your attention to the fact that the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) had the opportunity on the radio this morning to explain to the nation what he said in the Falklands? I think that when one reads the transcript one will——

Mr. Speaker: Order. That is an extension of Question Time. We have already dealt with that matter.

Rating Revaluation (Scotland)

3.35 pm

The Secretary of State for Scotland (Mr. George Younger): With permission, Mr. Speaker, I should like to make a statement about the Government's proposals for legislation to give some relief to certain ratepayers in Scotland who have in 1985-86 seen the rateable values of their property increase very steeply.

In the August 1983 White Paper on rating reform in Scotland—Cmnd. 9018—the Government reaffirmed our earlier decision to have a full Scottish revaluation in 1985. That was approved by all parties in Scotland and by the Convention of Scottish Local Authorities, which considered it important that the valuation rolls should reflect fairer and more up-to-date values.

As information became available from assessors about the likely general effect of revaluation, I took various steps to offset the more extreme effects. In particular, I have twice increased the domestic element of the rate support grant—by a total of some £88 million—so that it now amounts to 8p in every £1 rateable value for domestic ratepayers: and, because of the benefits secured by industry overall, I reduced the percentage of industrial derating from 50 per cent. to 40 per cent.

Nevertheless it is all too clear that there are still many domestic ratepayers whose valuation increases have been particularly steep and who still face very substantial increases in their actual rate bills. Furthermore, in the commercial sector, though the average effect of revaluation has been neutral, there are significant numbers of businesses facing very severe increases. No small business man, however enterprising, could ever have been expected to plan for a rates demand like some of the hugely increased bills that have now arrived.

The Government have therefore decided to introduce a scheme to help ratepayers faced with very high increases in their valuations. They will be given a new statutory right to claim 100 per cent. relief in respect of that part of their 1985-86 rates bill related to all of their new valuation which is in excess of three times their 1984-85 valuation. That will be subject to a limit to the total relief payment in the case of any particular subject, to ensure that maximum help is targeted towards the smaller businesses. The right will extend to domestic and commercial ratepayers alike; it will not extend to property occupied by local authorities and the Crown; public undertakings valued by statutory formula; and manufacturing industry and freight-transport subjects. The scheme will be administered by rating authorities, to which I shall reimburse the full cost of the payments. The new relief will have no effect on statutory rights of appeal or on other rights and duties, though where an appeal is successful, the amount of relief will fall to be adjusted accordingly.

The new relief is intended to ease the immediate burden arising from the high valuation increases that took effect at 1 April and will apply in the year 1985-86. I shall consider in due course whether there is a case for any special relief in 1986-87. I estimate that tne relief will probably cost at least £50 million. That will be new money from the taxpayer.

A Bill providing for the new relief will be published as soon as possible. I hope that hon. Members opposite will, as the hon. Member for Glasgow, Garscadden (Mr. Dewar) has already said, give support to us in our endeavours to bring the scheme into force at the earliest possible moment. There is no need for any ratepayer who thinks that he will benefit from the scheme to act until the Bill has been brought into operation.

Mr. Donald Dewar (Glasgow, Garscadden): Of course we welcome any decision by the Government that will help ratepayers in Scotland. It is—if I may say so—remarkable how fear concentrates the mind. A Secretary of State, who has repeatedly said, "Not a penny more," is now scrambling for safety. We do not complain about any retreat by the Government. We would welcome retreat in a number of other fields. However, it is a sad spectacle to see Scottish Office Ministers in incoherent and confused disarray, being driven from pillar to post and desperately claiming as triumphs policies that they never planned and which have been imposed upon them by public opinion and the wrath of their own supporters. The pass has been dragged from the right hon. Gentleman, and the concession made only because necessity drives.

The Secretary of State's statement was ingenious. No hint was given to the faithful in Perth that the scheme would extend beyond the commercial sector. The scheme looks much less generous to the commercial sector once the whole domestic sector has been included.

What percentage of the £50 million will go to commercial, and what to domestic ratepayers? We will want the limit figure to be designed to make sure that the lion's share does not go to supermarkets and national chains but helps those who are really at risk—those under pressure. Will the Bill settle such matters? Will the Bill contain details, or is it to be an enabling Bill and will we have to wait for an order?

The Opposition will wish carefully to analyse the effect on the domestic sector. I suspect that there will be little cheer for those at the bottom end of the housing market and the vast majority of council tenants. We will wish to take a long, hard look to make sure that a disproportionate share does not go to Eastwood, Pollokshields, Newton Mearns and Ayr. We recognise the difficulties and the tottering prestige of many of the Secretary of State's hon. Friends in their own areas, but there is a limit to the distortion of the pay-out that will be acceptable to us.

Will there be a cut-off on the amount of relief to an individual householder, analogous to the one that the Secretary of State has announced for commercial ratepayers? How does he estimate the impact of this announcement on the average increase in the domestic rates bill in Scotland? I am sure that he has made the calculation.

I welcome the fact that this is to be new money and that the right hon. Gentleman has assured us that the Scottish Office budget will not be raided in any way to meet the bills, but it is essential that guarantees be given that the help will be extended throughout the remainder of the quinquennium. It would be fraudulent to offer help in 1985-86 but leave those who receive it now to bear the full impact in subsequent years. That would confirm the feeling that the whole exercise was a squalid manoeuvre designed to defuse the explosion of rage at the Tory party conference.

It may be unfair to mention the somewhat unpleasant subject of the Chancellor of the Exchequer. However, we cannot ignore the Chancellor's harsh arrogance at Perth, when he is reported as having said:

"no more money is likely next year . . . he would not be in the same unaccountably open-handed and generous mood."

[Mr. Donald Dewar]

I hope that the Secretary of State accepts that will not do. During the passage of the Bill we will want to be given an undertaking that at least in principle—we will not hold him to exactly the same level—this help will continue to be available throughout the rest of the quinquennium.

If we are satisfied on those matters, we will of course help the Bill through. We want all the cash that we can get from the skinflint Treasury that landed us in this mess and ought to foot the bill for it.

The crisis is not over. The Secretary of State has not muddled through with this announcement. The root of the trouble has been not just revaluation but the constant and vindictive assault on local government finance for the past three or four years that has deprived local authorities in Scotland, on our calculations, of about £1,000 million since 1980-81. If the Secretary of State would reverse that policy, he would be doing the greatest favour to ratepayers in every sector and would give the system a breathing space that would allow us all to look for the considered and effective method of reform that the Opposition certainly want.

Mr. Younger: The last part of the statement of the hon. Member for Glasgow, Garscadden (Mr. Dewar) is wholly incorrect. If I did what he recommended at the end of his remarks, councils would merely spend even more and ratepayers would face even bigger rate increases. It was an extraordinarily ineffective smokescreen from an hon. Gentleman who has always supported the principle of five-year revaluations, who pressed for the revaluation to be this year and not postponed further, and who knows perfectly well that the level of the increases proposed are the job of the assessor, and not in any sense of anyone else. His criticisms of that are wholly without foundation, and he knows it.

As for the hon. Gentleman's suggestion of a retreat, this is the normal statutory process, which he fully supports. The Government have not merely produced assistance first for domestic ratepayers and now for commercial ratepayers, but produced assistance which is vastly greater than anything for which the hon. Gentleman asked and, indeed, than the maximum demanded—the Liberal party asked for the maximum, which was about £4 million to £5 million. We are providing £50 million, and that shows who in Scotland cares about helping ratepayers. The hon. Gentleman should recognise that.

Regarding the hon. Gentleman's question about the sum, the difference between £40 million, which I mentioned earlier, and £50 million, which I gave today, is accounted for by the fact that the latter includes domestic ratepayers. The previous figure referred only to commercial ratepayers, as the hon. Gentleman will now realise.

I have still to collect the fullest information about the limit. I have in mind a figure of the order of £10,000, up to which any one subject would benefit from the help. The hon. Gentleman must wait and see the terms of the Bill when it is published. The Bill will arrange for the principle of the matter and regulations will spell out the details in full, and they will obviously be debated.

Sir Hector Monro (Dumfries): I gave my right hon. Friends the Prime Minister and the Secretary of State for Scotland my warmest congratulations on what they achieved for domestic and commercial ratepayers. The assistance is more than was asked for by the Labour Opposition, the alliance and the National Federation of Self-Employed and Small Businesses.

Now that my right hon. Friend has made that great achievement, will he put tremendous pressure on high-spending authorities, and will he give the money that he saves from them to prudent authorities, which need the resources for essential services?

Mr. Younger: I appreciate my hon. Friend's last point, and I shall bear it in mind. Regarding high spending, my hon. Friend knows, as I do, that of the average increases which ratepayers face, one third is caused by the rate support grant or inflation factor, and two-thirds by the overspending of irresponsible authorities. Ratepayers in Scotland will fully realise that truth, and will be interested to see that the Opposition's attitude to the package is not in support of ratepayers' interests.

Mr. Malcolm Bruce (Gordon): It is wonderful to hear the Secretary of State lecturing the House on how much money he has managed to find, when he has often told us how difficult it is to find money. Obviously, we welcome the fact that he has responded to pressure from all sides.

Does the right hon. Gentleman recognise that a one-off settlement this year will not be enough? Does he recognise that, if all commercial ratepayers received relief this year, he would merely be delaying the execution of many small businesses? As he has found this sum to meet the rate crisis, cannot he now come forward with new money to meet the education crisis, or is that simply a sign of the rather warped priorities of a Government threatened with extinction in Scotland?

The Prime Minister and the Secretary of State have promised to reform, and indeed to abolish, the rating system. How many more times will they make that promise before they get round to doing it? Can we expect legislation in this Parliament to obviate the need for an emergency package simply to save the Secretary of State's skin rather than to deal with the underlying problem, which was caused by the Government's cuts in rate support grant and in funding to local authorities?

Mr. Younger: I admire the hon. Gentleman's courage in speaking on this issue when, for the past couple of months, he has purported to be campaigning for commercial ratepayers, but got all his figures hopelessly and completely wrong from the start. He was only £35 million out on what is needed to help commercial ratepayers in Scotland. Extra help for next year will be considered at the time of next year's general settlement.

As for the teachers, I do not know where the hon. Gentleman has been for the past few months, but since December there has been an offer on the table from me not only to consider a package from the teachers but to find more money from the Scottish block to help them. The only problem is that they have not taken up that offer.

Lord James Douglas-Hamilton (Edinburgh, West): Will my right hon. Friend give top priority to the reform of the rating system within this Parliament? Does he accept that his statement will be greatly welcomed by many thousands of small business men, who will owe their survival in Scotland to his decision? Is not the figure that he announced much more realistic than the one tenth of that figure suggested in the House a few days ago by the hon. Member for Gordon (Mr. Bruce)?

Mr. Younger: I am grateful to my hon. Friend, and I can confirm that the ministerial committee, on which my hon. Friend the Minister responsible for home affairs and the environment sits, is considering local government finance with a view to producing proposals for change. As to helping commercial ratepayers, whereas many people have talked about it for months, the Government have acted, and commercial ratepayers will be grateful for that.

Mr. Bruce Millan (Glasgow, Govan): While we obviously welcome this further attempt by the Secretary of State to extricate himself from a mess of his own making, may I tell him that, if he believes that it will resolve the rating crisis, he will soon be disabused of that notion? The extra £10 million for domestic ratepayers will reduce the average increase in their bills this year from 21 per cent. to about 20 per cent. If the right hon. Gentleman believes that that will satisfy domestic ratepayers, he could not be more out of touch with the feelings of ratepayers in Scotland on this matter. In any case, why does he not tell us the whole story? The crisis relates not only to revaluation but to successive cuts in rate support grant. Is it not utter hypocrisy to talk about the £50 million being new money when we know that, before the summer recess, the Secretary of State will impose penalties of £100 million on Scottish local authorities? He will be imposing penalties twice as great as the sum that he announced this afternoon. Is it not complete humbug to talk about this being new money?

Mr. Younger: I do not know whether the right hon. Gentleman has done a U-turn. If he is with the rest of his party, he solidly supports revaluation, believes that it should take place every five years, and believed that it should take place this year. I hope that that is now clearly on the record. He cannot shelter behind the fact that it was someone else's decision; he supports it. The objective of the help for commercial and domestic ratepayers is to give 100 per cent. help, subject to a cut-off, to those with the biggest increases. It will do that, and they will be grateful for it. I admire the right hon. Gentleman's courage in mentioning cuts in the rate support grant. Only he ever cut it by 4 per cent. in one year.

Mr. Bill Walker (Tayside, North): The ratepayers in my constituency will be relieved that the Secretary of State acted so quickly. The ratepayers in commercial premises in Angus will be especially relieved, because their rates would have exceeded greatly those in other areas. Does my right hon. Friend agree that this is another example of the Government acting quickly to reverse problems that were created by Labour legislation, and that that has been the record of the Government during this Parliament? The humbug is on the Opposition Benches.

Mr. Younger: My hon. Friend is perfectly right. He is particularly concerned about the ratepayers in Angus, about whom he has been in touch with me many times over the past few weeks. I am glad that he has confirmed that this measure will be a help to those ratepayers. I am also glad that my hon. Friend mentioned speed, because at every point in its process, which was supported by the Opposition parties, all of whom agreed that there should be revaluation now, as soon as the Government have seen the information about what the scale of the increase will be, we have responded with extra help, first for domestic and then for commercial ratepayers. It is only the Opposition parties, with their blinkered attitude to helping ratepayers, who have not welcomed this speedy, efficient help.

Mr. Donald Stewart (Western Isles): Is the Secretary of State aware that the scheme that he has announced today will still leave a substantial body of ratepayers paying 300 per cent. more than they have previously paid for rates? Does he think that he can project himself as a Santa Claus by coming with £50 million when the Government have just spent £450 million on an airfield in the Falklands? We have to keep the matter in that context. As the right hon. Gentleman accepts that there is a case for relief in this year, he cannot deny that this relief must be continued on an even wider scale until the Conservative Government relieve the ratepayers of the present system.

Mr. Younger: I explain again to the right hon. Gentleman, as it may not have been clear from what I said, that no ratepayer in Scotland, either commercial or domestic, will be facing an increase of 300 per cent. I have said that three times the rateable value will be the trigger for this help, which will mean that increases in what ratepayers have to pay will be paid at a much lower level than that. I am not responsible for airports in the Falklands, but only for airports in Ayrshire.

Mr. Gerald Malone (Aberdeen, South): Is my right hon. Friend aware that the ratepayers in the city of Aberdeen and in Grampian region will not share the view of the hon. Member for Gordon (Mr. Bruce) that my right hon. Friend has a warped sense of priorities in bringing forward such a measure of relief but that they will thank him for it? It is good that smaller businesses will benefit from this, as a large number of commercial concerns in my constituency were suffering and will welcome this measure.

Mr. Younger: I am grateful to my hon. Friend, and he is right to say that our principal objective for commercial ratepayers has been help for small businesses. Strong representations about the increases have been made to us by those people, and I am glad to be able to help. I could not more agree with my hon. Friend. It will be interesting to have on record that the hon. Member for Gordon (Mr. Bruce), and I presume the Liberal party, think that this is a wrong set of priorities.

Mr. Hugh Brown (Glasgow, Provan): Whatever the motivation of this statement, it is a significant one, as it changes the rates liability for a minority of ratepayers, both domestic and commercial. How many people does the Secretary of State expect will benefit? Is it the intention to have a discretion about the upper limit of relief? Will there be consultation with COSLA and the assessors association before the regulations come to the House?

Mr. Younger: I am grateful to the hon. Gentleman for making an important point. It is unusual, and I do not know whether this has ever been done before in Scotland following a revaluation. As to the numbers affected, I expect — it is difficult to be precise — that this will probably help about 50,000 commercial ratepayers and it might help as many as 250,000 domestic ratepayers. The regulations will spell out the methods by which this will happen, but the Bill will spell out the general principles of allowing help to be given to commercial ratepayers, which is not possible at the moment.

Mr. Michael Hirst (Strathkelvin and Bearsden): I warmly congratulate my right hon. Friend on his success in obtaining fresh funds to help the hardest pressed Scottish ratepayers. His statement will be most warmly welcomed by the many family owned businesses, particularly in Strathkelvin and Bearsden, which are facing significant increases in their rates bill this year.

Further, does my right hon. Friend agree that it is a measure of the pathetic inability of alliance Members to calculate figures that two weeks ago they were seeking relief amounting to £4 million for commercial ratepayers as opposed to the £40 million of relief which my right hon. Friend has announced today?

Mr. Younger: I thank my hon. Friend for his welcome of this measure. I can only contrast it with the fact that the Opposition, including the Liberal party, appear to be highly unhappy about the fact that we are providing help which is not only generous but about 10 times the maximum level asked for by any of the Opposition parties. It is clear who is prepared to put their money where their mouth is for Scottish ratepayers.

Mr. Dick Douglas (Dunfermline, West): Would the Secretary of State care to explain to the House exactly what he means by "new money"? Is this not recycled money? He has won back from the Chancellor money which the Chancellor had already taken. Will he explain to the House the position about revaluation and the rating system in Scotland? Would it not be better for him to say that he is interfering with revaluation and that we ought to postpone the whole exercise so that local government finance can be placed upon a reasonable footing?

Mr. Younger: The answer to the hon. Gentleman's first question is that "new money" means what it says. It will not lead to reductions in any other part of the Scottish Office programme. Therefore, it will come from the contingency fund. As for the hon. Gentleman's second point, he is absolutely right. This is interfering with the results of revaluation. Whether or not he has decided to change his mind, I would remind him that he, through his party, has solidly supported revaluation.

Mr. Douglas: I have not.

Mr. Younger: Yes — under the leadership of the hon. Member for Glasgow, Garscadden (Mr. Dewar) and his predecessor, I was pressed to ensure that revaluation took place this year. So did the Convention of Scottish Local Authorities. As for its interfering with the results of revaluation, of course it is, because we can see the hardship that it is causing to domestic and commercial ratepayers and we are prepared to do something about it.

Mr. Barry Henderson (Fife, North-East): I apologise to my right hon. Friend for having missed hearing him make his statement, which will be warmly welcomed by those in the commercial sector who are most affected. Is he aware that for the average ratepayer in Fife the real problem lies with the overspend by 8p in the pound of Fife regional council? In addition to helping those who have been hit by revaluation, can my right hon. Friend assure the House that he will shortly be announcing selective action against wildly overspending authorities such as Fife?

Mr. Younger: My hon. Friend is absolutely right about the effect of overspending. As I said a few moments ago, two thirds of the increase that, on average, people are facing in Scotland is due to the overspending of councils. That is the main point and my hon. Friend is quite right to make it. As for the rest of his question, I agree that this matter will have to be carefully considered, but I am not yet in a position to make an announcement about possible selective action against any particular authority.

Mr. Tom Clarke (Monklands, West): Will the right hon. Gentleman accept that the word "overspending" is a Government term plucked out of thin air, and that it is based on nothing else? Secondly, will he accept that this turmoil did not arise over previous revaluations, because the rate support grant settlements at that time anticipated events? Finally, will he discourage his hon. Friends from insulting local authorities which will have to deal with the changes that have been announced in this statement, because their good will is essential if they are to rescue their ratepayers from the muddle created by the Government?

Mr. Younger: The hon. Gentleman is failing to give the whole picture—unintentionally, I am sure—when he questions the level of overspending. The truth is that local authorities in Scotland are still planning to spend next year nearly 2 per cent. more in real terms than they were spending in 1979. That is a measure of the overspending of certain councils, bearing in mind that a large number of councils—about half of them—are not overspending but are spending within the guidelines. That puts the matter into perspective. I hope that the hon. Gentleman will agree that, whether or not we wish it to be that way, all Governments have to exercise some control over local Government spending. The hon. Gentleman's own Government, when he was in COSLA, had to propose in 1976 the most stringent and severe reductions that were ever made. The hon. Gentleman should recognise that the right hon. Member for Glasgow, Govan (Mr. Millan) did that.

Mr. Robert Maclennan (Caithness and Sutherland): Does the Secretary of State forget that, long before revaluation, both parties of the alliance called for the relief of commercial ratepayers from the burdens of revaluation and from the system, which we called upon him to change? Does he remember, though he dismissed this appeal in the House at the time, that we pressed him to take commercial subjects into general taxation and out of rates altogether and to allow local authorities to recoup some finance by way of charging for their services? Therefore, his attack on the Liberal party is wholly misplaced. The Liberal party and the Social Democratic party have been urging radical reform. If the Secretary of State chooses to overlook this fact, commercial ratepayers in Scotland, like commercial ratepayers in England, will not, when given the opportunity.

Mr. Younger: If the hon. Gentleman and his colleagues have been campaigning for not having a revaluation, they have been doing it silently, which seems to be a very strange way of going about it. I have looked up the record. They did not object to revaluation or oppose it in any way. The hon. Gentleman may have been campaigning for the relief of commercial ratepayers, but I have not noticed him doing so. If he was, he was calling for a maximum sum. The biggest sum was about £5 million. [HON. MEMBERS: "No."] That is the biggest sum asked for by anybody. Most of them were much smaller.

This Government have produced a great deal more money. From his neutral position in between the two parties, I should have thought that the hon. Gentleman would be glad to congratulate the Government upon having done so.

Mr. John Home Robertson (East Lothian): Will the Secretary of State let us in on a wee secret about the priorities which were in his mind when he was compiling this interesting package? Was it, on the one hand, the resolution of the long-term problems of local government finance in Scotland, or was it, as some of us believe to be more likely, the short-term preservation of Conservative seats in Scotland?

Mr. Younger: The priority which I have had in mind, if the hon. Gentleman has not, has been the plight of those ratepayers who have suffered very large rates increases. I am prepared to do something about that. The hon. Gentleman, apparently, is not.

Mr. William McKelvey (Kilmarnock and Loudoun): I welcome the statement that has been made by the Secretary of State for Scotland. It will give me the opportunity to tell the good people of Kilmarnock, hopefully on Radio West Sound tonight, that the representations and protests that I have made steadily over the past six months to the Secretary of State on their behalf have eventually borne fruit. If the £50 million which is to be paid back is added to the £38·5 million that was previously redistributed to ratepayers in Scotland, it totals almost £90 million. If this had been added to the cut in rate support grant in 1984, it would have brought the rate support grant back to the level at which it stood last year, a level which the Opposition have been arguing for the past nine months ought to have been retained. It will be a financial nightmare to try to work out this formula. We await with interest just how much pleasure or displeasure will be shown by some ratepayers over the pay-out system.

Mr. Younger: I am very encouraged to learn that the hon. Gentleman, who is a constituency neighbour of mine, has, apparently, second sight. I understand that he started campaigning for help six months ago. He was therefore in the position of supporting revaluation, but before he knew the results of revaluation he demanded that it should be modified by help for commercial ratepayers. That is very nice to know. I am grateful for the hon. Gentleman's welcome of the proposals. May I reassure him that the calculations are relatively simple to make. If one's valuation has gone up by more than three times and one is either a commercial or a domestic ratepayer, one is entitled to help on this basis of 100 per cent. of the amount applicable to that, above three times, subject only to the £10,000 cut-off.

Mr. David Lambie (Cunninghame, South): The right hon. Gentleman is wrong in stating that in 1983 everybody in Scotland was in favour of the 1985 revaluation. May I remind him that some of us have been warning him not only about the effects of the 1985 revaluation but also about the effects of the 1978 revaluation, because revaluation in England has been halted since 1973. In 1978, I had the right hon. Gentleman's support against that revaluation, but at the time he was in opposition. When will the Government and all the other political parties in the House stop tinkering with the rating system in Scotland, abolish it and the assessors' departments and introduce a 100 per cent. Government grant? When will they get rid of all this and allow local authorities to spend their money in whatever way they want? That is the only solution; I hope that the right hon. Gentleman will allow that to be considered during the passage of his Bill.

Mr. Younger: I appreciate the hon. Gentleman's point. Perhaps I have done him an injustice. I always assume that, whatever the Labour party is in favour of, he will be against. I should have realised that earlier. I notice his wish, which I have known for a long time, to abolish the rating system altogether. That is one of the things that will be taken into account in the further review that is now under way.

Mr. Gordon Brown (Dunfermline, East): Will the right hon. Gentleman accept that the real crisis in local government is that he has taken £1,000 million from local government since 1979 and that Fife region has suffered severely from that policy. If Conservative Members want to change the policies of Fife region, they should do so by the ballot box at local authority elections, not by Government diktat. Will the right hon. Gentleman now answer one question that he has so far omitted to answer? Will there be relief for domestic and commercial ratepayers next year—yes or no?

Mr. Younger: On the £1,000 million, the hon. Gentleman has made a calculation of what might have happened, but he has ignored the fact that local government spending has gone up in real terms since 1979. That puts his remarks entirely in perspective. At a time when many other parts of the public sector have had to cut back, local government has not yet succeeded in doing so.

I appreciate that Fife region would like to spend more money, but I note that it appeared to have no difficulty in finding £2 million to spend in support of striking miners, so it cannot have been that pushed for money.

I have already said that next year will fall to be considered in the normal way when next year's public expenditure is under consideration.

Mr. John Maxton (Glasgow, Cathcart): Why does the right hon. Gentleman keep insisting that he has acted on the basis of new facts, when the Government must have known the effect of revaluation six months ago? Is it not the case that the only facts that the right hon. Gentleman has taken into account over the past few weeks are the opinion polls in Scotland, local government election results and the letters that he has been receiving from thousands of his constituents and from his Back Benchers?

Will the right hon. Gentleman accept that the answer that he has just given about next year simply is not good enough? Will he make it clear that he repudiates the statement made by the Chancellor of the Exchequer at Perth last weekend and that if he does not win the argument between himself and the Chancellor in the Cabinet he will resign as Secretary of State for Scotland?

Mr. Younger: On the question of new facts, the hon. Gentleman needs to study the timings of this revaluation a bit better. Nobody, not even the Secretary of State, can know the results of the assessors' calculations before the assessors have made them.

Mr. Harry Ewing (Falkirk, East): The right hon. Gentleman was warned by the assessors as far back as November last year.

Mr. Younger: The hon. Gentleman anticipates what I am about to say. The first information came in late

[Mr. Younger]

October. As soon as the first information was to hand I took action and raised the domestic rate relief from 1p to 5p. When the further refinement of the figures was available in February we went further and at the first moment increased the 5p to 8p. During the last few weeks we have been assessing the details of the assessors' views on the valuations for the commercial subjects. In the face of the fact that there is no legislative provision for helping them now, we have assessed the matter and have produced proposals and a larger sum of money than anyone asked for in order to help them. In all honesty anybody who is being at all objective would say that that is a pretty good response to a difficult problem.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Reference has been made to the contents of my ten-minute Bill and I want to take the opportunity to put the record straight. First, I welcome the proposal. I do not want to be niggardly about that. I think that my hon. Friends will also welcome it. Anyone who studies my introduction to the ten-minute Bill will see that I talked about £5 million being a start, but, there is an important second objective in the proposal that I was putting forward. It is that the Bill was designed to help those whose increases were in the same order of magnitude as the level of profits. My worry is that some of the £40 million will go to a lot of businesses in Scotland which do not need that to survive. That is why there is a difference in scale. It is a bit unfair for the Secretary of State to imply anything different about the scheme which was worked out by the National Federation of Self-Employed and Small Businesses.

Mr. Younger: I have made no mention of the federation; I have been referring to that august body, the Liberal party, which has been posing as the supporter of the commercial ratepayer without the faintest idea how much money was being asked for or what it was for. With great respect to the hon. Gentleman, before he introduces another ten-minute Bill he had better get his figures right.

Mr. Jim Craigen (Glasgow, Maryhill): A threefold increase in rateable value will be necessary before commercial or domestic ratepayers are eligible for this new form of relief. I know that the Scottish Office will reimburse the authorities' expenses, but how will the money be paid out by the rating authorities? The Secretary of State said that in the commercial sector the average effect of revaluation had been neutral. How many in the commercial sector fall between that neutrality and the threefold increase in rateable value that was referred to in the statement? How did the right hon. Gentleman work out that those eligible in the commercial and domestic sectors will roughly equate to £40 million and £10 million?

Finally, the Secretary of State says that it is not his job to do the work of the assessors. May we take it that in terms of administering the scheme he is really proposing that the cut-off point of the threefold increase should be entered into the valuation roll, or will it simply apply to the demand notices for 1985-86? With hindsight, does he not wish that he had looked a bit more closely at the provisional figures that he was receiving last November instead of creating all this chaos in the rating and valuation system?

Mr. Younger: On the hon. Gentleman's last point, however closely I looked at the figures given in November they showed the commercial sector as neutral. It was only when the detailed figures began to come through that we discovered, as did the hon. Gentleman that while the generality is neutral there are some with vast increases at the top end, and, of course, there are also some with vast reductions, but people keep quiet about that.

The hon. Gentleman asked about the method and the threefold threshold. That has to be seen against the background that the average increase in valuation for domestic ratepayers is 2·7 times. That is pretty generous in that it is pretty close to three. For commercial ratepayers the average increase in rateable value is 2·2 times and, again, we cannot be said to be ungenerous when we are going to start the extra help at three times. I think that most hon. Gentlemen will agree with that when they think about it.

As for the commercial sector being neutral, I cannot make the calculation at the moment as to how many are not affected by the assistance, still less the breakdown between those who are between the 2·2 times and the three times and those who are below 2·2 times and who will therefore receive reductions in their rates. It is difficult to give those figures, but, as I said earlier, about 50,000 of the worst affected commercial ratepayers will get this relief for which I am sure they will be grateful.

A ratepayer who feels that he comes within the scheme need do nothing immediately, but, if the Bill is enacted, he will apply to his local authority for relief which he will get in due course. On the method of doing that I shall have to consult COSLA and obtain its views.

Rent (Amendment)

4.19 pm

Mr. Michael Mates (Hampshire, East): I beg to move,

That leave be given to bring in a Bill to make further provision as to the circumstances in which possession of a dwelling-house is recoverable under Case 11 in Schedule 15 to the Rent Act 1977 and Case 11 in Schedule 2 to the Rent (Scotland) Act 1984 and as to the parliamentary procedure applicable to an Order in Council under paragraph 1(1)*(b)* of Schedule 1 to the Northern Ireland Act 1974 which states that it is made for corresponding purposes.

The Bill seeks to put right a flaw in two previous Rent Acts which has come to light only recently as a result of an Appeal Court decision.

It was the universally held view that case 11 of schedule 15 to the Rent Act 1977, which repeated the provisions of the Rent Act 1965, meant that an owner who let his or her home on a contractual tenancy while he or she was away could repossess that home once the contract had ended. The Appeal Court, however, in the recent case of Pocock *v.* Steele found that, because there had been a further letting during the absence of the owner, that provision did not apply. Therefore, my constituent, Mrs. Pocock, was unable to get back her home and her possessions inside it.

The result of that judgment is that many people who have let their homes in good faith for a short period while they are away overseas—perhaps on Crown service or on private business—may not now be able to repossess either their homes or their goods and chattels inside their homes.

The purpose of the Bill is, therefore, to restore the law to that which Parliament thought it was when it enacted those measures—first, the Labour Government in 1965, the Labour Government again in 1977 and the Conservative Government in the Housing Act 1980. We seek to restore the position to that which every Member of the House thought it was at the time when those measures were enacted.

It will not be news to the House that this sort of legislation cannot be enacted by a private Member without the consent of all the parties in the House. I am happy to say that this is one of the more civilised occasions in the House when all parties are agreed that the Bill should become law at the earliest possible moment.

I am grateful not only to the hon. Member for Copeland (Dr. Cunningham), but to the hon. Member for Birmingham, Perry Barr (Mr. Rooker) who has written to me in generous terms:

"I write on behalf of the Official Opposition to confirm that we have no objection to your proposed Bill. Indeed we hope it reaches the Statute Book."

I am grateful also to the hon. Member for Southwark and Bermondsey (Mr. Hughes), who speaks on housing matters on behalf of the Liberal party, and to the hon. Member for Woolwich (Mr. Cartwright), who does the same on behalf of the Social Democratic party. The fact that I have not contacted hon. Members representing all the minor parties is a matter for which I apologise, but I have been unable to identify who speaks on this matter.

I therefore hope that I shall be given leave to bring in the Bill and that, with the help of all concerned, it will have a speedy passage through the House and become law, so that the law returns to that which we all thought it was until the Appeal Court, in its correct independence, informed us otherwise.

Question put and agreed to.

Bill ordered to be brought in by Mr. Michael Mates, Mr. John Cartwright, Sir Paul Hawkins, Mr. John Heddle, Mr. Simon Hughes, Mr. Allan Roberts and Mr. Neil Thorne.

RENT (AMENDMENT)

Mr. Michael Mates accordingly presented a Bill to make further provision as to the circumstances in which possession of a dwelling-house is recoverable under Case 11 in Schedule 15 to the Rent Act 1977 and Case 11 in Schedule 2 to the Rent (Scotland) Act 1984 and as to the parliamentary procedure applicable to an Order in Council under paragraph 1(1)*(b)* of Schedule 1 to the Northern Ireland Act 1974 which states that it is made for corresponding purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 17 May and to be printed. [Bill 146.]

Orders of the Day

Oil and Pipelines Bill

Order for Second Reading read.

4.24 pm

The Minister of State, Department of Energy (Mr. Alick Buchanan-Smith): I beg to move, That the Bill be now read a Second time.

The House is familiar with the background to the Bill. Over the last six months we have had two reports from the Select Committee on Energy and, as a result of the reports of that Committee, we have had two debates on the Supplementary Estimates which the Government have asked the House to approve for grants to cover trading losses of BNOC. On 13 March I announced the Government's conclusions regarding the future of BNOC. At this stage I should like to pay tribute to the work of the Select Committee on those two reports.

I appreciate that the conclusions to which the Government have come are not of course the conclusions of the Select Committee, but it is significant that the analysis that led up to those conclusions was very helpful to the Government in reaching their conclusions. Indeed, I think that there is not a great deal of difference between the Government's analysis of the background and the analysis of the Select Committee. I certainly pay tribute to the work of the Select Committee leading up to the Bill. I wholly accept that the Select Committee will not neccessarily agree with the Government's conclusions, and I make that point plain. The analysis was very helpful, as was the evidence taken by the Select Committee.

When I announced the Government's conclusions on the future of BNOC I mentioned—and I repeat today—that it is our belief that the balance has shifted decisively against the retention of BNOC in its present form. At the time of the announcement and in the brief debate on the report of the Select Committee, I made it clear that the Government believe that there are a number of functions currently performed by BNOC that should be retained. First, there is the function of the custody of participation agreements; secondly, there is the power to dispose of royalty in kind; and thirdly, the power to act as agent for the Government in the management and running of the Government's oil and pipeline system. The conclusion that I announced on 13 March was that it was appropriate to establish a small oil and pipelines agency to perform these functions. The Bill, if approved, will give effect to these conclusions.

I do not intend to go into all the details and the background of the reasons for the abolition because I outlined those in my statement, and the House considered them in the debate on the Supplementary Estimate initiated by the Select Committee.

The Bill seeks to preserve what we believe to be of continuing value with regard to BNOC's current institutional arrangements and to discard those parts of its arrangements which we believe have become outdated or in some cases a potential liability. The one item which we believe is outdated and has a potential to become a liability concerns the contractual arrangements under which BNOC acquired and sold participation oil. Although, as I freely acknowledged in earlier debates in the House and in my evidence to the Select Committee, that is a function which has been important in the past and one which BNOC has performed with distinction, I believe that for a number of reasons it has now ceased to provide a means to prevent instability. It was in the means to prevent instability that the main purpose of the exercise of this function lay. The reason, as I explained to the House previously, is that in recent years, and particularly in recent months, we have seen fresh developments in the market which I believe give these arrangements for contracting and trading in participation oil the potential to spark off a cycle of competitive undercutting which, far from being a force againt destabilisation, would run a serious risk of dragging down prices to an unsustainable level.

That was very much the basis of the evidence that I put before the Select Committee, and which we discussed during our debate on the Supplementary Estimate. Therefore, we have had a full debate on that matter. Basically, it stems from the growth, not only in the United Kingdom but worldwide, in the spot market and the decline in contract sales at a term price. As we do not envisage those forces changing in the foreseeable future, we believe that it is right to change the institutional arrangements to take account of the changes in the oil market over recent months and years.

I wish to make it clear that this is not a case—as the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) tries to make out—of trying to cut down some lame duck state corporation that has been losing money through inefficiency or failings. That is most certainly not the Government's view. What we are doing is no reflection on the corporation or its staff. The corporation maintained its prices after consultation with the Government and taking account of the national interest. It is our continuing belief that those decisions were correct in the national interest. However, because of those decisions it was necessary to come to the House for a Supplementary Estimate to cover the losses. Our proposals today are a reflection not on the staff or the operation of the corporation, but simply on the development in the structure of oil markets that we have discussed at length on previous occasions.

Although we are discarding the major function and purpose of BNOC, it has other functions and purposes. One of those, to which the Select Committee attached importance, is security of our supplies. That is central to the whole matter. On its other functions, while there were contract sales at term prices BNOC served a useful purpose in providing transparent evidence of arm's length prices for North sea oil. That was helpful to the oil taxation office for transfers of oil within integrated oil companies. However, that must be considered apart from the structure and organisation of BNOC, because the virtual disappearance of term prices for oil destroys the value of the diminishing evidence available to the oil taxation office. Therefore, although it served a useful purpose in the past, it is not appropriate in the changed market circumstances.

Mr. Bruce Millan (Glasgow, Govan): Even if we accept what the Minister says—which we do not—what steps are the Government taking, through the oil taxation office or by any other means, to deal with changing circumstances to ensure that the taxpayer is not ripped off by fancy transfer prices or various devices to reduce the tax burden?

Mr. Buchanan-Smith: The right hon. Gentleman has a direct interest in these matters, so I am surprised that he does not agree with my analysis of the background. He knows that one of the problems that the Government have had to face—I am sure that he has read the evidence before the Select Committee — is that the loss of contract sales — with sales taking place at different values, sometimes at spot price — has thrown considerable doubt on the use of the prices established by BNOC for taxation purposes. Under the legislation, what is required is actual evidence of the price at which the oil passes from one affiliate to the other. The oil taxation office is in discussion with the oil companies about that —as it would have had to have been regardless of what we are doing in the Bill. It is an important issue, but one that would have arisen anyway.

Another useful purpose of BNOC has been as a marketing agency for smaller licensees. I know that many of the smaller companies have found it convenient and helpful to market through the corporation. However, I do not believe that it is in any way an essential purpose of the corporation. There are other possibilities, such as disposal to larger producers or—and discussions are taking place on this now — the possibility of setting up either independent agencies or co-operative agencies. Therefore, although that purpose was useful in the past, it is not one that necessarily requires or demands the need for intervention by a state corporation.

On the issue of security of supplies——

Mr. Peter Rost (Erewash): On the marketing of oil by the smaller companies, has my right hon. Friend sought any assurances, and can he confirm reports in the press, that the larger multinationals have reached an accommodation with the smaller companies, or are in the process of doing so?

Mr. Buchanan-Smith: Obviously, any arrangements are commercially confidential to those making them. I have certainly received indications that discussions are taking place. If the arrangements are not actually made, they are in the course of being made. There is also a certain amount of talk about other initiatives, such as the setting up of independent or co-operative agencies. I have not seen any evidence that shows that the normal commercial organisations will not be able to cope.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): Of course they can cope.

Mr. Buchanan-Smith: The hon. Gentleman underlines his political motivation in wishing to keep in being a state corporation when there are perfectly adequate organisations available in the commercial sector.

I know that security of supply has concerned the House, and I made considerable reference to that during my speech on the Supplementary Estimate. It is important to look not only at the role that BNOC has performed in carrying out the contracts in participation oil, but to examine the background to the security of supply and the existing arrangements.

If, for example, there was an interruption of supply from the Gulf, we could turn to the international agreements—which have been refined and developed over the years and especially since BNOC was established —through the International Energy Agency and the EC to make arrangements to take care of any severe disruption. I use the words "severe disruption" advisedly because the international arrangements under the IEA can be triggered only where the shortfall is of the scale of 7 per cent. or more of OECD country supplies. Therefore, the IEA arrangements exist where there has been a severe disruption. Where there is a less severe disruption there are informal arrangements.

Where there is severe disruption the arrangements through the IEA guarantee to the United Kingdom an appropriate share of the remaining production in the free world, irrespective of the companies, corporations or agencies that may be handling the production. Where the shortfall is big enough to trigger the international obligations, access to North sea oil is not as important as it may have seemed at one time. In any case, as a fallback under the Energy Act 1976 the Government have power in a crisis to control oil production on the United Kingdom continental shelf, whoever produces it and whatever the contracts may be.

On security of supply the real concern must relate to minor interruptions up to the 7 per cent. trigger point which comes under the IEA agreement. Again we must remind ourselves that in that case it is not an interruption of access to crude oil that matters, as has been shown in the past, but rather access to the oil products that are needed by industry, transport and so on. The real burden of the responsibility to meet a crisis of a smaller nature would fall on the private refining and marketing companies which supply those products and not on the state itself or on any agency of the state.

The Government have obtained from the refining and marketing companies assurances that we believe would meet that kind of crisis. Most important, they are concentrated on products where the demand and the need would be. To put it in a form that is easier to understand, a shortfall of 7 per cent. is equivalent to 25 or 26 days of actual supply. Since, currently in the United Kingdom, subject to the informal arrangements that we have, stocks of products stand at 92 days' supply, obviously the arrangements we have with the refining and marketing companies are adequate to fill the gap and would give time to reactivate participation if it was felt to be necessary, and which the agency could do with the consent of the Secretary of State. Given the arrangements that I have taken some trouble to describe to the House, I do not believe that the abolition of BNOC should in any way diminish the country's security of supply of oil or of its products, which are most important.

Mr. Rowlands: I have searched high and low to find the character and nature of the assurances upon which the Minister rests so much of his case. Are they published? Are they available? Will they be made available to the House or to the Committee on the Bill so that hon. Members can judge for themselves how real the assurances are?

Mr. Buchanan-Smith: These are informal assurances that the Government have from the oil companies. That is the basis on which they have been for some years. The Government and I are confident that they would be carried out in the kind of crisis I have described. The details are confidential. I shall see whether I can give more information to the hon. Gentleman and to members of the Committee. As there is still a fallback in a time of real crisis to exercise the participation rights, I believe the

[Mr. Buchanan-Smith]

arrangements I have described are adequate. I emphasise that in the Bill we are not abolishing the power to exercise rights of participation.

In regard to some of the other functions of BNOC which we are continuing under the smaller agency, we have the Government pipelines and storage system which covers 1,000 miles of oil pipeline and 41 oil storage facilities. Over the period that it has operated the system BNOC has built up an effective team. We intend to retain that function.

Another function that we intend to retain is the power to operate in royalty in kind. Of course, the Government remain entitled to royalty in kind. Therefore, I wish to retain in the new agency the mechanism to obtain the best possible price for the realisation of the royalty in kind.

I have mentioned specifically four main functions—the exercise of participation rights, which the new agency will not operate but which it will have the power to operate, subject to the agreement of the Secretary of State, should it be thought necessary to activate that power; security of supply; the operation of the pipelines and storage system; and the power to operate the royalty in kind.

Mr. Rowlands: The Minister talked about the role the agency will play in marketing the Government's royalty oil in kind. That figure is theoretically 280,000 barrels a day. In the past there have been sale-back arrangements. If they were continued or conceded by the Government they would leave the agency with only about 100,000 barrels a day to trade. Can the Minister tell us the intention of the Government in relation to the royalty oil in kind?

Mr. Buchanan-Smith: The arrangements made between BNOC and companies will be taken over by the agency. The power to operate the royalty in kind will be in the legislation. The functions may be changed in the future while royalties in kind continue to exist. As the hon. Gentleman knows, they will eventually be self-extinguishing. The agency will be empowered to trade in that oil. I shall explain that more fully when I deal with the clauses in the Bill.

The Government think it important to get the new organisation moving as quickly as possible. Because of market sensitivity it was necessary to announce the decision as we did. I understand the uncertainty that the announcement caused immediately. It is important for the future that the organisation of the new agency becomes clear as quickly as possible.

My right hon. Friend the Secretary of State has already announced the appointment of the chief executive designate who will become the chief executive subject to the passage of the legislation. Mr. Kenneth Vaughan joined BNOC in 1978. He is, therefore, already a member of BNOC's staff. Prior to that, he was for 20 years with BP, and he spent 11 years with the Kuwait National Petroleum Company. For the last three years his responsibilities in BNOC have related to the piplines and storage system and to LPG trading. We are fortunate to have the services of someone with his wide experience and, in particular, with his experience of BNOC.

My right hon. Friend hopes to make an announcement as soon as possible about the appointment of the chairman designate. The appointment of the chief executive designate will help the future management to decide on the staff necessary for the manning of the agency, and I know that Mr. Vaughan is pressing ahead with that. I do not want there to be any unnecessary uncertainty, and, as the organisational arrangements go ahead, the details will be made known in the appropriate way.

I will explain the main provisions of the Bill. Clause 1 provides for the establishment of the agency and lays down its board structure. That is a straightforward provision, particularly bearing in mind the background that I have described.

Clause 2 sets out the functions of the agency, with its responsibility for the disposal of royalty in kind, for managing the Government pipeline and storage system and for maintaining the participation regime which I have explained.

The agency will also have power to trade in petroleum on its own account, but such trading will be subject to the Secretary of State's consent. That consent will be given only for limited purposes. The first purpose is to enable it to maximise the proceeds from the disposal of royalty in kind because, in the course of trading, it may be desirable to do that. The existence of this provision will, I hope, make it clear that the agency need not be hindered for legal reasons from maximising the proceeds.

The second purpose is to ensure that the agency will be able to trade effectively in participation agreements, were they ever to be reactivated. But, as I pointed out, the agency will not be empowered to act as agent for disposing of anyone else's oil.

Mr. Rost: Will the agency be empowered to subcontract out the sale of royalty oil if it thought it economically desirable to do that?

Mr. Buchanan-Smith: The agency will have responsibility in that respect, but obviously it will have to exercise that responsibility from the point of view of proper commercial accountability.

There has been some discussion about the role that BNOC has so far performed in trading in liquefied petroleum gases. The Government do not see any reason for the public sector to remain involved in the LPG market. At present, BNOC handles less than 30 per cent. of the UK continential shelf production of LPG and under 20 per cent. of the total UK output, including that from refineries. The agency could retain sufficient volume of LPG to trade effectively only if it continued to exercise options to purchase LPG under participation agreements. That could not be justified with participation trading in crude oil—this is one of the main purposes of the Bill—being wound up. In any case, since January 1982 BNOC has been precluded from exercising new options to take LPG.

Clause 2 enables the agency to enter into new participation agreements, as determined by the Secretary of State, and to give effect to those and to existing agreements. However, it may not, without the Secretary of State's consent, elect to take petroleum under a participation agreement. It is the Government's intention that as new oilfields reach the development stage the licensees should continue to conclude agreements which enable the agency to participate in the oil produced.

It is the Secretary of State's intention to consent to the exercise of an option to take petroleum under such agreements only if such an exercise was finally justified by an existing or imminent threat to the security of the nation's oil supplies.

Clause 3 allows all the property, rights and liabilities of BNOC to be vested in the agency on a day appointed by the Secretary of State. Statutory vesting provisions have been a common feature of legislation introduced by all Governments in recent years and it is our intention, in relation to the agency, to establish it and to use the powers under the clause as soon as the Bill has been enacted, so enabling an orderly transfer to take place to it from BNOC.

BNOC will have to be retained in existence for some time—although in the latter stage very much as a shell—to enable it to draw up final accounts and effect the transfer of property, assets and liabilities. Clause 3(5) requires BNOC to be dissolved formally as soon as those tasks have been completed.

Schedule 2(2) makes provision for the contracts of employment of BNOC staff to be transferred in their entirety to the agency, so that the employees' terms and conditions are not adversely affected by the transfer. It also makes appropriate provision for pension rights.

Mr. Dick Douglas (Dunfermline, West): Apart from altering participation agreements and BNOC's role in obtaining oil, selling it back and otherwise operating in the market, the Government could have reached the conclusion that BNOC should remain in place but should not, for the foreseeable future, set a price.

Mr. Buchanan-Smith: It is sad that the hon. Gentleman did not attend the meetings of, or hear my remarks before, the Select Committee. I said that it would have been perfectly possible to have done what he suggested — there is here a straight political divide between myself and the hon. Gentleman—but that we saw no point in keeping it in being if its function was simply to trade in oil at the market price, a function which others were perfectly able to do.

I appreciate that the hon. Gentleman is devoted to state organisation and interference in trading in this and other matters. However, so long as BNOC is not performing the function that it had before in relation to avoiding destabilising the market, and is simply trading at the market price, that purpose is, in our view, outdated. I am sorry to have to repeat that, and I do so for the hon. Gentleman's benefit.

Clauses 4 and 5 and schedule 3 make the financial provisions to enable the agency to perform the responsibilities that I have described.

I have paid tribute to the effective way in which the staff of BNOC have worked in the past. The board of BNOC is paying particular attention to the question of assisting the staff, the majority of whom will have to move from the corporation, although, as I have pointed out, some staff will be needed for the new agency.

The board has already told its staff the terms of the compensation arrangements for those who become redundant. That is a matter for the board, but I understand that the terms are in line with benefits paid by oil companies generally when staff are made redundant.

During April, my right hon. Friend the Secretary of State met Mr. Roy Grantham, the general secretary of the Association of Professional, Executive, Clerical and Computer Staff, and discussed the genuine anxieties felt by the staff. The corporation is providing special counselling services to help those who will become redundant. I am sure that the board will do all that it can to ease the transition and to solve the genuine problems faced by those whose careers will be disrupted as a result of the Government's decision.

The Bill is a direct consequence of changes in the oil market. Given those changes, although BNOC served an extremely useful purpose in the past and, as I have acknowledged, served it well, I do not believe that there is any longer a need to maintain a public body to carry out the activities that I have described, many of which can be equally well carried out in the private sector. The new small agency will be better geared to the limited functions that we are retaining. I therefore commend the Bill to the House.

5.1 pm

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): The Minister and I are playing unusual roles today. We normally reply to debates. I believe that it is the first time that we have opened a debate, and I welcome that opportunity. The Minister's introduction of the Bill begs as many questions as it answers. It also skated over a number of issues which have been thrown up as a result of the decision to abolish BNOC. My hon. Friends and myself will underline some of the dilemmas and issues and some of our fundamental disagreements with the decision to abolish BNOC.

Like the Minister, I wish to pay a tribute to the Select Committee for its work over the past months which led to two debates. The Minister managed conveniently to forget his contribution on 18 December which was a coherent and comprehensive defence of BNOC's fundamental role. I shall come later to one or two of his observations.

I want also to pay tribute to BNOC's staff. The trading arm was severed and the exploration and production side was hived off by the Oil and Gas (Enterprise) Act 1982. Veterans of that Act—I can see one on the Conservative Benches—will recall the lengthy debates that we had about the problems that could arise with the remit given to the corporation and the position into which it was placed. Some of our worst fears were not realised, chiefly as a result of the skill and competence of members of BNOC's trading staff and the way in which they conducted BNOC's functions after the passing of the 1982 Act. I should like to add my tribute to that by the Minister. It is deeply regrettable and distasteful that the staff is receiving this kick in the teeth, especially as there are ways in which we could have solved the problems that the corporation faced this year if it were not for the Government being so ideologically committed to abolishing it.

We should put the Bill into its historical context. It is the second stage in the dismantling and proposed destruction of a successful, profitable, competent and professional corporation. Before the passing of the 1982 Act, the corporation had earned considerable respect, grudging initially, from the oil industry. It served an important and valuable national function. It was the only organisation in the North sea which was 100 per cent. loyal to the nation and, through the Secretary of State, to the House. It was the ears, eyes and nose of the Government and the nation in the North sea.

The organisation was broken up by the 1982 Act. It led to one of the most remarkable flotation debacles — Britoil. The Oil and Gas (Enterprise) Act 1982 was supposed to herald a new era. I remember the debates and so will Conservative Members. A new, independent,

[Mr. Ted Rowlands]

thrusting and enterprising British oil company was supposed to spring up as a result of that Act and of the removal of BNOC from exploration and production.

We all know what a terrible flop the Act has been. Last week, the Secretary of State performed the funeral rites over the gas part of the Oil and Gas (Enterprise) Act 1982. He tacitly admitted that there was little or no future for gas enterprises in the North sea. He intends to create a private monopoly in place of the multitude of private gas enterprises which were supposed to result from the 1982 legislation.

Enterprise Oil has not been a thrusting company. It was supposed to be a young, independent company but the Rio Tinto-Zinc Corporation gobbled up 29 per cent. of its shares within 48 hours of their coming onto the market. The Secretary of State was helpless to intervene. We are now witnessing a process of gobbling up in the North sea. Commercial and economic pressures, I admit, but also Government policies are leading to the gradual disappearance of a number of our independent British oil companies. They have been merged or will be taken over. I mention that because it is relevant to the Bill. One of the sad subsidiary contributions to that process will be made by the Bill. It will contribute to the continuing disappearance of the small independent oil companies.

The Minister did not pay as much attention as the small independent oil companies might to the role that BNOC played on their behalf. BNOC offered a commercial service to the small independent oil companies who had small amounts of oil—about 8,000 or 10,000 barrels a day—and who believed that they would receive a more secure and better deal by taking it to a national oil corporation than they would by trading at the mercy of the bigger boys.

The right hon. Gentleman was sanguine about the impact that the Bill would have on the trading activities of small oil companies and the way that they would have to come to new arrangements with the oil majors. The evidence that they gave to the Select Committee was not sanguine. I know that the right hon. Gentleman has read the report as carefully as I have, but I draw his attention to appendix 5 of the Select Committee on Energy report published on 8 March 1985. That appendix contains a letter from Westar Oil UK. It states:

"For a small producer such as Westar, with no affiliated downstream operations or in-house marketing expertise, the presence of a strong, knowledgeable trading organization like BNOC is a considerable benefit. Without BNOC we would have to try to sell our product to the major refining and marketing companies who have traditionally preferred to handle their own production."

The gentleman who wrote the letter goes on to state, plainly from his personal experience:

"The writer recalls vividly the extreme difficulty that small producers had some 20 years ago in marketing their oil. Downstream operations were then (as, largely, now) controlled by the Majors, and they simply refused to purchase crude from independent producers."

That is an unsolicited testimony to the useful and rather more important role—admittedly a subsidiary role—that the national oil corporation played as a trading corporation in assisting the commercial dealings of the small independent North sea oil producers. Every day we read in the newspapers of potential mergers and of huge conglomerates gobbling each other up—for example, the Tricentrol and Britoil activities. Given those tremendous pressures and the Government's professed wish to have bright, new, enterprising oil companies in the North sea, the Bill will make life harder and more difficult for the small independent oil companies.

I hope that the Minister of State will reflect between now and the Committee stage on what the agency, which will trade in royalty oil and will, I assume, have traders in its membership and on its staff, will say to the small independent companies—for example, Westar, Premier and GOAL. Those companies will ask, "Will you take our 8,000 barrels a day? As you are marketing your royalty oil in kind, will you market our oil as well?"

It does not matter where we stand on the fundamental issues, we must consider this question: what is especially devastating, apart from the ideological obsession with the concept of a trading corporation, about the corporation's fulfilling a useful function? I ask the Minister of State to respond pragmatically to that question.

Clause 2(1)*(d)* refers to the agency's power

"to buy, sell or otherwise deal in petroleum on its own account."

Through that provision, it will be possible for the agency to fulfil a useful function, one which was properly carried out by the corporation.

A remarkable decision was made in the Oil and Gas (Enterprise) Act 1982—to retain the trading side of BNOC. That was the only positive measure. The decision was made not by Socialist nationalisers or people passionately in love with state corporations, but by the then Secretary of State for Energy, the present Chancellor of the Exchequer, who is probably the ultimate freebooter in the Cabinet. One of the most astonishing and specious reasons given by the Government for abolishing the corporation concerns the stabilisation of prices. I shall deal later with that point, because I think that hon. Members on both sides of the House found the Minister's remarks confusing, to say the least, and ambivalent.

Why did the then Secretary of State choose not to abolish the trading side of the corporation when he was undertaking other acts of privatisation? I have searched high and low through the Second Reading and Committee debates on the Oil and Gas (Enterprise) Bill—I should be grateful if the Minister of State can assist me—for an argument by the Secretary of State that BNOC would be retained to fix prices. It would have been a profanity for him to say that. He must be the one person who would never admit, at least in public, an intention to fix, prop up or stabilise prices. I cannot find a single reference to the idea that the corporation's premier role was to be involved in stabilising prices, but, apparently, its abolition has been based entirely on the fact that it can no longer stabilise prices. Stabilising prices was never the corporation's primary function, although it later played that role.

In the middle of an act of privatisation, the Conservative Government said, "We want to retain the trading side of BNOC because we think that it is the most sensible instrument to control the security of our oil supplies." That is what the then Secretary of State and other Ministers said when taking the Bill through the House. They subsequently upheld that statement. They believed that trading in participation oil was a useful and sensible function of the corporation in controlling oil supplies.

Those are not my views, although I think that they are excellent ideas. Those were the views of the present Chancellor a mere two years ago when he was Secretary of State for Energy. They were the views also of the

Secretary of State for Energy in 1979. The right hon Member for Guildford (Mr. Howell) will recall—he is the man who was in the hot spot during the oil crisis—his statements in the summer of 1979. He said:

"I can take powers under the Energy Act 1976 to control movements in conditions of limited shortage, but BNOC's direct access to participation oil, together with royalty oil, strengthens our position."

This Bill is concerned with the abolition of a corporation that trades in participation oil. That trade strengthened our position in 1979 in a crisis; this abolition will weaken our position in any future oil crisis. I vividly remember question after question and statement after statement in the House on the problems during the summer of 1979, and I am sure that those days are ingrained in the memory of the right hon. Member for Guildford.

The Minister of State has made exactly the same points as the Chancellor and the right hon. Member for Guildford. The speech of 18 December 1984, which the Minister forgot to mention, made strong recommendations. I do not think that I am letting out any trade secrets when I say that he and I co-operated in presenting the most comprehensive and coherent case for the retention of BNOC. In column 230 of the *Official Report* of 18 December 1984, the Minister made the basic case for retaining BNOC as a body trading in participation oil and exercising its rights to that oil. Long lead times are involved in this trade. The right hon. Gentleman said that we needed long-term arrangements because they would provide us with secure supplies of oil. I do not believe that the oil market changed between December and May in relation to the basic argument about the security of supply. Prices have certainly changed. What the right hon. Gentleman said in column 230 of the *Official Report* was valid then, and it is valid now. If the right hon. Gentleman wants to stand on his head—an unseemly posture—he should not expect the rest of us to do so as well. The right hon. Gentleman stood some of the arguments on their head today. We have every right to remind him of them and to reject his arguments, too.

The truth is that BNOC had, and has, in my view, a basic and fundamental role in securing our oil supplies. The alternatives that the Minister of State described have been around for some time. The Energy Act has been around since 1976 but, as the former Secretary of State the right hon. Member for Guildford knows, it is an enormous power, but it is a bit of a power of last resort. The House has to declare a national emergency before aspects of it can be used. The power is meant to be used not for handling a shortage problem but for a massive crisis in our oil markets. It is perfectly reasonable and justifiable legislation but it is a last resort, and so inappropriate for dealing with shortages and crises that fall short of the 7 per cent. figure.

Likewise, the International Energy Agency and EEC arrangements assume a dramatic position. There has to be a dramatic crisis before the arrangements are triggered off. The Minister argued that the participation rights will be in place. He also said that he has the paper assurances from the oil companies. What sort of assurances are they? Are they in the form of letters? Do they have the force of law? If they were challenged in a time of crisis, would they stand up? If any of the oil companies reneged on them, would the Government have the power in law to force them to abide by those assurances? Suddenly the assurances have become informal. We do not know in what form they are. Are they just letters, saying, "Dear Secretary of State Peter . . . Yours sincerely . . . " and so on? Are the assurances meaningful? Do they have a legal presentation? Do they have the binding effect of a contract? We need to know.

The Minister of State made a strong case that we need not have a national oil corporation with all the participation rights and so on because we have those assurances. My fear, and the fear of many hon. Members, is that those assurances would be worth only the paper that they were written on when the crunch came. One should talk to those who faced the crisis in 1973-74 to discover whether oil companies deliver such assurances when the time comes. They plead other obligations and other contractual arrangements. I could list the qualifications and conditions that could be attached. However, I am willing to look at those assurances if the Minister will present them to the House so that we may decide how effective they are.

We should not rest the case of the security of our oil supplies on paper assurances from the oil companies. However, we should rest the case on the right to participation oil—not only the right but access to and trading in that participation oil. Today the right hon. Gentleman did not mention — and in December he argued otherwise—how he and his agency will trigger off those paper participation rights. I should like the Minister to clarify that. The paper participation rights that can be activated in times of shortage and crisis can be served with six months' notice in half the cases and 12 months' notice in the other half. How much of an assurance is that? I hope that people will hang around and wait and not create too much of a crisis while the Secretary of State and his agency trigger off the participation rights, with the six months' and 12 months' notice.

That is why we have a national oil trading corporation. It is real participation oil, not paper participation oil. Net after sale-back, BNOC trades in about 800,000 barrels a day. It serves on the technical and operating committees on the North sea. It is involved in the detailed decisions of lifting and transporting our oil. That is the real thing. That is what I call a real form of safeguard and assurance.

Will the agency inherit any of those responsibilities? Will it have the right to serve on the operating and technical committees as BNOC does now? That is vital. That is how one knows what is going on, on a day-to-day basis. That is how one finds out how the oil is being lifted and transported. Those are genuine, basic, reasonable and effective ways in which one can know about our North sea oil. If the agency does not do that and does not trade in at least some participation oil, what we have been offered as an alternative to a national oil corporation is a pathetic, stripped-down substitute — yet another new quango serving a limited purpose.

The Minister did not give the figures, so I shall offer mine to the House and see whether he disagrees. These are the 1984 figures. Net after sale-back BNOC trades in about 800,000 barrels a day. I hope that the Minister will correct me if I have got the figures wrong. I had to do my own research, and I want to make sure that I am giving the factual statistics. BNOC trades in about 430,000 barrels a day of participation oil and about 260,000 barrels a day of royalty oil. It trades in about 175,000 barrels on a commercial basis, in voluntary commercial deals, often with the small independent oil companies and some quite large companies. That is about 850,000 barrels altogether.

[Mr. Ted Rowlands]

How many barrels will the Oil and Pipelines Agency trade in? The hon. Member for Erewash (Mr. Rost) also raised this matter. I understand that the agency will trade in royalty oil. Is that correct?

Mr. Buchanan-Smith *indicated assent.*

Mr. Rowlands: The Minister nods in agreement.

Will the agency trade in 260,000 barrels a day of royalty oil? That was the point of my intervention, which was not minor or clever, but fundamental. Until about a year ago, quite a few of the large major oil companies had arrangements on sale-back of quite a large percentage of royalty oil in kind. Of the 260,000 barrels, about 160,000 barrels or so a day were sold back to the major oil companies, but they dumped it on the national corporation recently. They did not ask for the royalty in kind, so the royalty figure is now 260,000 barrels a day at its maximum. That is nearly a quarter of what BNOC trades in. The volume for security of supply is important. If the agency did not trade in 260,000 to 280,000 barrels a day, it would be worthless. It would be scarcely worth setting up. It would be an incredibly pale shadow if it were trading in a net figure of 100,000 barrels a day of royalty oil. One need not bother to do that. One would not get the people who felt any sense of commitment if they were to trade in such minimal amounts of oil. There would be no security of supply if the figure were down to 100,000 barrels a day.

When he winds up, perhaps the Minister will give us a clear undertaking and assurance that the agency will be a form of insurance policy, an organisation with a right to trade in oil, which will endeavour to give security of our supply, and trade in all royalty in kind. However, in itself that will not be much good because, as the Minister said, it is self-extinguishing. After two years royalty oil will drop rapidly and dramatically because we passed the Petroleum Royalties (Relief) Act 1983 to remove our royalty in the new fields. In six of the older fields, the Government did not elect to take royalty oil in kind anyway. After two years, the agency will dwindle as the royalty oil dwindles. How secure will our oil be then? An agency trading in royalty oil is supposed to be a new factor in ensuring our security of supply, but in three years' time it will be far less important.

The Minister also said that he would not allow the agency to trade in liquid petroleum gas. I find that statement astonishing. The Government are abolishing BNOC because of changes in the market and the movement from contract to spot price, but the curious feature of the LPG market is that it has not done that. It is still substantially a contract term price market. It also happens to be one of BNOC's most profitable businesses. Why should the agency be forced to turn its back on good profitable business which has helped to stabilise the market and has not manifested itself, like the crude market, by going dramatically from term and contract price to spot? Why should the agency not be allowed to trade commercially and profitably on BNOC's LPG contracts? The Minister said that the trade was not large, but 500,000 tonnes could be a profitable sideline. We shall return to that matter in Committee.

I do not think that the way in which the Government are establishing the agency will attract top people. The staff of BNOC deserve an assurance that nobody will be forced to transfer from BNOC to the Government's Oil and Pipelines Agency, or GOPA. It sounds about as good as it looks — cacophonous. Will proper redundancy and severance terms be negotiated with the staff? There should be no forced transfers from a good trading organisation which was respected and attracted first-class people to an agency which, unless we can beef it up in Committee, will be unable to attract anybody who is not second or third-rate because it will not have a meaningful function.

The only oil that the new agency will trade in will dwindle away, as will control of our oil, when North sea oil production begins to fall. Irrespective of the tremendous efforts that have been made with discovery and development, we now know that our oil supply will grow much tighter in the 1990s and that we shall be lucky to hold to self-sufficiency — and we shall have less practical control as a result of the Bill. I hope that my right hon. and hon. Friends will join me in Committee in trying to give the Bill more substance and realism, especially with participation oil. Without an agency such as BNOC we shall have far less control over our oil supplies.

The Minister said that BNOC performed several other important functions. I shall not say much about the management of the pipeline as we shall be able to discuss that in Committee, but he mentioned other matters on which I have the right to ask for clarification. When asked about BNOC's role as a tax reference point and helping the oil tax office to tax oil companies, the Minister gave an astonishing reply. It was utterly unclear and contradicted a fundamental statement that he made on 18 December when he said:

"We must also ensure that there are some arms length sales at transparent prices."—[*Official Report*, 18 December 1984; Vol. 70, c. 230.]

He then discussed other options. He must have been asked about the American posted price system, as he said that our market could not be compared to the American one and that we need something like BNOC to act as a tax reference point. We are now told that the oil tax office has been in conversation with the oil companies. How many oil traders has the oil taxation office got? How many people who really know the ins and the outs of the North sea oil regime, who know the score — the fiddles, arrangements, fixes and intricacies — of North sea production and development has it got?

As the Minister said so eloquently on 18 December, BNOC's value was that it relieved the oil taxation office of this sort of operational function. The Bill will lead—I choose my words carefully; those of the Minister were wholly inadequate — to loopholes and certainly tax avoidance.

The oil taxation office will depend heavily on the oil companies' information and published information. After all, I suspect that the authoritative *Financial Times* oil price statements depend on companies such as BP for their information. This Bill, in seeking to abolish BNOC and thus its role as a tax reference point through its pricing mechanism, will lead to considerable loopholes and tax avoidance, if not abuse.

The basic reason for abolishing BNOC concerns its price fixing and price stabilising role. Apparently, BNOC has failed to prop up prices. That is the ultimate sin in the Government's eyes and the only case that the Minister has made—the other arguments and issues are not affected by price. The Minister validated that in December. The Government's only case is that market conditions between December and March showed them that BNOC was

unnecessary and irrelevant because it was unable to fix and stabilise oil prices any longer. I challenge the Minister to find that that was BNOC's primary function. It never was. BNOC played a role, but fixing and stabilising oil prices was never its primary function. I find it distasteful that BNOC should be abolished because of its failure to prop up prices at the Government's behest.

Mr. Buchanan-Smith: I have never said that BNOC was used or that one of its purposes was to prop up prices. I said it had a role in a rising or falling market to try to avoid destabilisation. That is very different from the gloss which the hon. Member is trying to put on it.

Mr. Rowlands: We all heard the Minister and the modest disbelief on the faces of his right hon. and hon. Friends says it all. "Stabilising" is a euphuistic word; the Minister meant propping up the price. Indeed, he claimed it as a virtue that, although £65 million was spent in subsidies and grants to BNOC, one can discount most of that because, as a result of the propping up of the price, the Chancellor of the Exchequer collected more tax. I do not think that I have given an offensive or inaccurate description of what the Government are doing. In more ways than one, they actually stated it. The Minister claimed that the subsidy was not in effect very large because, as the price was kept up, the Chancellor collected more taxation and, overall, not much money was lost. Any reasonable person would say that the Government were propping up the price.

Mr. Kevin Barron (Rother Valley): I entirely agree with my hon. Friend. Indeed, it was stated in the debate in December that 75 per cent. of what was paid in Supplementary Estimates to keep the prices up was paid back directly through taxation.

Mr. Rowlands: That point was also made in the Select Committee. We can only conclude that the Government were in the business, last summer and again in January and February this year, of attempting to hold up the price—to stabilise it at a fairly high level.

In January and February this year, BNOC attempted to carry out that function not on its own judgment but at the direct behest of the Government. However, because it cannot now carry out that function, it is to be abolished. It is being abolished, the Government say, because, as a result of the apparent oil glut, there is a major shift towards the spot market and away from term contracts. Incidentally, one of the reasons for the flight out of term contracts with BNOC was that the Government would not let BNOC adjust its price in order to keep the contracts.

How permanent will the shift towards the spot market be? Even the Minister, when he made his abolishing statement on 13 March, dared not forecast with any confidence the permanent nature of the market change, even though it is the reason that the Government give for abolishing BNOC. I shall quote the Minister's words without interpretation or gloss. He said:

"This trend . . . is unlikely to be reversed in the near future."—[*Official Report*, 13 March 1985, Vol. 75, c. 305.]

BNOC is being abolished on the strength of the unlikelihood of another change in a trend in the near future. How spurious and shortsighted can an argument be? Can that be the sole basis and justification for abolishing an oil trading corporation?

No one would deny that there has been a shift in the market, or that it is necessary to adapt to change in market situations. Did BNOC not wish to do just that in January and February? Did not Mr. Goskirk and his team put to the Government specific proposals to relate the price to the market, and possibly even sensibly to reduce the percentage of participation oil that BNOC was taking? Those were sensible and pragmatic proposals to adjust to the changing market. BNOC wished to adapt to the market, but the Government prevented it from doing so. Scared of OPEC, and afraid of the fiscal consequences of lower prices, the Government asked BNOC to intervene and hold the price for longer than BNOC would have wished to do. BNOC could have adjusted both to price and participation volumes in a sensible and moderate way without destroying its other primary functions. The Government have made an appalling case for abolishing a major national corporation that until last summer had made a profit and to which, even though it was given subsidies and grants, the net payment was minimal.

I hope that the Minister will make a statement about the existing state of BNOC's finances. That was an astonishing omission from his speech. Has the £65 million done the trick? What was the net cost of the Government's intervention in BNOC last autumn and in the first three months of this year?

The Minister says that the Government are abolishing BNOC because it cannot affect the price or act in a stabilising role when the spot market is of such importance. He says that we must not risk a major destabilisation of prices. How will he now stop the price going through the floor? He believes that stabilisation was of vital importance, but now we have no way of combating the growing destabilisation of the market.

The Government enjoyed a good press on the day after their announcement on 13 March. OPEC did not respond. There was no immediate collapse of the price. A cosy glow surrounded the announcement. Last Sunday, and today, the situation did not and does not look quite so cosy. There is great potential for destabilisation of oil prices. The imbalance between capacity, production and demand is so great that destabilisation is quite likely. Nevertheless, the Minister does not have even a fig leaf now. He has made his case for stabilising the price. Whither now that policy? Whither now the price of oil? Whither now the Government's cherished goal of stabilising the prices?

There was no case for rejecting BNOC's modified proposals earlier this year. There is no case for abolishing BNOC on the basis of a trend in the market. It might be abolished for ideological reasons, but not for the spurious and specious reasons given by the Minister. The characteristic of the Government's approach to our oil industry is shortsightedness. The Minister's charm conceals considerable complacency. The Government are complacent and shortsighted about our oil and gas reserves. They are dangerously complacent about the security of our oil supplies. The Bill illustrates that complacency. It destroys our most sensible and practical instrument for ensuring sensible control over the destination of our own oil. The Opposition will vote against it tonight.

5.47 pm

Mr. David Howell (Guildford): I strongly welcome the Government's decision to wind up BNOC and to get out of oil trading on a substantial basis and out of what, for want of a better word, we may call price stabilisation. BNOC was never an effective organisation for stabilising

[Mr. David Howell]

prices. For better or worse, it may have fallen into a role in which it was believed to be able to make a contribution to price stability, but in due course, as my right hon. Friend has rightly argued, such effect on prices as it had began to tend towards instability.

Conditions in the oil market have changed totally and fundamentally, not just in connection with the move from scarcity to glut but in a structural way, since the early 1980s and late 1970s. We must construct a new policy to deal with those changed conditions. As my right hon. Friend knows—if I may strike one querulous note—I believe that we should have made this decision earlier. Conditions began to change in 1983, and were consolidated by the end of that year and the beginning of 1984. We might have saved ourselves some pain and grief by moving earlier. We could have saved ourselves some difficulties and some public money.

The hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) covered the scene with knowledge and experience. He has followed these matters in great detail for a long time. I fully echo the hon. Gentleman's tribute to Mr. Goskirk and his team, who have done a very good job in increasingly difficult and ultimately virtually impossible circumstances. They deserve our congratulations and our full recognition of all that they have achieved.

Looking at the broad picture, I have no doubt that we are right to extricate ourselves from an oil price world scene that is admittedly ugly and will probably get uglier. In the past we were sucked into those difficulties, but now we may be able to stand a little aside from them. Nevertheless, we are bound to be affected because we are part of the world oil market.

My only question about the Bill is why, having taken the decision to disentangle us from the activities of BNOC as a major oil trader and having gone so to speak three quarters of the hog, has my right hon. Friend not gone the whole hog and ended the role of the successor organisation as a substantial oil trader or, at least, as an oil trader on a routine basis? The successor organisation will continue to trade royalty oil. I do not know whether the figure will be 250,000 barrels a day or less because of refunding arrangements. However, it remains an extremely large trading operation by oil trading standards.

The world oil conditions that we face today are completely new and wholly unrelated to anything that we faced six years ago, and I query whether we need to maintain a state oil trading operation of this size. I shall deal with the problem of security of supply about which the hon. Member for Merthyr Tydfil and Rhymney spoke at length shortly. It is quite separate from the question of trading.

To take royalty oil in kind has nothing to do with security of supply. It is perfectly true that in 1979 or early 1980 I decided that we should take royalty from the oil companies, not in cash, which was the previous arrangement, but in kind. At that time we were living in a world of major crises. Indeed, many oil-dry and oil-thirsty countries were in what can only be described as a state of panic. The far eastern buyers from Korea and Japan were ready to enter into contracts at almost any price named by the middle eastern producers under any conditions to secure access to oil. At that time the OPEC countries were producing about one third of the free world's oil needs. Now they produce much less than half of that. In that crisis atmosphere the decision was taken to take royalty oil in kind.

Those conditions do not prevail today. Of course, it is possible to paint a scene in which the world turns upside down and crises return, and we should prepare to meet that, if it comes. However, I do not see the need to continue with the royalty in kind arrangement. I think that my right hon. Friend the Minister said that that responsibility was to be exercised by the new agency. However, it is the Secretary of State who can decide whether to take the royalty oil in cash or kind. If it is to be taken in kind, we would be left with a small residual body, which could be activated if we ever needed to use the participation agreements again, but which would not be involved in the sizeable trading that is now proposed. I hope that my right hon. Friend or one of his colleagues will tell us why we are leaving the state in the oil trading business in these new conditions.

It is clear that in 1979 the threat of the participation agreements, rather than their practical use, helped to maintain conditions in the United Kingdom oil market, where we could get reasonable security of supply. However, as was said in a previous debate, there were problems. In the late 1970s, in less critical times, the fact that BNOC had entered into agreements overseas to supply oil which it had procured through participation later created rigidities and difficulties at the moment of crisis when we had to unscramble them. The hon. Gentleman's case that we should keep BNOC, not for price stability —I agree with him that stability of price was a function that grew on to BNOC later — but to keep the participation agreements active, with oil flowing in every direction, needs to be considered carefully in the light of our experience of 1979-80. We found that during quieter times too much of that hamstrung the United Kingdom Government and the needs of the United Kingdom market for oil.

Mr. Rowlands: Did not the right hon. Gentleman institute changes to create greater flexibility in BNOC's trading as a result of finding those rigidities and inflexibilities? Does he agree that it is important to have a volume of oil in order to redirect or divert a percentage of it? The smaller the volume of oil, the less chance one has of redirecting or rediverting a percentage of it back to one's own market.

Mr. Howell: I do not see it that way. Under present conditions one does not need to be involved in a large volume of oil trading to influence security of supply. The participation agreements remain on the books, the Energy Act 1976 is on the statute book, and in 1979 and 1980 we spent many days and nights developing the International Energy Agency and European Community trigger agreements. The European Community countries are far better equipped now to cope with the problems of a sudden interruption in oil supplies than they were then. In these conditions we are right to keep the participation agreements, but on the back burner.

It is particularly timely that the United Kingdom should withdraw from involvement in international arrangements to maintain high oil prices because the oil market is in an unhealthy state. Continued dabbling through BNOC and price stabilisation added to that. Although that has now stopped, it does not mean that everything will stabilise. On

the contrary, we shall either see a steady and continuing decline in the international oil industry combined with sagging and soft prices, or a sudden collapse in prices. The latter is less likely than the former. There is about a one in four chance that that could happen.

That position is extremely dangerous. We are in that dangerous position for the simplest of economic reasons: the attempt to keep prices politically and artificially high has, as always, vastly stimulated additional production. Despite OPEC's attempts to keep to its quota, huge new non-OPEC oil supplies have come on stream and vast exploration has been stimulated throughout the world.

On the demand side, those high prices have produced massive incentives to cut demand. All the demand forecasts of the oil industry and of OPEC, even the recent ones of a year ago, have proved wholly wrong. This summer demand increased less than 1 per cent. on last summer, and that was after a year of colossal growth in the American economy. In 1973 the oil industry's forecast for the amount of oil that the world would use in 1985 was 100 per cent. wrong. For every two barrels that the industry forecast we would use in 1985, we are using one. Therefore, demand has fallen dramatically, alternatives have been dramatically developed, and OPEC has continued to produce at a fairly high rate. Although that rate is officially constrained, I have no doubt that a great deal of cheating and leakage goes on, so that all sorts of oil supplies are now swamping and surging into the Mediterranean market and creating a vast production overhang.

The latest developments on the Soviet side have not helped because it is now recycling much more oil into Western markets. Meanwhile we are beginning to realise that if we liberate the natural gas market in northern Europe, there will be a vast upsurge in the use of natural gas. That will undercut falsely priced oil even further. If we follow my right hon. Friend's plans to privatise the British Gas Corporation, as I hope we shall, the corporation, which will remain a large integrated organisation, will pursue vigorously its market strategy and vastly expand demand for its product. We shall see in Britain and throughout northern Europe a far greater incursion of natural gas into the oil market.

All those matters will inevitably create conditions in which the supply and demand of world oil will be in hopeless disequilibrium. As I said earlier, the only question is whether there will be a steady but awkward decline, with the international oil industry fighting to maintain its domination and, paradoxically, by its fighting, losing it, or whether the position will slide out of control completely and cause a major collapse in world oil prices.

In those conditions, we must think carefully, as a substantial oil producer, of how we would cope with a one in four chance of a collapse. We must think realistically about how we will manage our economy in the next 10 years, given that we are moving down from a peak of oil production—although much more gradually than people realise—and that there is an almost continual softening in the price. It is beginning even now. Each month, OPEC makes hopeful statements that oil prices will firm or that real prices will increase. Each month that passes, the opposite happens, and the oil price in spot markets is beginning to slide away to about $25 for Arab light. It will be $23 before long.

The price will probably not collapse, because many international and institutional forces have an interest in trying to prevent a collapse, but the alternative will be a steady downward drift. The projections from the oil companies of ever-increasing real oil prices are completely unrealistic in the new conditions. The domination which OPEC hoped to achieve has slipped out of its grasp, and its contribution to free world oil supplies has fallen from nearly 40 per cent. to less than 20 per cent.

In all those circumstances, it is entirely right that the North sea should stand apart from those developments, although Britain, as a producer and as a nation that relies on substantial oil exports, should prepare itself for the difficulties to come. As long as we were involved, we were blamed. Even now, I notice that as OPEC prepares for the inevitable, which is the next slide in oil prices of a dollar or more in a few weeks or months' time, it is working up the blame machine again. Although when my right hon. Friend announced the demise of BNOC there was remarkably little comment from OPEC, we are beginning to see some cross remarks in the newspapers to the effect that Britain is over-producing, has removed BNOC and is generally undermining the position. That is nonsense. We are not undermining the position; it has inherent undermining qualities built into it, which will remain until and unless OPEC and, to some extent, the international oil industry recognise the need to respond to market forces and allow oil to settle down again as a relatively low-cost source of energy in the world economic system. They damage themselves vastly by talking about how oil will be incredibly scarce, and the dangers and costs of production. The more they talk about scarcity, the more everyone designs oil needs out of their equipment — in everything from screwdrivers to skyscrapers. Therefore, the need for oil is gradually being designed out of the economic and industrial system.

That is the pattern, and I believe that we should stay well clear of it. My only sorrow is that our example has not been followed by the wiser minds in the middle east and other oil-producing countries, especially those in OPEC, which have not allowed market forces to enter the scene.

Conditions now are completely different from what they were in 1979. The pattern of oil production has changed radically, as has the pattern of demand. In those new conditions, we are right to adjust our policy, and I welcome what the Minister of State has done. Finally, I repeat that my only query concerns why we must remain in the oil trading business on a large scale at all.

6.4 pm

Mr. Bruce Millan (Glasgow, Govan): I will not follow the forecasts of the right hon. Member for Guildford (Mr. Howell) of what is likely to happen in the longer term to world production of and demand for oil, but I think that he is being remarkably complacent if he assumes that there will be no supply crisis in the future. I do not believe that that is the view of the Government, who are much more cautious in this matter, and who claim that the safeguards still available to them for security of supply are adequate. They do not argue that we need no safeguards. It would be an incautious and unwise Government who did not operate on the basis that we need safeguards, but I shall return to the security of supply later.

If the price of oil drops in real terms in the next five or 10 years, and even more so if it collapses, it would have

[Mr. Bruce Millan]

serious implications for the United Kingdom economy. In 1985-86, apart from all the other considerations, such as the balance of payments and employment, the Government are assuming £13·5 billion in terms of tax receipts from North sea oil. Since 1979, the Government have been fortunate in the vast revenues that have come in from North sea oil. The great tragedy is that that revenue has been largely squandered. The right hon. Gentleman will agree with me on that. Our manufacturing industry has been debilitated since 1979. The Government constantly assure us that the economy is moving forward at a satisfactory rate, yet we have appalling unemployment, which is getting worse rather than better.

All this has happened in a period when we have had the uncovenanted advantage of North sea oil. The Bill is another example of the Government withdrawing from the oil business and abandoning any attempt to ensure that the industry is managed, developed and controlled in the national interest. The only interest of the Government—this is not irrelevant to what the Minister said—is to get production up to the maximum as quickly as possible for short-term financial advantage to the Exchequer. The Government do not have a depletion policy. In terms of security of supplies and the long-term future of the economy, the potential of North sea oil is being wasted.

The Bill is an example of withdrawing from the oil business, handing it over to private enterprise and assuming that, somehow or other, the national interest will be safeguarded. We can be sure that the national interest will not be safeguarded, because the oil companies, even in a crisis, are torn between their loyalty to the Government and their commercial interests. Experience has shown that commercial interests dominate their activities in a period of crisis.

My hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) made an excellent and comprehensive speech. The case that he put is unanswerable. The arguments of the Minister of State were not convincing, especially when so many of them contradicted his arguments in the debate in December and in his evidence to the Select Committee on Energy in March. They changed the day the Government announced the abolition of BNOC.

As my hon. Friend the Member for Merthyr Tydfil and Rhymney said, the Government's only case for the abandonment of BNOC is the changed circumstances of pricing. But that was never the primary purpose of BNOC. I hope that the Minister will attempt to answer the points that my hon. Friend made—although I believe those points to be unanswerable.

I am glad that the Minister said that the paper losses of BNOC over the past few months were no reflection on the competence and excellence of the BNOC staff. It is extraordinary that we are winding up an organisation that is constantly receiving these encomiums from the Government and everybody else for the excellent job it does.

On pricing, BNOC was operating under Government direction, as the Minister eventually, and reluctantly, agreed. If there were paper losses, they did not arise from the inefficiency of BNOC or policy decisions taken by it in the national interest. In fact, they arose from decisions taken by Ministers in what they considered to be the national interest — I do not seriously dispute their attitude to that.

I am not a member of the Select Committee, but I have read the report and it is difficult to understand what the Government were up to in that period. Was it an attempt to maintain the stability of prices for stability's sake, or were they concerned with the fiscal implications of a drop in oil prices? I suspect that the second consideration was rather more important to the Government than the first.

Included in the report of the Select Committee on Energy is a memorandum from the Department of Energy. It is speaking about the second half of 1984 when, despite the so-called losses, there was a net gain to the Exchequer from the way in which BNOC was operating under Government direction. The Department of Energy said in February:

> "In the particular circumstances in which BNOC's losses were made last year, they were more than offset by a higher level of tax revenue than would otherwise have been the case. That is because
>
> (i) suppliers of oil to BNOC at the term price pay tax on that price. The average marginal rate of taxation is over 75 per cent. In circumstances where BNOC is able to sell more than approximately 25 per cent. of its oil at term prices, therefore, its losses on its remaining sales at lower spot prices will be less than the benefit to the Exchequer of suppliers to BNOC paying tax based on the higher term price. Those circumstances obtained throughout the second half of last year."

There was some financial sense in what the Government were doing in their directions to BNOC to prop up the price, which is what they were doing, despite all the talk about stability.

Labour Members accept that BNOC cannot prop up prices in this artificial way indefinitely, and perhaps should not do so at all. It was never the function of BNOC to operate in this way. Though I find it difficult to accept the proposition that this country, the fifth largest producer of oil in the world, has no influence on world prices. That would be an abandonment of responsibility. Again, the Government have not come clean on this.

It is difficult to understand exactly what the relationships are with OPEC and what discussions the Government had with OPEC and other countries. One of the major oil companies, Shell, in the memorandum that it presented to the Select Committee on Energy, took the view that BNOC could influence the world price of oil, although obviously this is one of many influences. I should not for one moment argue that BNOC's influence could be anything like the influence of the decisions, or non-decisions, of OPEC on either price or production.

Even if the circumstances of pricing had changed, that is not a case for the abolition of BNOC. There is no reason why BNOC could not operate on the basis on which it was operating before the Government asked it to prop up prices artificially when it did respond to market conditions.

It is extremely foolish and dangerous to say that, because circumstances have changed and present conditions are as they are, that will continue for ever, so there is no need for this organisation, even for pricing. However, the argument is not basically about pricing, although that is an important consideration. Security of supplies is bound to be the main consideration. Until recently not only was that not disputed by the Government, but they argued strongly, as my hon. Friend the Member

for Merthyr Tydfil and Rhymney said, for the necessity to maintain BNOC for the sake of security of supplies in possibly dangerous situations.

We know that, under the Energy Act 1976, certain arrangements can be made only in a dire emergency. We are talking about a state of emergency being declared before the British Government, under the Energy Act, can take certain measures. Other measures can be taken under EEC arrangements and International Energy Agency arrangements, about which the Minister has spoken today.

The Minister's case was ludicrous. First of all, he spoke about reactivation of participation agreements. Perhaps the Minister will answer the point made by my hon. Friend the Member for Merthyr Tydfil and Rhymney about the requirement of six months' or 12 months' notice to reactivate the participation agreements. Are we assuming that we shall get notice of a crisis six or 12 months in advance? That has never happened before in this sector or any other sector of political and economic activity. Reactivation is not a satisfactory safeguard compared with the present arrangements under which BNOC is trading in participation oil on a massive scale. Our position is bound to be weakened if a crisis short of a declaration of a state of emergency should arise.

As to informal assurances from oil, product or marketing companies, I am sorry, but I doubt very much whether they are worth the paper on which they are written —if indeed they are written at all. Even that was not clear from what the Minister said. If they are not legally binding but are rather more than general expressions of good will, no doubt we shall get further information in the winding-up speech or in Committee. However, it is not sensible, on a matter of such importance, to rely on informal assurances from product or marketing companies in the oil sector.

It is a dereliction of duty on the part of Government to rely simply on such informal assurances. I had a limited experience at one time of the difficulties of oil supplies. Although my interest was marginal compared with that of my right hon. Friends, I did not as a Minister find the oil companies particularly helpful or accommodating. I have no reason to believe that they would be any better in the future than they were in the past.

Similar questions arise about taxation. We are talking about massive sums of money. If things go wrong, there will be a considerable loss to the Inland Revenue. The Minister acknowledged that it had been useful to have BNOC as a reference point in determining the appropriate prices for taxation arrangements when one was dealing not with arm's-length arrangements but with arrangements in which artificial pricing is commonplace. Artificial pricing is arranged in a way that benefits not the Inland Revenue but the potential taxpayer.

The fact that BNOC is involved in trading on a massive scale is bound to be of considerable benefit from the point of view of the oil taxation office. It contains a wealth of knowledge and day-to-day experience which will be lost if and when the Bill is enacted. BNOC is trading in many different brands of crudes, so the office has a yardstick by which to judge the market price. The price at which BNOC sells and, in certain circumstances, buys is the going rate. The major oil producers are also refiners. Therefore, they have an interest in depressing, for taxation purposes, the price of crude oil. It is on the crude price that the marginal rate of tax bites very heavily.

All the major oil companies have oil taxation departments staffed by highly skilled, professional people, many of whom are accountants. They are very well qualified to look after the interests of the oil companies. I do not criticise the oil taxation office when I say that, unless it is provided with information from inside, it cannot compete with that level of expertise. It can obtain that information now from BNOC, but in future it will be unable to obtain information on anything like the same scale, and after the royalty oil has run out it will be unable to obtain any information.

We are referring to considerable sums of money. If the price of oil is reduced by 1 per cent., the Exchequer will lose revenue amounting to £150 million. A 1 per cent. fiddling around with transfer pricing or a 1 per cent. difference between the reference price that the oil taxation office, properly informed, applies now and what will be applied in the new circumstances involves a considerable sum of money.

The Minister of State said that this matter will be taken care of because the Government will talk to the oil companies about it. How naive can one be? The oil companies are on the other side. They are, as they are perfectly entitled to do, looking after their own interests. Nice chats with the oil companies will not solve this problem. As recently as December 1984 the Minister acknowledged in a debate the worth of the BNOC.

Mr. Rowlands: I am grateful to my right hon. Friend for allowing me to intervene. I wish only to underline his point that in 1984-85 petroleum revenue tax yielded an estimated or provisional £7·2 billion, while corporation tax yielded another £2·4 billion. Therefore, the odd loophole or slip-up in taxation could mean the loss of tens of millions of pounds, not just a few million pounds.

Mr. Millan: Yes. In that context we are dealing with the abandonment of an organisation which now employs 120 people. When the Bill is enacted it will employ only 40 people. These people are involved in a great many activities, all of which were profitable until the Government interfered with the pricing mechanism. Even that, from the overall national point of view, benefited the Exchequer. We are dealing with a small organisation that is operating in an area of activity where, if things go wrong, the Government can be taken to the cleaners for very large sums of money. It is astonishing that we should be debating the abolition of BNOC, for the reasons given about price changes, when all these other activities are of such immense advantage and importance to the country and the Exchequer.

I am a member of the trade union which is principally concerned with the staffing of BNOC—the Association of Professional, Executive, Clerical and Computer Staff. I was glad that the Minister of State referred to the fact that there had been a meeting with the general secretary of APEX, Mr. Grantham, at which I know certain assurances were given. However, the announcement came as a bolt from the blue.

Mr. Buchanan-Smith *indicated assent.*

Mr. Millan: The Minister of State is acknowledging that fact. There was no reason for the staff to believe that BNOC would be abolished. BNOC was recruiting up to the day of the announcement. Some of the staff have not been with BNOC for very long. They were recruited to

[Mr. Millan]

work for what they believed to be a developing organisation with a long-term future. Therefore we must make sure that the staff are dealt with very generously.

As my hon. Friend the Member for Merthyr Tydfil and Rhymney has already said, members of staff must be given freedom to decide whether they wish to be transferred to this much truncated and mutilated agency. It will have considerable difficulty, for obvious reasons, in attracting the highest quality staff. Its functions are to be severely reduced. Its oil trading functions will disappear completely, unless participation agreements should be reactivated. If such agreements they ever were, it is probable that nobody in the new agency would know how to trade in oil. I do not wish to deal in detail with the provisions relating to pensions, but those Opposition Members who will consider the Bill in Committee will wish to ensure that staff are dealt with fairly and generously, particularly bearing in mind the unexpected nature of the announcement about the winding up of the BNOC.

In conclusion, I repeat what I said a few moments ago. In the light of the various statements made by the Minister almost up to the date of the announcement, it is astonishing and extraordinary that the Government should be about to abolish the BNOC. It is a tragedy that an organisation which has done an extremely worthwhile job for the country is to be abolished. The national interest will be put at a considerable disadvantage.

6.27 pm

Mr. John Hannam (Exeter): In his speech the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) beat his breast, called for pragmatism and then went on to deliver a speech which demonstrated a total ideological commitment to the continuation of another state interventionist body. I do not criticise him for that; he has always stuck to that approach. The right hon. Member for Glasgow, Govan (Mr. Millan) implied that the only way in which some degree of control can be maintained over the oil industry—he did not use the words "the wicked oil industry", but that was the phrase used in years gone by — is through some form of British National Oil Corporation. The Department of Energy, through the powers that it wields by means of the licensing rounds, exerts a very much greater degree of control and discipline. The threat that participation agreements might be reintroduced would bring to heel any oil company that was thinking of trying to get round any form of taxation. Therefore, the right hon. Member's arguments are irrelevant in the context of this Second Reading debate.

When the House last debated the role of BNOC on 14 March 1985, the only Opposition Front Bench spokesman who was present was the hon. Member for Merthyr Tydfil and Rhymney. This is surprising, in view of the outraged indignation of the Opposition the previous day when my right hon. Friend the Minister of State announced the abolition of the BNOC. Someone referred to it being a fight involving tooth and nail. I do not know whether the hon. Gentleman would class himself as the tooth or the nail.

The fact is, as my right hon. Friend the Member for Guildford (Mr. Howell) has made clear, the Government are now right to call an end to the expensive game of playing with world oil prices. I am one of those who have in the past given qualified support to the role of BNOC as a price stabilising force and a means of ensuring a degree of security of supply to Britain in the event of a crisis. In my speech in the debate on 18 December I referred to the ever-present possibility of such a crisis of supply and I mentioned in particular the Iraq-Iran war as a potential threat. I also mentioned the coal dispute and our dependence on the much higher oil-burn in our power stations. It was the security of oil supply rather than the trading influence of BNOC which attracted my guarded support, and all the evidence of recent months points to the irrelevance of that trading role.

When spot oil prices were rising in the period up to spring 1983, BNOC was able to establish a good reputation as a shrewd trader in the volatile spot market following the Iran revolution. But when prices began to fall dramatically it became obvious that the role of BNOC in trying to set marker prices for oil had become impossible and large losses developed. The effect on oil prices of BNOC's intervention became less obvious. In my speech on 18 December I said:

> "I do not believe that BNOC or the Government have any illusions about their power to determine or influence oil prices in other than the most limited or marginal way."—[*Official Report*, 18 December 1984; Vol. 70, c. 221.]

I said that the BNOC price card could be used only occasionally and with diminishing effect as we moved from contracted sales to a large spot market. It is interesting, looking at the figures, to see that the spot market has increased from 500,000 barrels a day in 1979 to over 6 million barrels a day in 1984.

Therefore, I do not mourn the passing of BNOC's increasingly ineffective role. Indeed, looking at recent events, where we see a continuing shift from contract oil sales to the spot market as a sign of things to come in what everyone would agree is an oil surplus world market, I can foresee the continuation of those particular pricing problems. I welcome the Government's decision although I pay tribute to the work of the BNOC's staff during a difficult trading time.

It is with security of supply that I want to deal tonight. When I served on the Committee dealing with the original Petroleum and Submarine Pipe-lines Bill in 1975 with my right hon. Friend the Member for Guildford, the argument deployed by Conservative Members, who were then in opposition, was that we did not need the extensive BNOC interventionist role in the North sea. We argued for the combination of a proper tax regime and some kind of mechanism for ensuring security of supply in the event of an emergency. We did not support the creation of a vast BNOC organisation.

That is where we finish up again now. I fully accept the assurances of my right hon. Friend the Minister that security is and will be maintained through agreements with the refining and marketing companies because they are the companies which supply the British customer. I also agree with the hon. Member for Merthyr Tydfil and Rhymney that it would be extremely useful for us to have more detail of those assurances because that would satisfy the House.

I welcome the assurances of my right hon. Friend the Minister and also his explanation of the powers contained in the Energy Act 1976. It ensures that over two years stocks of oil will be maintained if an oil supply shortage of some 7 per cent. develops. I understand that that has

never happened and is unlikely to happen, but it is a precaution which can be triggered in the event of a world crisis.

As I understand it, the agency will still handle royalty oil of some 250,000 barrels a day and will retain the right to buy up to 51 per cent. of all North sea production, but only, as it says in the Bill, if there is some threat to the security of our United Kingdom oil supplies.

I would be grateful for more information on the definition of that threat to United Kingdom oil supplies. Who will decide what triggers off that threat? The International Energy Agency deals with world situations which became patent and easy to determine. What happens when there is a threat to the United Kingdom, not of the magnitude of a world crisis but which necessitates some action being taken to put into effect the assurances which my right hon. Friend the Minister has proclaimed we shall have from the oil trading companies and refineries? We need to know who will decide the nature of that crisis if we are concerned about security of supplies. Will it be a Cabinet decision based on advice from the Department of Energy or through consultation with a specific oil industry committee or association?

With regard to royalty oil, the agency has, I understand, the power to sell the 250,000 barrels a day or to contract out the selling. Under what circumstances would it choose between those two roles? How and what would influence its decision?

On 14 March my hon. Friend the Member for Enfield, Southgate (Mr. Portillo) expressed reservations about the retention of that royalty oil. My right hon. Friend the Member for Guildford also mentioned that. I, too, would like a little more explanation as to exactly why that power is being retained for the agency, and also about the continuation of participation agreements. As has been pointed out, they take a long time to spark off. In the event of a crisis, the mechanisms would take some time to take effect. I would concede that more direct means of securing oil supplies for Britain would be used. In fact, we have seen that done by other European nations. In the 1979 crisis we seem to have produced longer queues and greater shortages than anywhere on the Continent where more direct methods were used. I suspect that that will happen again unless we are clear how to ensure supplies to the British consumer.

The fact that we had BNOC in 1979 does not convince me that BNOC is the answer to security of supply. The Continental countries used their own more direct methods of ensuring that they got supplies to the consumer. However, I am not over concerned about the retention of those powers in the Bill. If they help to secure all-party support for the Bill, that is fine.

We live in an uncertain world with regard to energy and oil supplies. As has been pointed out, prices are on the slide again and, with OPEC increasingly unable to control its members' production levels, the short-term points to slack demand and a glut of oil. That should mean lower world energy prices and a falling dollar, both liable to benefit world trade and to create jobs. However, that will not necessarily help the oil-producing countries. We already see strains developing in OPEC with wild accusations being leveled at countries such as ourselves and Norway for maximising our production.

If we look a little further into the crystal ball—a dangerous thing to do in relation to energy—we see both Russian and American oil production beginning to turn down. The United States has produced some recent estimates of recoverable reserves which show a steep downward trend. In fact, the estimates of offshore oil reserves are now 55 per cent. lower than the 1981 estimate of offshore oil in the United States. The Alaskan reserve estimates have now dropped even more dramatically and are 73 per cent. lower than in 1971 following a succession of unsuccessful exploration wells.

At some time in the future, probably still a long way ahead, we may be heading back to the inevitable dependence once again on middle east oil and all that that entails. Those considerations must be borne in mind when planning Britain's future. The world will still be dependent to a large extent on oil, but the limited duration of the levels of consumption that we are used to will become more obvious. In that context, I believe that we need to maintain this agency with its limited security of supply powers. I believe that we are right to take the steps that we have to remove once and for all the farce of the oil trading pricing which has caused such losses to the British taxpayer.

I fully support the Bill, and I hope that the House will give it a Second Reading.

6.40 pm

Mr. Malcolm Bruce (Gordon): In one sense the announcement of the Bill was a surprise, but in another sense it was not. I have been looking back to what I said on 18 December 1984 about the confusion that reigned then within BNOC:

> "I suspect that people working at the British National Oil Corporation have even less idea what the Government's policy is and are being left in confusion about what is being expected of them."—[*Official Report*, 18 December 1984; Vol. 70, c. 209.]

I suppose the only good thing that they can say about the Bill is that at least they are no longer in confusion, but unfortunately some of them are left looking for alternative employment.

It is logical that, having emasculated the integrated state oil corporation and attempted to use BNOC in a way that, as hon. Members on both sides of the House have acknowledged, it was never intended to be used in the first place, the Government have decided to get rid of the embarrassment of BNOC finally and for all and simply replace it with an agency. In the context of other things that the Government are doing, I find that slightly ironic. The Government most of the time seem to be trying to suggest that Government agencies should be transferred to public corporations, whereas in this case, for obvious reasons, they are having to do the reverse.

Once the Bill goes through, either a vacuum or an opportunity will be created. I suggest to the Minister that it is time the Department of Energy took advantage of an opportunity rather than continued with the present state of drift. I do not think that I am the only person in the House or outside who remains puzzled as to exactly what Government policy is in the context of further development of the North sea and, indeed, North sea oil production and pricing.

Let us first consider oil pricing. The general contention in the debate is that we have a glut, a soft market, and that the price of oil is falling. It is down to about $25 and, depending on how optimistic or pessimistic one is, it could well drop below $25. The Government's response to that apparently is: "That is the way things happen, it is nothing

[Mr. Malcolm Bruce]

to do with us, we will just have to live with it," even though a few months ago they were clearly using BNOC at least to try to offset some of that effect.

It is a little naive for a country that produces 2·8 million barrels of oil a day to suggest that we have no influence on the market price. I freely accept that we are not the major influence, but it is absurd to continue to suggest, as the Government do, that there is no influence that the Government or the United Kingdom can have on the market price.

It is interesting to note in the context of OPEC that it has long been recognised that helping to determine prices cannot be separated from production. It would be nice to hear from the Government some coherent idea of what in their view North sea oil production is, could be or should be.

Perhaps I should remind the House that there was an agreement some years ago, when we were building up the production of the North sea, that we should aim for self-sufficiency. It was not a particularly scientific objective or one that was worked out on the basis of a great debate, yet a sort of consensus emerged that we might just as well go for something like self-sufficiency.

We are now producing 2·8 million barrels a day, something like 30 per cent. more than our domestic consumption. This is way past the original objective. We have gone through this figure without any reassessment of what we are doing or why we are doing it, and it appears that we are continuing to do so.

Mr. Michael Portillo (Enfield, Southgate): Is the hon. Gentleman advocating that we should now cut our oil production? Is that official Liberal party policy?

Mr. Bruce: I certainly think that we should be considering whether 2·8 million barrels a day of maximised oil production is in the best long-term interest of the nation. I freely admit that the Liberal party and the Social Democratic party are discussing whether some constraint on production would be sensible in the national interest. That is not a definitive statement of policy—it is not determined—but we think that it is an important question, and one to which the Department of Energy should address itself but has so far refused to do so.

The third item which has been much discussed is security of supply. The argument appears to be that we have a surplus of production, that supply is not a major problem and that therefore there is no need for any special measures. I accept the point of the hon. Member for Exeter (Mr. Hannam) that, in an emergency, legislation may be necessary rather than a long participation agreement. However, the Government cannot simply argue that, because the existing set-up does not provide adequate protection, they will get rid of it with no clear alternative. What we heard from the Minister of State was less than satisfactory. Some of his assurances were less than specific, and may or may not be valuable when the crisis comes.

It is not inappropriate, in suggesting that it is time for the Department of Energy to grasp some of the opportunities, to recognise that we have gone for a level of production in the North sea and that we have achieved that level. No hon. Member would wish to decry the considerable achievement by all those who have been involved in getting that far, but it is accepted that the investment in the industry in the next 15 years will exceed the total investment to date in the North sea since the first well was drilled. One wonders, observing the attendance in the Chamber and in the Strangers' Gallery, whether the nation is aware of the opportunities that still exist and whether the Government are failing in their duty to point out the scale of those opportunities and, indeed, to try to ensure a greater British involvement.

It is a matter of deep and continued disappointment to me that major companies such as ICI and GEC fail to have a significant stake in the technological development of the North sea and the opportunities that that brings. I should like to think that companies with substantial cash mountains might use them to increase our involvement in the technology in the industry.

Once the Government have swept away all the things that they have inherited from the Labour Government, which I understand they dislike for ideological reasons and want to see the back of, they should recognise that they have created a situation which is unlikely to be in the best interests of the United Kingdom market or, indeed, of the United Kingdom consumer. They have created a vacuum into which it is time they made a positive input. The accumulation of what the Government have done in the last five years suggests that they have a policy not to have a policy. Effectively, they are drifting about aimlessly without coming up with a constructive idea on how to ensure that, in the next 15 years, Britain's interest in pricing and production of our energy resources is maximised, with the maximisation of the industrial opportunities that arise therefrom, in a way that regrettably has not occurred in the last 15 years. *[Interruption.]*

I hear groans from a Conservative free marketeer, off stage, as it were. Nevertheless, I suggest that the Government should recognise that producing at the rate that we are doing, without taking account of the need to assess our national interest, is not a very responsible thing to do. Many people would recognise that it is not the Department of Energy that is running our energy policy; it is the Treasury. Indeed, there is a short-term objective to maximise oil production in order to get revenues to meet the short-term needs of the Government's public sector borrowing requirement and, indeed, perhaps their taxation measures.

If that is the case—I think that many hon. Members believe that it is—it might be more honest to admit it. I do not believe that that is the best long-term objective for the country. We need further sensible development. It is a balance, and I freely accept that we want to ensure that the market operates as effectively as it can. But we are not so naive as to ignore the effects of OPEC or of our production and our ability to influence price, and nor are we so naive as to fail to recognise that the Government could and should be doing considerably more to ensure that there is a reasonable policy.

The Government are sweeping away the last vestiges of what they inherited, but they have offered no alternative policy other than the free operation of the market—something that many people recognise is not, on its own, sufficient to ensure the best interests of North sea oil.

Mr. Gerald Bermingham (St. Helens, South): Does the hon. Gentleman agree that the Government's policy can be likened to that of a farmer with a barn full of corn, who, instead of planting some of the seeds for next year's crop, decides to sell the lot?

Mr. Bruce: I appreciate the point of the hon. Gentleman's intervention. Indeed, I was about to make the link to substantiate my point about Treasury domination of the Department's supposed strategy or lack of policy. The Department announced last week that it would sell British Gas at a yield of about £6 billion to £9 billion. For a Government dominated by someone who gives us homilies about good housekeeping, to do that simply to sustain current expenditure is not responsible.

The Government's objective is to maximise production from the North sea, not because it is the best policy in the long term, not because the price is right to get the best return, and not because it will provide the maximum opportunity for British industry to become involved—reasons that might be defensible—but simply to produce revenue to sustain the Government's economic strategy. It has nothing to do with good energy policy or good management of resources.

We should reconsider the production level and look to the next 20 years. We should take the opportunity to ensure that production is paced at a level that gives the maximum long-term benefit to the United Kingdom economy and the maximum long-term opportunity to British industry. There is no evidence that the Government propose to do that. While we can understand the purpose behind the Bill, the Minister should recognise that, if he does nothing but produce it, he will create a vacuum. He should take advantage of the opportunity provided.

My hon. Friends and I feel that this tidying-up operation might as well be completed, but only because of the way the Government have gone about it. The Labour party is, to some extent, defending something that it created, but which has outlived its full usefulness——

Mr. Peter Hardy (Wentworth): Why?

Mr. Bruce: Because of the steps that the Government have taken and because BNOC's record in recent months has shown that it cannot fulfil a considerable function, given the Government's constraints.

If the Government think that they can get away with abolishing BNOC and carrying on with their policy of not having a policy, the people of this country will recognise that they have squandered the only asset that stands between us and bankruptcy and have failed to take advantage of the long-term opportunity that it should and could present both for the economy and for industrial opportunity.

I urge the Minister to look beyond the Bill and give us some indication of how he sees the way forward to ensure a sensible, positive energy policy—something which, I regret, he and his colleagues have never attempted to bring before the House.

6.53 pm

Mr. Peter Rost (Erewash): Having listened to the hon. Member for Gordon (Mr. Bruce), I confess that I am more confused than ever about Liberal party policy. His speech criticised the Government for not having an energy policy, and I pricked up my ears and hoped that he would offer us an alternative policy—but nothing materialised. He offered only some rather vague views about the need to limit oil production in the interests of the British economy. He gave no specific reasons why that should be done and how best to do it.

I spent last weekend yet again offshore—this time looking at some of Britoil's operations in the Moray Firth and the Beatrice field—and saw some of the enormous economic benefits that have spread throughout Scotland, both onshore and offshore, as a result of the enormous investment that continues to take place. I should be surprised if there were many citizens north of the border who would welcome any artificial Government intervention to curtail development or, even worse, to cut production of existing fields.

To suggest that displays an extraordinary lack of knowledge of the economics of the oil industry. Long lead times are involved in developing a field, and once the investment has been made it is necessary to get back that money quickly if the company is to stay alive and if it is to build up the cash required to make preparations for the next investment. The country cannot afford a policy of depletion that would delay development of the smaller marginal fields, which are primarily the reserves still to be exploited. We cannot afford any hold-up or disincentive that would prevent investment in fields that will be marginal in reserves and profitability.

If that is what the Liberal party is suggesting, it will not only be extremely damaging for the offshore supply industry and all the employment and economic wealth that that creates, it will not only be extremely damaging for the oil industry itself, it will be disastrous for the economy and for the revenue from oil at a time when we must survive a major structural reorganisation in our society. We are faced with huge unemployment that has resulted from our not making ourselves more competitive and thereby not competing effectively with a world that has already developed the high technology industries that we are still trying to develop.

Mr. Bruce: The hon. Gentleman is suggesting that there should be no depletion policy until we begin to run down production. He is implying that the maximum production objective of the oil companies is automatically in accord with the national interest. He must acknowledge that many of the fields have had the full capital return, so most fields could handle a small cut in production. However, I agree that the new fields must be encouraged.

Mr. Rost: I am not prepared to argue that there is not some case for what the hon. Gentleman calls a depletion policy. However, the Select Committee considered that a year ago and did not reach that conclusion. It decided that we do not know whether we need a depletion policy because we do not know the extent of the reserves. The first objective must be to explore more thoroughly the extent of the reserves before we decide whether we need a depletion policy.

It is all very well to say that we must conserve oil because we might need it in 20 or 30 years—which would be a valid argument if we had only 20 or 30 years of reserves—but we do not know the extent of our reserves. We have licensed only about 10 per cent. of the acreage. There are large areas of potential oil-bearing acreage, some of which is coming out in the ninth round, but a great deal of which is being hoarded by the Department for future licensing. Until we have a clear assessment of reserves, and until the annual books on reserves begin to take a more comprehensive view as a result of more thorough explorations, we just do not know our reserves. Even with modern technology, we cannot know until we have drilled exploratory wells. There must be a great deal more drilling before we have the answer.

[Mr. Rost]

I agree with the hon. Gentleman that, at that stage, if we find that there is nothing much left there may be some justification for a depletion policy. If I pursue this theme, Mr. Deputy Speaker, you will no doubt rule me out of order.

The purpose of my contribution was to welcome the Bill and to express perhaps a little disappointment that Opposition Members have made rather spurious arguments about security of supply their main objection to the Bill. I want to deal with some of the laboured and unconvincing points put forward by Opposition Members, particularly the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands). He made heavy going of the argument about security of supply, if I may say so without disrespect to him because I admire his depth of knowledge and his contributions on these matters. I have learnt a great deal from him in my humble efforts to gain an understanding of this difficult subject.

Reference has already been made to the power that the Government have under the Energy Act 1976. Therefore, it seems strange to suggest that there is any risk to security of supply in an international emergency when, so far as I am aware — I have considered many offshore installations and platforms—the pipelines come to the United Kingdom and do not go anywhere else. Therefore, it seems absurd to try to argue that we would be in danger of losing supplies in an international emergency when the stuff has to be landed in the United Kingdom.

Of course, we export oil but it comes to the United Kingdom bases first. Some of it is moved direct from the oil platforms into tankers, but very little. Most of it comes by pipeline to bases such as Sullom Voe and it is from those bases that it is shipped abroad. The logistics make the Opposition argument ridiculous. If we were faced with an international crisis with a potential shortage of oil, I cannot see that we would be in danger of losing the supply because it has to be landed here anyway.

Even if the oil companies were not prepared to be co-operative—a ludicrous argument in itself—the logistics are such that the Government could easily use whatever force was required to insist that the oil landed here stayed here, even if there was not time for legislation.

Mr. Barron: In regard to the landing of offshore energy assets, does the hon. Member think that we should not alter the position whereby all energy has to be landed in this country before it can be exported?

Mr. Rost: I do not follow the point that the hon. Member is making. If he is suggesting that all energy should be landed in this country before it is subsequently exported, I cannot see the relevance of that argument.

Mr. Barron: To be more specific, does the hon. Member think that gas and oil from the United Kingdom continental shelf should be landed in this country before they can be exported?

Mr. Rost: That is the hon. Gentleman's argument. It is his party that says that we need security of supply. I do not accept the argument that all reserves from the United Kingdom shelf should be landed in this country first because I do not regard it as essential to do that to secure adequate supplies, as we have a surplus. In any case, most of it is landed here; it has to be landed here simply because it is marketed in this country.

Mr. Rowlands: Can the hon. Member tell us what piece of legislation, other than the Energy Act 1976 which includes the last-resort power of declaring a national emergency, allows a Government to ban the export of oil? So far as I know, the United States has a law forbidding the export of oil, but we do not. If the hon. Member is saying that the best way to secure oil supplies is to land them here and have legislation which allows the Government to stop them being exported, we can discuss that, but we do not have such a law, as the hon. Member knows.

Mr. Rost: If the hon. Member had allowed me to develop my argument, his intervention might have been irrelevant. To give him an immediate response, I am not sure what sort of catastrophe he visualises, but he has been here much longer than I have and surely he knows that in an emergency the nation unites and even opposite parties unite in Parliament. It would not take many minutes or hours for the necessary legislation to be passed as emergency legislation. It has been done before. There would be a consensus on such an issue. In that extremely hypothetical case, if it were felt that the oil companies could no longer be trusted to keep the oil in this country, emergency legislation could be introduced quickly.

The hon. Member's heavy-going argument about security of supply was also nonsensical because surely he knows that we import a high proportion of the oil that we consume. We import heavy crude, mostly from the middle east, because it is more suitable for burning in power stations and for some of our oil refineries. We export the bulk of our high quality North sea oil. There is an enormous two-way trade. Therefore, it is nonsensical to argue that we need our own oil for security of supply when basically we depend upon continued imports from the middle east. If those imports were to be shut off, it would be undesirable for us to export our own oil, but in the meantime our supplies depend upon the two-way trade. That point should be borne in mind.

The hon. Member for Merthyr Tydfil and Rhymney made a valid point that I support——

Mr. Rowlands: I am surprised if that is the sum total of the great demolition job that the hon. Member wanted to do on our arguments. If we do not need BNOC to ensure security of supplies, why does a vehement privateer and free marketeer such as the Chancellor of the Exchequer accept that argument? He accepted it when supporting the Oil and Gas (Enterprise) Act 1982. As well as being my view, it was the view of the Chancellor of the Exchequer.

Mr. Rost: The hon. Member has again jumped the gun. I was just about to support his argument in his speech this afternoon, even at the risk of embarrassing my own Front Bench. I was about to say that, while the hon. Member did not have a strong argument for saying that we need BNOC in its old form to ensure security of supply, he had a powerful argument when he reminded the House that Ministers, particularly my right hon. Friend the Minister of State, who opened on behalf of the Government, as late as last December were arguing that we need BNOC to maintain security of supplies. I do not want to embarrass my right hon. Friend by quoting evidence that he gave to me and several others on the Select Committee on Energy as recently as last December.

However, I will quote him, not to embarrass him but because I wish to develop the point. I asked my right hon. Friend:

"Do you believe BNOC has an on-going role to maintain security of supply?"

He replied:

"Yes, I do."

Later, in reply to a question from the hon. Member for Rother Valley (Mr. Barron), my right hon. Friend said:

"BNOC has a very important role in relation to participation agreements and in relation to security of supply. Therefore, I believe that there are important and continuing functions of BNOC."

I appreciate why my right hon. Friend's view has changed since December. Perhaps he has not convinced Opposition Members in the way that he should of the need for that change of view. He might tell them, for example, that circumstances have changed considerably since December. If he wishes to persuade Opposition Members of his need to change his view about the future role and usefulness of BNOC, he need only give more credit to the Select Committee than he gave today. Although my right hon. Friend was generous about the two Select Committee reports on BNOC, he might have said that the Select Committee had been instrumental in allowing him to see more clearly that BNOC had become irrelevant. I am sure that hon. Members in all parts of the House would then readily acknowledge that only outstanding Ministers have clarity of vision.

It would be an ideal opportunity for my right hon. Friend to get out of what some might suggest could be an embarrassing spot, bearing in mind the quotations that could be thrown at him from as recently as last December, when he was doing his best to justify the continued existence of BNOC — that is, until March, when he announced that it would be scrapped.

It is honourable and respectful for Ministers to do little U-turns when they realise that a change is justified. Indeed, if Governments and civil servants admitted the error of their ways more readily, we would have better government. That is preferable to going to the barricades in defence of a position which the Government held previously, just because they held it previously, even if the circumstances have dramatically changed. The situation has changed dramatically and BNOC is now an irrelevance, even if there was some doubt about it six months ago.

Mr. Rowlands: Why is it an irrelevance?

Mr. Rost: The main reason for its being an irrelevance came to light as a result of the recent instability in the price of oil. Last autumn it was obvious that BNOC, far from helping to stabilise the oil price, was an embarrassing contribution to its instability.

Mr. Barron: How?

Mr. Rost: BNOC's enormous volume of oil, which it had to sell because of its obligation to sell it, contributed to the collapse in the Rotterdam spot price. That has not been contradicted by anybody, even if it cannot categorically be proved. The logic of the situation supports that argument.

The spot market is extremely volatile and those who deal in it expect sharp fluctuations. The volume of trading on that spot market has increased, and a good proportion of that increase has been due to BNOC's forced sales. The Government realised, as a result of that experience, that BNOC, despite its capable and conscientious management, was not the best equipped organisation to deal with such a volatile market situation.

In saying that, I do not in any way criticise the management of BNOC. I have the highest respect for those concerned. But BNOC was not set up with the facilities to trade in a difficult, volatile market situation. Trading on long-term contracts at fixed prices was a process in which BNOC did a good job. Trading in a minute-by-minute fluctuating market, such as the Rotterdam market, was an exercise for which BNOC was not equipped.

Compared with oil companies, BNOC did not have the cash resources to do other than sell the oil almost the moment it received it. It did not have the storage facilities that oil companies have. Not only do the oil companies have enormous pipelines but, through their organisation upstream and downstream, they can absorb large quantities of oil by way of their refineries, and they do not have to sell oil on any one day unless it suits them. They can use their storage facilities to adjust to market conditions.

BNOC, with a volume of 800,000 barrels a day, was incapable of doing that. It was, therefore, a forced seller. It was under pressure to deal in the spot market, even when that market was moving in a way unreceptive to forced sales. The Government realised that, and certainly the taxpayers realised it because they were faced with the inevitable losses of that operation.

If my right hon. Friend applies that argument in defence of the Government's change of policy between December and March, he will be adopting a respectable stance, and I am sure that the hon. Member for Merthyr Tydfil and Rhymney would accept that argument. The Select Committee report simply emphasised the nonsensical situation in which we found ourselves in the changed market circumstances. BNOC was not able to adjust to that change and became a costly irrelevance.

Mr. Rowlands: The change of policy took place within a shorter period than December to 13 March. When the Minister gave evidence on 6 March he sung the same song that he had sung in December. In other words, the conversion was within seven days, from 6 to 13 March.

Mr. Rost: The hon. Gentleman is being even more unkind than I was to my right hon. Friend. I deliberately did not quote the Select Committee's proceedings of March. I thought that December was bad enough. What happened in December, it might be said, set in motion the Government's change of policy. Although by March the Government had accepted that BNOC's structure would have to be changed, until that announcement had been made publicly it would have been difficult for the Minister to have pronounced on the matter to the Select Committee. It was made clear in March that the position was under review, and we know the result of that review.

My main arguments are that the Government are right to pursue this legislation; that even if we were not in a position to say so publicly last December or a little later, we realised that the situation for BNOC had changed; that security of supply is no longer a valid argument — it never really was — and should not be pursued against this legislation; and, above all, that BNOC, far from contributing to price stability, has contributed to price instability.

Under the new agency arrangement, there is a genuine prospect of more orderly oil marketing. It will not just

[Mr. Rost]

benefit the oil companies; it will benefit the tax that we collect from them and the nation. It is rather stupid to suggest that the oil companies do not have the maximum incentive and motivation to find the best market and to sell their oil at the highest possible prices. Of course they do, and they will achieve that because they are better equipped to do so than BNOC. Even the smaller companies operating in the North sea should obtain a good deal from this proposal. A variety of markets will be available to them. A co-operative agency may be established. Some of the larger companies which have marketing organisations and refineries may be happy to co-operate with the smaller companies. There do not seem to be any problems there. There is no justification for retaining the BNOC's marketing operation.

I welcome the clause that provides for an annual report on the operation of the agency to be presented to the Minister and to Parliament. That is an important monitoring system. I am sure that we shall all study the annual report with great interest.

I welcome the fair redundancy terms that have been offered to the management and the staff. It would be unjust if they were to be penalised for an inevitable and sensible change in policy which came at short notice. I, and I am sure the House, hope that undue hardship will not be caused to the staff and that many people will change to the new agency or find alternative employment for their undoubted skills elsewhere in the industry.

A large volume of royalty oil will be retained and marketed by the new agency. We should not lose sight of the fact that we are talking about a large quantity of oil —about 250,000 barrels a day, which is about one third of what BNOC handles daily at present. That is the equivalent to the full production of four or five medium-sized North sea oilfields.

The House will want an assurance, if not tonight then in Committee, as to how the new agency will handle that amount of oil and the criteria that will be used to ensure that it sells oil in the most commercial way. Will it contract out to expert marketing companies in the oil industry or will it try to market the oil itself as BNOC has done? What monitoring will there be, apart from the annual report, to ensure that the marketing is being done in the most cost-effective way? That is an important point, which has not yet been covered in the debate.

I welcome the legislation. Last December, when the taxpayer was asked for a substantial subsidy to pay for some of BNOC's losses, the *Financial Times* described BNOC as a "busted flush", and said it was time that it was finally capped. That was more a reflection of the comments that the oil industry was making about BNOC than an editorial comment. That might be unkind to BNOC, but at least the Government have faced up to the realities of the changed circumstances in the oil world and in the economics of the marketing and pricing and the supply and demand of oil. The Government having accepted that, the House would be ungracious not to support them.

7.24 pm

Mr. Dick Douglas (Dunfermline, West): I listened attentively to what the hon. Member for Erewash (Mr. Rost) said. One or two of the points made by my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) in an intervention related to the Minister's non-conversion. On 6 March 1985, in reply to my hon. Friend the Member for Rother Valley (Mr. Barron), the Minister said:

> "I think one has to look back at the basic purposes of BNOC and whilst it is true that one of the objectives of BNOC is of course to trade profitably, there are also a number of other functions which make it different from a company in the private sector. It has, and this has been spelt out at different times, responsibility for example towards security of supplies; it has responsibility for maximising the benefit to the United Kingdom economy, and given those different roles that it has—another one is that it does provide evidence of arm's length prices so far as taxation is concerned, and this was made clear in the Treasury evidence to the Committee—I do not think it is possible to make a direct comparison between the role of BNOC and the role of the private sector company. Where the role of BNOC is particularly different is when it takes account of the wider public interest, and that is why, before proposals are made on BNOC prices, there is this recognised procedure of consultation between BNOC and the Government, because it is the Government that provides this wider national interest before final decisions are taken."

Amen to that. The Minister was giving evidence to the Select Committee of which the hon. Gentleman is a member. The hon. Gentleman must have heard or read that evidence.

The Minister has argued today that BNOC must be abolished because it has no role to play. We are told that BNOC will cease to be a trader. Will it? The right hon. Member for Guildford (Mr. Howell), a former Secretary of State for Energy, said that the agency will not cease to be an oil trader because it will still have royalty oil. What price, if any, is it proposed to set for that? The agency will have anything between 5 million and 7 million tonnes of royalty oil a year. I know that the figure is diminishing, but by any standards that is a substantial quantity of oil to have at one's disposal. I am not tempting the Minister to help me avoid reselection, but I should not cavil at being told that I would have a substantial amount of oil at my disposal.

We are in a unique position because, if we take the Brown Book's figures, we have reached the peak years of North sea production, according to the Government's estimates. I do not argue with that. We shall produce anything between 120 million and 135 million tonnes of oil a year. We expect production to decline. We are also told, if we believe the press—I do not know whether the Minister can enlighten us on this—that this year this nation is producing the equivalent of Saudi production. Saudi Arabia has, of course, huge reserves.

Conservative Members say, "What would the Labour party do about depletion policy?" As the Irishman said, "How would you get to Ballymena?" The answer is, "Not by starting here." I do not believe that a Labour Government would have been so greedy for oil revenues that they reached this level of production. This Government have had a profligate policy towards exploiting our North sea resources.

I shall go back a little to show how inadequate Conservative policy has been. Before 1973, the Conservative Government did not have a proper tax regime in place. They said that they would introduce such a regime, but they never did. They left the matter to the oil companies, saying, "The oil companies know best." I have never considered that to be a correct view of the national interest. The Public Accounts Committee pushed

the Conservative Government into making decisions with regard to a tax regime. A Labour Government introduced a proper regime for the taxation of North sea oil.

Mr. Portillo: Can the hon. Gentleman remind us how much oil had been produced before the tax regime was put in place?

Mr. Douglas: That is not the point. I recognise the argument that a fairly loose regime was needed to entice companies into what was loosely called an unproven province. The Government would have received revenue from the North sea and companies would have received substantial advantages from capital development. The argument that not much oil was flowing was not one to which the Public Accounts Committee paid attention.

Mr. Portillo *rose*——

Mr. Douglas: I shall not give way, because I should develop my arguments.

The Tory philosophy in opposition was to create a regulatory agency. The present Secretary of State for the Environment—the right hon. Member for Wanstead and Woodford (Mr. Jenkin)—went to the United States and was captivated by the Texas Railroad Commission. He thought that it would be a great idea to create an agency along similar lines. The Texas Railroad Commission is, however, a regulatory agency, which regulates output. Then a Labour Government came into power and published their proposals. They created the British National Oil Corporation. That body was originally anathema to the oil companies, but they came to respect its expertise and competence. Participation agreements were signed giving the nation a direct interest in the development of North sea reserves.

I recognise that, for doctrinaire reasons, the Conservative party wanted to undermine those arrangements and the creation of BNOC as an integrated company. One of the members of the Standing Committee on the Oil and Gas (Enterprise) Bill argued — we supported the idea — that BNOC should remain an integrated company. We pointed out the dangers and difficulties involved in splitting off the trading arm from other aspects of BNOC, part of which became Britoil. We argued that it should be kept as an integrated concern.

Britain produces well in excess of its oil requirements. OPEC has not been a failure, although it has had some difficulties. New sources of supply have emerged — Alaska, Mexico and the North sea supplies have had a substantial impact on international supplies. Without exception, those developments are high-cost initiatives and the countries concerned therefore have a more than reasonable interest in maintaining price stability.

The former Secretary of State for Energy—the right hon. Member for Guildford — referred to the rapid changes in the oil market. Who is to say that there will not be critical shortages again? Who is to say that the Saudis will not get fed up with us and open the valves? If someone had told us 18 months or two years ago that Saudi production would fall from 11 million or 12 million barrels a day to 3 million or 4 million barrels a day, few experts would have believed it. They would have said that that would not happen. We know that the Saudis are capable, if it suits them, of opening the valves and producing more than 12 million barrels a day. What would happen to the oil price then? What would happen to the investments in the North sea which have been made against a background of oil prices of $26, $27 or $30 a barrel? What would happen to the security of jobs to which the right hon. Member for Guildford referred? We should be in great difficulty.

We have a vested interest in the short, medium and long term in maintaining price stability, and so have the oil companies. They do not make investments lasting 15 or 25 years or calculate their cash flow with a short-term view of oil prices. They take a fairly long-term view. From time to time, the oil companies fall out with one another, but they also fall in with each other. A famous agreement was made in the Highlands of Scotland. Back in 1982 the oil companies came together at Achnacarry and cooked up the price.

What is likely to happen in the North sea? The Brown Book shows that 16 oil companies participate in the licence on the Claymore field and 24 oil companies participate on the Forties field. We can see that we do not need to have secret meetings in the Highlands. The oil companies can have discussions in multifarious ways on how to regulate prices. That is what they will do, and I do not blame them for that. The Minister of State argues that that is the way oil companies operate but that the Government should not try to do so within the agency of BNOC. In saying that, the right hon. Gentleman is throwing away an expertise that has been built up over the years by Mr. Goskirk and others. It will be difficult to replace that essential expertise and to retain the competence needed in an organsation trading in royalty oil. It is difficult to understand the Minister's reasons.

During the proceedings of the Energy Committee in 1984, BNOC admitted that price adjustments could be made. On page 13 of the Energy Committee's report of 6 December 1984—House of Commons Paper No. 126—in question 60, the Chairman asked:

"May the Committee take it on the basis of that reasonably confident assertion that BNOC will not be expecting to come back to the Secretary of State in the foreseeable future and ask Parliament for a further subvention?"

Mr. Goskirk said:

"I doubt whether we could give a categorical assurance to that effect, but we see no reason to believe we cannot put our price arrangement on a basis that would enable us to avoid coming back."

Therefore, in his wisdom, Mr. Goskirk said clearly that adjustments could have been made to the uptake of participation oil and to the form of contracts that were being undertaken. However, that is being swept away. Why is the Minister denying BNOC that function? In a sense, the only thing that is being swept away is BNOC's capability to trade in participation oil. No reasonable argument has been put forward.

I emphasise to the Government that that is a foolish policy. A few weeks ago we saw a film on television called, "Here Comes Mr. Jordan". In the film, a boxer dies too early, and Mr. Jordan has a terrible job bringing him back to life again. There is an analogy in this matter. Ministers will be in the same difficulty. For reasons that are difficult to understand, they are denying the House and the nation BNOC's expertise. They should consider carefully what they are doing.

September this year marks the 25th anniversary of the creation of OPEC. OPEC will change, but it will not go away. We need an organisation that is part of governmental policy and gives us greater access to information than at present. That was a major argument

[Mr. Douglas]

for BNOC. We wanted more direct information about the operation of the oil companies, reserves, profitability, tax and capital investment. At a time when other nations are building up their expertise, the Government, for reasons that are difficult to understand but which are certainly not in the national interest, are withdrawing from active concern in oil and gas. Those are doctrinaire reasons that are not in our real national interest.

I believe that the Opposition are right to oppose the Bill. We are right to say clearly that we shall reinforce the Government interest in that area. The Labour party has looked carefully at the operation of the golden share. The Government say that they do not want to interfere in any way, but they now have a variety of golden shares, for example in Amersham International, Britoil and Cable and Wireless—all ostensibly performing different roles. In circumstances that the Secretary of State will determine, he says that the Government will outvote everybody else. Yet the Government say that they will not intervene. The Labour party believes that we should consider the matter carefully and, when in government after the next election, perhaps implement a one-clause industry Bill, saying that in appropriate companies we shall take out the golden share. Then we shall see the Tories in opposition oppose that.

7.44 pm

Mr. Michael Portillo (Enfield, Southgate): I listened with great interest to the speech of the hon. Member for Dunfermline, West (Mr. Douglas), and I shall refer to some of the points that he made. I was particularly interested in the scenario that he painted, from his great knowledge of the international scene, of the possibility of OPEC forcing up production and forcing down the price. However, the argument that I shall develop is that I cannot see any way in which either the British National Oil Corporation or the agency that is to replace it could influence the prices in a situation as drastic as that.

To some extent, today's debate has been a re-run of the arguments that were put forward on 14 March. I should like to begin by repeating two things that I said on that occasion. First, I congratulate the Select Committee. It produced an excellent report. Today we have had some fun discussing over what period the Government's conversion to the abolition of BNOC occurred. If it was over six or seven days, the Select Committee deserves credit. Secondly, I repeat the tribute that is due to the staff of BNOC, who have performed their duties excellently. The fact that BNOC is being wound up is not a reflection on the way in which they perform their duties.

When we held the debate on 14 March I gave a loud cheer to the news of the abolition of BNOC because it was welcome. On the other hand, on that occasion I entered some reservations about the role of the agency that was being brought in to replace it because I thought that the Government should make a cleaner sweep and take themselves more distinctly out of the oil trading market. Having considered the matter in the two months since that debate, and having had the opportunity of reading the Bill, I am more convinced than ever that it is right to abolish BNOC. However, my reservations about the agency that is to replace it are even more pronounced.

There are two basic reasons why BNOC should go. First, it has not been able to do what many of us hoped it might be able to do—protect our security of oil supply. Secondly, it has made it appear to the outside world—this is a very important point—that the Government were trying to control, or did control, the price of oil. That has led us into all sorts of diplomatic problems.

What I have said is no reflection on BNOC, as it was not set up in a way that could possibly guarantee our security of supply or even help in securing it. In that respect, I am taking an easier road than some of my hon. Friends because I am not trying to justify a change. I do not think that there was a magic date on which BNOC ceased to be useful. It is my contention that from the moment it was set up, and because of the manner in which it was set up, it had no chance of helping with our security of supply.

My main reason for saying that is that the participation agreements gave BNOC access to 51 per cent. of crude oil. But what good is that? The industries in our country do not run on crude oil. Our cars run on petrol and our industries run on the products of oil. It is those products that are the vital ingredients in the whole scene. Control of about half the nation's crude oil does not guarantee us against interruptions of supply. Even small interruptions in the supply of products can lead to severe dislocation and problems, as happened in 1979.

BNOC also entered into long-term contracts for the disposal of the oil that it took. As some hon. Members said today, that led to a lack of flexibility. BNOC was unable to turn around on a sixpence and shed those commitments quickly. It could not respond to events when they were moving quickly. That is not a matter of theory, but a matter of fact. My hon. Friend the Member for Exeter (Mr. Hannam) referred to what happened in 1979. With BNOC in existence this country was, if anything, worse placed to defend itself against interruptions in supply than many countries that did not have such an organisation.

There has been a great deal of discussion about the nature of the assurances and the informal arrangements that are made between the Government and the oil companies. Hon. Members may have their suspicions as to whether those assurances are watertight and whether the agreements, with all their informality, are sufficient. It seems that those informal arrangements go to the heart of the matter, which is the control and supply of products of oil, and not crude oil. That is a very important distinction. The hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) said that BNOC was a company on which one could rely to defend the national interest. Its heart might have been in the right place but its oil was normally not in the right place as it was normally committed. That is one of the reasons why it failed.

I am therefore surprised that the Government want to maintain the participation agreements. I was surprised when my right hon. Friend the Minister of State told us in our previous debate on this subject that, if the Government feel that they will need such oil in the medium term, they can activate the participation agreements. He has reiterated that sentiment today. As several hon. Members said, the medium term in this context means at least six months. Any right hon. or hon. Member who could predict whether there will be an oil crisis next week would be a rich man. To predict that we shall need additional supplies of oil next winter assumes supernatural foresight. The Government can choose between exercising the participation options all of the time—which they clearly will not do or we should not be discussing the Bill—or they will

never exercise the participation options. When I say "never", I refer to the present Government. A Government of a different colour might take a different attitude.

I should like now to consider the problem of the Government appearing to fix or to control the price of oil. The Government should not attempt to fix the price of oil for two reasons. First, they will never succeed, as we are not powerful enough in the world oil market to have such an impact. Secondly, in the long term, lower oil prices are in our interests. I understand the desire for some stabilising, but the Government never seriously believe that they could control prices in the long term. In that sense, I accept assurances that Ministers have given that that was not the business with which they were involved.

Because BNOC was a price setter and a Government body, it is natural that OPEC Ministers assumed that the British Government were attempting or were able to control prices. Time and again, Britain has needlessly given offence to OPEC countries. Each time the North sea oil price has moved, it has looked to the outside world as though the United Kingdom was leading the way on oil prices. Indeed, it looked as though we were leading the price up to get rich or down to sell our oil without having to cut production like OPEC countries. I believe that Lord Wilson of Rievaulx used to joke about Britain becoming a member of OPEC. It has looked recently as though Britain is trying to reap all the benefits of being a country member of OPEC without being willing to pay the club fees.

The Government's response to all of this is curious. The problem arises because a Government body trades 1 million barrels of oil a day and is a price setter. That is what produces the diplomatic problem for Britain. The answer to that problem is for the Government to get out of oil trading. However, they are now proposing to replace BNOC with another Government body which will trade 250,000 barrels a day. I do not see how the agency can avoid being a price setter. Several hon. Members have said that 250,000 barrels is a substantial amount of oil. It appears that the Government have realised that they are in the international firing line and, having recognised that that problem has come about because they have their head and shoulders above the parapet, their response is to put only their head above the parapet, keeping their shoulders well hidden. That is a curious response.

I should like the Government to give up the participation agreements because I think that they are useless, and I should like them to give up royalty in kind. I understand that the main argument for having royalty in kind—it is not a sufficient quantity to affect security of supply—is the cash flow argument. I understand that the Government receive their money earlier from royalty taken in the form of oil than in the form of cash. If that is so, we should change the rules so that the royalty in cash can be taken earlier, so that the cash flow disadvantage can be overcome. That would be much better than the Government continuing to expose themselves by being involved in the oil market.

I am as worried as any hon. Member about security of supply, but I disagree with several hon. Members about the role of the Energy Act 1976 in securing our supplies. I have sometimes felt this afternoon as though I have read a different Act. I believe that it is much more comprehensive than some hon. Members have given it credit for. It is a good piece of Socialist legislation. It contains sweeping powers, which can be activated in circumstances that fall short of those which Opposition Members have mentioned. For example, the use of oil can be controlled at any time when it seems desirable to the Secretary of State to conserve energy. The full powers can be exercised when there is an international energy emergency and when it seems to the Government that an emergency is looming or is threatened. I do not wish to put ideas into the minds of Opposition Members, but this is a wide-ranging and draconian Act. It is extraordinary to argue that it is insufficient for securing supplies.

I have no doubt that the Government are doing the best thing in abolishing BNOC, but it worries me that they have not given the best reasons for doing so. The best reason is that BNOC never did its job. It is not that it ceased to do its job, as it never could secure supplies. The Government have put all of the emphasis on the recent change in market conditions, especially the change towards the spot market. If they take that line of argument, they are open to the accusation that this is a temporary phenomenon. They are, therefore, arguing for a long-term change—the abolition of BNOC—by giving a short-term reason.

Because the Government have given only half the reason, they are proposing only half of what I believe is the appropriate change. That surprises me as the Government do not have a reputation for doings things by halves. In this, however, they have done things by halves as, first, they cut BNOC in half to create Britoil and today we are discussing a Bill that cuts BNOC in half again to create an agency. I wonder whether the Government will come back with another Bill to cut the agency in half. I am reminded of the old mathematical problem: if a flea starts in the middle of a table and takes a jump followed by a jump of half the remaining distance, and keeps jumping half the remaining distance, when will it reach the end of the table? If I remember correctly, by that method it never reaches the end of the table. My right hon. Friend the Minister of State is not in the least like a flea, but I should like him to steel himself and, with one great bound, get himself free of the table.

7.57 pm

Mr. Kevin Barron (Rother Valley): I do not know whether I should congratulate the Government and Conservative Members who have spoken today on their use of the Energy Select Committee's report in support of giving the Bill a Second Reading. I am a member of that Select Committee and have felt it necessary to remind myself of what we decided and what evidence we took. Neither my memory nor my reading has led me to any reference to the abolition of BNOC.

The Select Committee's fifth report might have been critical of BNOC's pricing, but it was more critical of the Government's unwillingness to come clean on what BNOC was doing about pricing arrangements. At paragraph 37 the report said:

> "Various suggestions have been made in the Report about how BNOC's mode of operation could alter in the future especially in order to make it a more market-related pricing instrument, and the Committee will await with interest any announcement of any review conducted by the Prime Minister's policy advisory group. It hopes that Ministers will candidly discuss the options for the future with the House."

Nowhere there, or in other recommendations, is it suggested that we should have a Bill such as this. Indeed, the Committee hoped

> "that Ministers will candidly discuss the options for the future with the House."

[Mr. Kevin Barron]

That was on 8 March. On 13 March the Minister made the statement that was the basis of the Bill. I cannot see how hon. Gentlemen who are members of the Select Committee can say that the Committee was moving towards the abolition of BNOC as it exists at present.

Mr. Rost: I am sure that my colleague on the Select Committee would not wish to deceive the House. The Select Committee did not come to the conclusion that BNOC should be abolished, because that conclusion would not have been within its terms of reference. However, our report must have raised serious doubts as to whether there was a useful role for BNOC to continue to play, and so would have influenced any thinking and enlightened Government into doing the obvious.

Mr. Barron: The hon. Gentleman is tempting me. If that had been our view, it would have appeared in our recommendations. I remind the hon. Gentleman of what he said earlier in the debate. His general theme was that the Committee felt that BNOC was a costly irrelevance. That was never said by the Committee, to my recollection. Had the Committee wished to express strong views to the Government about BNOC, it would have done so in the report. The hon. Gentleman is speaking now as if the report had made such suggestions.

I suggest to the Government that they should submit such proposed changes to national corporations to a Select Committee so that they could be considered in detail before a hotchpotch of a Bill is presented to the House for debate.

Some important questions are posed in the Bill, and I hope that the Minister will be prepared to answer them in Committee, if not when he replies to the debate. It is likely that there will be lengthy debate in Committee, and much opposition, if the questions are not answered.

Reference has been made to the question of the small companies that were looked after by BNOC, and the possibility of setting up smaller or co-operative agencies. We have also heard that there have been discussions between the small companies and the larger offshore companies. Many of the small companies do exploration work on the United Kingdom continental shelf. The Minister should tell us whether there is likely to be any effect on exploration in the North sea and the discoveries of oil and gas. Is the establishment of the agency that is to replace BNOC likely to affect exploration by small companies?

When the Minister gave evidence to the Select Committee on 6 March, two days before the report appeared, I asked him whether BNOC should be used as a buffer, using taxpayers' money to deal with short-term fluctuations in North sea oil prices. The Minister said that one of BNOC's roles was to provide evidence of arm's-length pricing, as far as taxation was concerned, in the offshore companies.

What are the implications of that now that BNOC is to be wound up? How will such evidence be collected now, and what are the implications for the Treasury and the public purse if the role played by BNOC for some considerable time in connection with taxation is given away or abolished?

I appreciate the guarantee given in schedule 2 about the pension rights of people who work for BNOC. If staff are transferred to the new agency, their pensions rights will be transferred too. I agree with my right hon. Friend the Member for Glasgow, Govan (Mr. Millan), who is a member of the trade union involved, on that point. I am pleased that the Government have seen fit to accept that that provision should be made.

However, I received a letter today from my constituent Mr. MacDonald of Main street, Ulley, near Sheffield. I passed a previous letter from Mr. MacDonald to a Minister last month. Mr. MacDonald can get no similar guarantee from the Government in the case of the deregulation or privatisation of buses and the National Bus Company's pension scheme. The Government seem to take a different attitude on different Bills.

There is also the question of counselling for redundancy. BNOC's employees are working in a high-technology industry and are highly skilled. Are the Government using the counselling service to advise people, for instance, on how to set up agencies? If so, is it possible that there will be more than just one agency —that there will be some smaller entities that will look after the small companies?

Clause 4 of the Bill refers to the disposal of surplus property owned by BNOC. The proceeds of sale will be given back to the Secretary of State. The clause states that it shall be the duty of the agency to get

"the best terms reasonably obtainable"

for such property. I do not know what properties the agency will wish to dispose of, or what their value is. However, I hope that the Minister will show diligence in this area. When public assets have been sold off in the recent past, it has become clear within a few short weeks of their disposal on the open market that the British taxpayer, through the Consolidated Fund and the Treasury, has not received full value for them. It would be interesting to know exactly how public accountability will be imposed in the case of the disposal of properties by the agencies.

Clause 2 poses a number of questions. The Minister has told us that, although under subsection (2)*(d)* the agency will have power

"to buy, sell or otherwise deal in petroleum on its own account",

it will not be allowed to buy liquid petroleum gas. My hon. Friend the Member for Merthyr Tydfil and Rhymney asked why that was so. BNOC is not heavily involved in LPG at present, but it makes some profit by buying it. Why will the agency not be permitted to deal in LPG? Who is likely to buy the gas that is currently bought by BNOC, and to make the profit that the agency will lose?

The major question is about participation agreements. We have some security of supply through the participation agreements. The Minister said that we had assurances from oil companies that if the Government had to enact the participation agreements to bring 51 per cent. of our offshore oil into Britain, they could do it. That begs many questions. When BNOC is not buying and selling, even to the same company as it does now, and if we do not take up the participation agreement immediately, it is likely that oil companies will look for markets for their oil throughout the world, and rightly so. If they enter into long-term contracts to supply oil elsewhere, and if for some reason we lose the benefit of heavy duty, and North sea oil could be used in this country, what would happen? What would happen if there were a conflict between those companies' contracts throughout the world and the participation agreements, which provide assurance for us? Are those agreements legally binding? Can we physically

force companies to bring oil into the country? We need further assurances from oil companies. Their assurances are more to shareholders than in the interests of the country. Shareholders watch what oil companies do, but they are not in a position to look after our national interests.

The hon. Member for Erewash (Mr. Rost) said that, because all the pipelines come on to mainland Britain and the oil is landed here before it is exported elsewhere, we have some security of supply. The Minister said exactly that on 6 March in answer to a question of mine during an evidence session in the Select Committee. He believed that the security of supply was a major reason why BNOC was in existence. His answer is on page 64, and I am sure that he has read it again and again. However, only a few days after, on 13 March, the Minister made a statement to the House abolishing BNOC.

In his evidence the Minister said that BNOC was responsible for maximising the benefit to the United Kingdom economy. That was exactly what the Select Committee's report was about and what hon. Members were interested in. We were interested to know whether we were maximising the benefits to the United Kingdom by using Supplementary Estimates. The Minister gave us assurances, although they were not concrete ones. He did not say exactly how much we got back through BNOC's pricing arrangements.

On 6 March the Minister recognised that BNOC had a definite role to play in three major areas. Why is the Minister now prepared to come to the Dispatch Box and say that he no longer sees such a role for BNOC? What is our national interest in offshore oil now that BNOC is to be abolished and an agency set up? All hon. Members should look after the national interests, and not the interests of either oil companies or fellow hon. Members.

8.13 pm

Mr. Lewis Stevens (Nuneaton): I welcome the Bill. It was not wrong to set up BNOC in 1976 because BNOC could play a sensible controlling role. We knew little about what the markets or the output quantities would be. There were many estimates and ideas but, as we know, many of the estimates for oil have floated up and down considerably over the years.

In 1977 we produced about one tenth of the output that we produce today of North sea oil. The position has changed and there is a different role to play. During those nine years we have seen considerable changes in oil production throughout the world. The markets have fluctuated. Sometimes they have seemed to be in the control of OPEC, and sometimes in no one's control. Sometimes the United Kingdom appeared to have a strong effect through BNOC on world prices, and at other times we have had comparatively little effect.

The big difference is that today BNOC's function of trying to avoid the destabilisation of prices is no longer relevant. That is the major factor. A Labour Member said that in future the Opposition would try to resurrect a similar body. That would not be the right thing to do. BNOC has played a part for nine years, but it would be pointless to resurrect a similar body in wholly different circumstances, and hon. Members on both sides of the House have admitted that future circumstances are rather uncertain.

We must now change our view of what type of organisation and sort of control the Government should have, and of how the oil industry should be allowed to progress with its North sea interests. It has been suggested that BNOC is half its previous size. I welcome that. If I had been present in 1982, I might have pushed harder to reduce BNOC even below half its size.

We still retain royalties in the form of oil in the Bill. I query that. I would be happier if I knew that we would accept payment not in oil, but in cash. However, in the Bill we have the opportunity to contract it out. I hope that the matter will be considered seriously, and that involvement in the market and trading will be phased out.

I have never thought that the ability of Government enterprises to enter trading is a good idea. Nevertheless, I pay tribute to the work done by the employees of BNOC. However, I question whether it is right to have Government involvement in oil trade. I would be happier if we could reduce the trading concept of the new agency, for royalties too.

The Opposition have shown considerable pessimism about the part that the private sector and oil companies will play. That is not surprising because we have heard many criticisms of the private sector from the Opposition on many previous occasions. It is pessimistic to look at the matter and to say that the job cannot be done. The private sector has carried out explorations and development in both the North sea and technology. It is essential to develop new technology, and during the past few years it has developed to a remarkable extent. There was more exploration and more wells were drilled last year than previously — a total of 182. There were 10 oil discoveries, one oil and gas discovery, eight gas discoveries, one condensate discovery and three gas and condensate discoveries in 1984.

Development in the North sea is not completely uncontrolled. Any general energy policy must include some controls. However, the Opposition suggest that there should be much closer control and that the Government should tie the industry so tightly that they will always know what is happening, and that they can make things happen. But such control, which means that Governments must interfere in those organisations, is rarely successful. The Bill will remove direct interference in the industry by the Government, which would not be a bad thing.

I doubt whether BNOC has managed, as some have suggested, to control prices. As my right hon. Friend the Member for Guildford (Mr. Howell) said, prices changed because the world market changed. He suggested that prices would decrease; indeed, it is possible that they will collapse. Only the oil companies are in a position to decide whether that will happen.

Mr. Bermingham: Does the hon. Gentleman agree that the Wood Mackenzie report of 19 December 1984, when reviewing BNOC and what use it may have, said in simple terms that the effect of BNOC was not that it controlled or organised prices, but that it slowed price changes? Did not that independent report show the value of BNOC in world oil markets?

Mr. Stevens: I accept the hon. Gentleman's point, but I doubt whether BNOC would have continued to be effective.

The hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) said that, through BNOC, the Government always knew what was happening in the industry. That is a good point, and I hope that the Minister

[Mr. Stevens]

will consider it. Perhaps the change that the Bill will introduce will enable the Government to be as well informed as they were in the past, but I should like confirmation of the fact. I hope that the Government will always know what is happening as they formulate their energy policy.

There will be other problems with world oil production. Many hon. Members have asked whether OPEC production will increase, or whether we can live with the reduced output of Saudi Arabia and other countries and the undoubted back-door selling that happens at present. The removal of BNOC will not play a great part in that. There will be little difference between the proposed arrangement and the retention of trading by BNOC. We can create changes in the world market through our total output, not through a trading organisation that has been set up by the Government.

Some hon. Members asked whether the participation agreements will be honoured. I am confident that our arrangements for security of supply will be as successful, should the need arise, under the new policy as they were before. In an emergency, we have the power to obtain oil supplies without much difficulty. We should have to invoke the legislation to do it, but it could be done. However, most of the threatened developments will not happen overnight. There will be opportunity in the weeks or months ahead to see the effect on our supplies, and we shall have adequate time to talk to the oil companies and to ensure our internal supplies. In any case, North sea oil comes to Britain anyway. We consume a great deal of what we produce, and I believe that the agreements with the oil companies will secure our supplies in the future.

It has been suggested that the development of production in the North sea will be inhibited because of the change in the structure, but there is no reason why, with the oil companies doing most of the trading, there should be the slightest inhibition on the development of technology or of the industry in general.

The Bill forms the basis of a more sensible outlook. If anything, I should have preferred it to go a little further and to have abolished trading by a Government organisation. However, it is a move in the right direction. I hope that in Committee some of the details can be examined so that we can be confident that our general approach to the industry will be the best possible, and that our security of supply is maintained.

8.26 pm

Mr. Gerald Bermingham (St. Helens, South): I begin by declaring a semi-interest, in that I, too, am a member of a trade union to which many of those who work for BNOC belong. It is in our joint trade union interests that I begin by saying that it says little for a Government who have been party to a performance whereby at 3.15 pm one day the managers are told and at 3.30 pm the staff are told that their jobs have gone when until that day there had been an active recruiting programme. All right hon. and hon. Members would say that that was bad industrial practice. It cannot be argued that it was justified because the removal of BNOC and its replacement by an agency had to be kept secret. The future of BNOC was the subject of discussion for some time before that. There is no justification for those 120 people losing their jobs on what appears to be an ideological or political whim.

Looking back through the history of the British National Oil Corporation, one sees the sale of Britoil. I do not propose to criticise the method by which that sale was started, except to say that it is one more national asset that has been squandered during the Government's tenure of office. Now they wish to sell off the gas industry and to squander that asset, too. Many of our national assets will be thrown into the hands of private owners, not always from the United Kingdom. Indeed, our national assets are being steadily stripped away. However, I shall try not to trespass too far from the main debate, which is the Second Reading of the Bill.

This squalid little Bill will break up BNOC and waste all the expertise that has been accumulated there, although half of the personnel will go to the agency. At the end of this squalid affair, I hope that those who have given loyal and effective service to BNOC will not suffer financially. We all know that there are 4 million-plus people out of work, and it appears that at least 80 of the 120 are destined to join that queue. Jobs are not easy to come by, and people sacrificed jobs in other careers to transfer to BNOC, which up to 13 March appeared to be expanding its operations.

Anybody who changed his job because he thought that there was a future with BNOC, and was given a job by the management of BNOC in good faith, should not suffer materially as a result of this change. The Minister and I may politically disagree about everything in sight but I hope that he will agree that justice must be done to employees of BNOC, particularly to those who will not be taken on by the agency. I wait with some interest the Minister's winding up speech, and I hope that he will give us some assurance. I know that certain terms are being discussed and it would not be right to go into the details, but I hope that they will be both generous and reflect the way in which BNOC met its untimely death.

I sought to intervene in the speech of the right hon. Member for Guildford (Mr. Howell), but he seemed not to see me. Perhaps that was as well for him, because I may have asked him a question that he would not have liked. However, I intervened in the speech of the hon. Member for Gordon (Mr. Bruce) and made a simple comment about the farmer and his corn stock.

It is all very well instantly to react to the events of the day. However, all of us who have been involved in the market—I have been to no great extent, merely as a professional observer or participater on occasions—have watched the oil market wobble around with its ebbs and flows of plenty and shortage over the past 20 years. All of us can remember the early 1970s and the sudden panic of the world oil crisis and the feeling that there was not enough oil to go around. Everybody panicked into measures to do this and that.

We have watched the North sea oilfields develop from nothing in the 1970s to self-sufficiency for Britain in the 1980s and apparently into the 1990s. We have watched the OPEC countries either fall out with each other or fall in with each other, but that did not affect the oil supply. We have watched the development of the South American oilfields and seen the North American oilfields begin to peter out in some areas and develop in others. New techniques and new concepts have been developed. All the time, the nature of the market has changed, but there has always been a relationship between world economic growth and development and the availability of oil.

At the moment, the world is in recession. It is beginning to pull itself out of recession, and the Americans are certainly coming out of recession, although we hear many worrying comments and much speculation about the large American deficit and whether this will cause a crash in American finances.

Leaving political differences aside, it is to be hoped that we too will turn the corner and come out of recession. As we do so, we shall notice a rather strange feature, which the right hon. Member for Guildford and many other Conservative Members ignored. We shall need oil. It is used when countries are working and the greater the consumption of oil—the resources exist—the greater is the take-up in the slack in the world oil markets. Companies begin to place long-term contracts. We move away from the predominance of the spot market into the predominance of the long-term contract market. That is the nature of the oil industry.

To react, as the Government have done, by killing off BNOC simply because the spot market appears to have begun to predominate over the long and short-term contract placing markets is to react to the instant without seeing tomorrow. That is the Government's sin. Instead, they should have looked at the problem in its entirety, taking a long-term view and asking the simple question of what BNOC can and cannot do and what its great value has been.

I have a copy of the Wood MacKenzie report, dated 19 December 1984. We live in the days when it is said that to change the law of the land is a long and slow process, but on 14 May, barely six months after the report was published, we are pushing through a Bill that will change all our marketing concepts. The Wood MacKenzie report analyses BNOC, discusses whether it has a future and looks at various aspects of it that seem to be of use. It says that price stability is one of BNOC's attributes.

It says:

"BNOC played an important role during the price difficulties in the late 1970s and early 1980s and without doubt helped to stabilise the situation. The role of BNOC has been one of slowing rather than changing the direction of the market."

I intervened in the speech of the hon. Member for Nuneaton (Mr. Stevens) and put that point to him, but he seemed not to follow it. The great advantage of BNOC is its stabilising effect. It stabilises because it slows the market. If one has a daily placement of 800,000 barrels, one has an influential part to play in the market. However, to ask BNOC to try to control prices, even with such an interest, is to ask the impossible, particularly when one asks a producer at a time when the spot market rather than the term contract market predominates.

I should have thought that even a student in a first year class of economics at any university would have been able to tell the Government that. However, that is looking at things realistically, standing back and taking a long-term rather than a reactive view, a considered view rather than a political or dogmatic view.

The argument that I, too, take a political view may be thrown back in my face. However, I can be objective enough on occasions to go to experts, ask their advice, stand back and make an objective judgment. I am sure that hon. Members will agree that most such experts are not natural supporters of my party. They are experts who have looked at the problem, considered the options and the facts and on 19 December last year made a comment.

The report also says that the advantage lies in the security of supply. The arguments for that have been well canvassed this evening, and I do not propose to raise them again. On logistics, the report says that,

"in fulfilling a central co-ordinating role, BNOC can help to maintain a regime of orderly offtake and liftings. It has also been a ready buyer from the very small participants such as companies owning the Forties units."

It is all very well saying that the little companies can go in future to the big companies and the big companies will peg their market accordingly. However, anybody who believes that companies act as charitable independent bodies lives in cloud-cuckoo-land. All of us know that Marks and Spencer dominates its suppliers because it demands quality, fixes the price and has almost a monopoly hold. Once such a company is buying 80 or 90 per cent. of one's product, one has to obey it or lose 80 or 90 per cent. of one's production. There is no alternative market. There is only a handful of major companies for the little companies to go to. The little companies will not have the same security, the same outlet and the same pricing practice as they had in the days of BNOC.

One keeps coming back to a simple question—why get rid of BNOC? Why did the Minister come before a Select Committee in December 1984 to defend BNOC and then announce its destruction in March 1985? What has led to this absolute change of mind? It cannot possibly be—I should be absolutely horrified if it were—that, because the spot market had dominated for three months and there had been fluctations in it, it was justifiable to turn the Government's policy on its head. Or could it be, as my hon. Friend the Member for Rother Valley (Mr. Barron) suggested, that clause 4, which has been cobbled together to carry out this despicable act, holds the secret? Clause 4(3) states:

"Any sums received by the Agency under subsection (1) above, other than such sums as may be determined by the Secretary of State with the approval of the Treasury to be sums required to be retained by the Agency for meeting expenditure incurred by it under that subsection, shall be paid to the Secretary of State; and any sums received by the Secretary of State under this subsection shall be paid into the Consolidated Fund."

The agency will have a limited function. BNOC assets will be sold off, and again the dear old Treasury will collect the loot.

As I said in my intervention during the speech of the hon. Member for Gordon (Mr. Bruce), this can be compared to the farmer with his barn of corn. When this Government came to power their barn of corn contained many interesting assets. It contained the gas industry. That is about to be sold off. It contained British Aerospace, computers, shipyards, oil. It contained a wealth of assets, all of which belonged, Mr. Deputy Speaker, to you, to me and to every other citizen of the United Kingdom. We have had six years of this Conservative Government. They are even talking about selling off the water boards. Soon nothing will be left and the barn will be empty.

One does not to have to be more than a first-year economist to know that if one has an income-producing asset it provides an automatic income and that if one sells the asset there will be no income. If one sells off one's assets, including selling some of those assets for next to nothing, as happened over British Telecom, Amersham International and several other assets, and then squanders the proceeds, at the end of the day nothing will be left. Just as the farmer who squanders his corn has no corn left to plant for next year, so this nation at the end of the tenure

[Mr. Gerald Bermingham]

of this Government will have lost its major assets, its seed corn and its ability to invest. It will therefore be that much poorer.

I regret having to call this Bill a squalid little Bill, but that is what it is. Clause 4 contains the secret of it all. BNOC was a viable, profitable national asset. In 1982 the Government took out the upstream element and sold it. If one looks at the value of what they sold, it has gone up and up. Who has benefited from that sale? It is certainly not the people in my constituency, or the ordinary chap who pays his taxes and goes to work, if he is lucky enough to have a job. The institutional investor has benefited, the top 5 per cent. of our population and those who are living abroad.

On 14 May 1985 the Government intend to dismantle what is left of BNOC. Is it not interesting—perhaps the Minister of State can answer this question if no other—that nowhere is reference made to liquid gas products. What will happen to them? Or is that another part of our seed corn which will also be squandered?

8.44 pm

Mr. Michael Brown (Brigg and Cleethorpes): I have no hesitation in supporting this excellent piece of legislation, because BNOC is an anachronism. It seeks to interfere in an essentially free market. I bring to the debate the experience of an hon. Member who represents two of the country's greatest oil refineries on the south bank of the River Humber, the Conoco oil refinery and the Lindsey oil refinery. Those refineries, and the companies which have invested so much in them, have been anxious about the destabilising influence of BNOC not only during the last few months but over a period of several years. Whether one is refining or extracting oil, the oil market is essentially a naturally free market. The establishment of BNOC in 1976 was an act of deliberate Government policy. They made no secret about it. Their deliberate policy was to intervene in the free market.

Mr. Bruce: The hon. Gentleman says that the oil industry is a free market, but does he seriously suggest that the price we are paying for North sea oil is determined by a free market? Is it not following the lead of OPEC, which is a cartel and which intervenes in the market?

Mr. Brown: If what the hon. Gentleman says is true, there is no doubt that, because of the existence of BNOC, the market is not as free as it ought to be. I take his point about the role of OPEC. I represent constituency interests which compete against cartels and price rings and I recognise that problems are caused for a free market by any cartel or price ring, which OPEC might be said to be. However, if they can influence a market, when they have control over such assets as BNOC, in order to establish a freer market, it is right and proper for a Government in whose philosophy I believe to introduce legislation of this kind.

The market for oil in terms of the world economy is a free market. Attempts, even by OPEC, to control the freedom of that market have resulted in trouble for OPEC during the last few years. We have to recognise the fundamentally natural nature of the worldwide oil industry. It naturally responds, far more than do many other industries, to the stimulus of demand and supply. In spite of the BNOCs of this country and the OPECs of this world, whatever controls Government or international organisations try to bring to bear to establish stability in the market, one eventually finds that there is trouble. That has been the case not only during the last few months, owing to difficulties with the spot price, but generally with regard to the oil market as a whole. BNOC has sought to do as good a job as possible, but during the last few months or years, however well run, there was no way in which they could bring any helpful influence to bear.

The hon. Member for St. Helens, South (Mr. Bermingham) referred to the beneficial effect of BNOC trying to control the spot price, and in his earlier intervention he suggested that the great virtue of BNOC was that it managed to slow down the movement of prices. However, there was a fundamental pricing dilemma, and BNOC's policy which he suggested had been of advantage to the oil market did not, I suggest, result in such a benefit.

If one goes back to early 1983, the hon. Member for St. Helens, South might be able to claim that on two occasions BNOC steadied the market by delaying pricing moves. That was the burden of the hon. Gentleman's intervention and part of his speech. However, that weapon can be used on only one or two occasions. In the end, the existence of a semi-official term price becomes a force which creates the destabilisation that the hon. Gentleman and his colleagues who are opposing the Bill are seeking to avoid.

Any change would and did risk attracting changes in other official prices and market reductions which anticipated such changes. There was a great danger of setting off a downward spiral in prices, thereby causing the very destabilisation that the hon. Gentleman felt BNOC's operation in 1983 might have avoided. Any move that BNOC made towards a market-related pricing system would inevitably have been a sure recipe for changing what was even then a weak market into a disastrous one. After every month in which spot prices change and go below the BNOC price, inevitably BNOC would feel that it had to go beneath the spot price. That weakening of the market would have been a disaster.

The Government or BNOC could not have had the increased powers which would have been necessary to intervene in the market, for the simple reason that large-scale storage for the substantial additional reserves that would be sloshing around all over Britain could not have been funded. It was shown clearly in 1983 that the argument chosen by the Opposition and by the hon. Member for St. Helens, South would have been a route to even weaker prices and an even more destabilising influence on the oil market.

A Conservative Government committed to free enterprise, to ensuring that the ingenuity, skill and market response which can only come when the private sector can operate, can only take this course. That is why I welcome the Bill. The Bill is philosophically based. I make no secret of the fact that I would have welcomed it earlier. There is some merit in the charge that we should have had the Bill in 1982 along with the other piece of legislation, of which this is an inevitable and natural consequence. I class myself as one of those who might carp at the margin but I am delighted that the Government have seen fit to do what is natural for a Conservative Government.

Earlier this year I had the privilege of attending the Institute of Petroleum's annual dinner, the major occasion when all the oil companies bring together Members of Parliament and those involved in politics on both sides of

the House together with all the industries. That dinner was addressed by my right hon. Friend the Prime Minister. She drew attention to the contribution which the private sector of the oil industry, both in refining and extraction, has made to our economy. That is a contribution which the withdrawal of BNOC will assist by ensuring that Britain's oil market becomes even more attractive for investors.

Let us not forget that oil exploration in the far-off early days was undertaken by the private sector. Let us not forget that, before it was recognised by either Labour or Conservative Governments that oil extraction from the North sea would be a lucrative fund raiser for the Treasury, there was no Government funding which would be anywhere near that of the oil companies as they engaged in what was a risky enterprise. In those far-off days in the late 1960s and early 1970s, it was the entrepreneurial spirit of the oil companies which made it possible for successive Governments to benefit from the revenue which was raised and which made it possible for the Socialist Government in the mid-1970s to impose its political philosophy on what appeared to be a success story.

Would there have been a BNOC in 1966 when we did not know whether there was any oil in the North sea? The fact is that in the late 1960s when a Labour Government were in power and when there might have been some cause for Government assistance in the market place to encourage the oil companies to explore a natural resource that had not hitherto been discovered, there was no such move. It was only once the reserve had been discovered, when there was known to be profit in the North sea, that action was taken. There was profit in the North sea, there is profit in the North sea and there must continue to be profit in the North sea.

I see the North sea from a constituency point of view. It has brought investment to south Humberside. It has brought a massive new Conoco works, which this year is engaging in a £100 million expansion scheme. That will result in every fabrication yard in south Humberside being full of contracts. Only about six weeks ago I had the privilege of opening a new design centre because the oil companies have so much new design work that they cannot undertake it themselves. About 50 people are employed in a design centre, contracting to the Conoco oil refinery in my constituency, to cope with that massive expansion plan which is founded upon the investment and profit that has come from the North sea in the past few years.

The Conoco oil refinery welcomes the Bill. It is the provider of much wealth in terms of jobs in my constituency and it will provide many more jobs during the coming months as its expansion programme takes off. I am glad that the Government have seen fit to bring the Bill forward for a Second Reading today. I regret that we have had to wait a year or two longer than I might have wished, but nevertheless I welcome it.

8.57 pm

Mr. Ken Weetch (Ipswich): In the short time that I have at my disposal I want to come pretty quickly to the brass tacks of what I have to say. The Bill is more a matter of political ideology than of rational conviction. If one thing has become clear from the Bill it is that Britain has only a hazy energy policy, if we have one at all. We still have not decided on the best possible machinery and apparatus to do what we aim to do. The great assumption that underlies the Bill is that what multinational oil companies decide and what they do will always coincide with the national interest. That is the basic philosophical assumption underlying the Bill, and it is simply untrue. The British National Oil Corporation was set up initially to safeguard Britain's interest in a world of multinational oil companies. As they ever did, multinational oil companies always act in their own interests, particularly at a time of crisis.

The essence of the Bill as I undertstand it is that the corporation is to be replaced by a Government oil and pipelines agency. The agency will be responsible for handling Government royalty oil, regulating Government pipelines and activity concerned with participation contracts. It is my view that, whatever else an oil policy has to have, security of oil supplies for the country must be in the forefront. Of that I am absolutely convinced.

It is Government policy to embark on privatisation and a policy of free market economics. The assumption, as I have already said, is that this free market economics pursued by multinational oil companies will always coincide with the national interest—their interest is the nation's interest. That is a fallacious assumption. Nevertheless, it underlies the Bill.

I put it to the House that security implications now for oil supplies are a good deal more complicated than they were. When we were in government eight years ago, I went to a dinner and I sat next to a very powerful oil man. They are always plain-speaking people. I asked him, "What do you think of the British National Oil Corporation?". He chose his words carefully, and he said, "The British National Oil Corporation is a confounded nuisance." Therefore, it did not take long for me to realise that, if ever we had a free enterprise Government that could be influenced by multinational oil companies, the British National Oil Corporation was doomed and, indeed, it was. It has already been split up, and what we are discussing here is the rump. Large scale big business always wanted the corporation out of the way, and now it has gone.

I believe that security of our oil supplies always was a sound argument for the corporation. One will always have a better chance—and I will put this in terms of general principle only, because I do not have time to argue the case in detail from practical experience—of safeguarding the nation's oil supplies with a state oil company than with mulitnational oil companies. I think that it is a simple matter of principle, and at this stage I will go no further than that.

My right hon. Friend the Member for Glasgow, Govan (Mr. Millan) cast some doubt on the validity of participation agreements which can be reactivated—I think that is the word. I think that his doubts were well founded, and that these agreements are in no way a substitute for what is being lost.

My second main point concerns what my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) said regarding small oil companies with no trading departments of their own. The best way that I can put it to the House is to quote a short passage from the *Financial Times* of Friday 15 March which asks the question:

> "Who, in the absence of BNOC, will trade oil for smaller oil companies which have no trading departments of their own?".

The same article answered the question one column later:

> "New trading mechanisms will also have to evolve as BNOC winds down. Smaller companies will probably have little alternative to marketing their oil through larger companies, a point which was the source of some bitterness yesterday.".

[Mr. Ken Weetch]

As far as I can ascertain from the main course of the debate, that point has in no way been resolved. I have listened to much of the debate, I have listened to the experts, I have listened to hon. Members who serve on the Energy Select Committee and I have listened closely for certain basic questions to be answered. Not being a specialist in this area, and being a simple man anyway in the economics of energy, I want a number of simple questions answered. Is it in the nation's interest to have a high price for oil or a low price for oil? I have heard no hon. Member answer that yet. I have heard two opinions. The first was that it is better to have a high price for oil because we are an oil exporting country. Two minutes later I heard that it is better to have a low price for oil because that lowers costs. A couple of minutes after that, I heard an hon. Member say that if we have a low price for oil that means that there is a low price for oil for the Japanese economy as well, which will compete with our own. Oil economics is a confusing world. The Government must prove their case, and they have not shed a great deal of light on a number of fundamental questions.

Will the new arrangement have very much effect on the spot market? I understand that we are moving towards free enterprise. If that is so, surely the market will fluctuate rather more than when we had the constructive management—or at least an attempt at that—of BNOC.

In the limited time that I have had to carry out research, I have been given to understand that, as a marketing organisation, the rump of the corporation has had a constructive influence on prices and marketing at certain critical periods — it has certainly had a constructive influence on price stability. In the late 1970s and early 1980s — difficult times — BNOC helped to stabilise a critical position. It earned its spurs. Even supporters of the corporation would not argue that, at the end of the day, it can alter the long-term fundamental supply and demand in the oil market. But over short periods it has altered people's perceptions and produced a stabilising effect.

The Bill does not give us very much. It is being introduced for political reasons. The Government have policies of free enterprise and privatisation. I suspect that, in trying to have a constructive price influence in the world market, the Government have attracted international political opposition. However, even put together those do not make a policy, so I oppose the Bill.

9.7 pm

Mr. Peter Hardy (Wentworth): I am pleased to follow my hon. Friend the Member for Ipswich (Mr. Weech), not least because of the experience that we shared last night in the debate about Felixstowe, when we heard Conservative Member after Conservative Member demanding not merely that the harbour be developed but that vast public investment should be put into infrastructure—that roads should be built and services provided so that private profits could be made. It is interesting that Conservative Members are taking the same approach in this debate.

I hope that I am not taking matters out of turn in saying that it was entirely appropriate that my hon. Friend should follow the hon. Member for Brigg and Cleethorpes (Mr. Brown). Enthusiasm is always attractive — it is a commendable quality in many cases. But for an hon. Member to fail to recognise that our offshore resources are finite and to want to see an even more excitable oil industry rushing to develop our offshore reserves is inappropriate to the current position. If the hon. Gentleman has his way, there would be more wells than water off the British coast.

It has been an interesting debate. Obviously, there have been considerable differences in approach on both sides of the House. My hon. Friends have always perceived the need to maintain security of supplies while Conservative Members have been remarkably complacent in their assumption that oil supply will be all right on the night. The truth is that it will not. Of course, there were differences. The hon. Member for Enfield, Southgate (Mr. Portillo) took a more extreme view than his hon. Friends. He did not mind whether we had any crude oil guarantees because, so far as he could see, crude oil did not matter. He should recognise that existing arrangements provide for a sufficient degree of buy-back to guarantee an adequate supply to our refineries.

I apologise to the Minister of State for not starting with some comments on his speech in opening the debate. He tried to be fair but he left many questions unanswered. Some of them may be left to the Committee stage but I ask the Under-Secretary of State to answer quite a few tonight.

My hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) presented a thorough analysis of the Bill. It might have been helpful if the Minister's approach had been as scrupulously detailed. My hon. Friend pointed out the effect that the measure might have and demonstrated how the dismantling of BNOC might weaken our national capacity to influence decision-making offshore and perhaps reduce our capacity to secure proper development of the oil market. He showed how the Bill could be seriously disadvantageous to the security of supply—a point which my hon. Friend the Member for St. Helens, South (Mr. Bermingham) pursued when he pointed out that the oil reserves that have been bequeathed to us are like seed corn which is being used improperly.

Several of my hon. Friends referred to the debate on 18 December when the House considered those sections of the 1984-85 Supplementary Estimates concerning the Energy Department. Much of that debate related to the position and role of BNOC. My hon. Friend the Member for Merthyr Tydfil and Rhymney showed in that debate how it was assumed at the time of its shearing, when the Oil and Gas (Enterprise) Act 1982 was being considered, that BNOC would be left with an important role which would ensure that the national interest was served.

Reference has already been made to the contribution of the Minister of State on 18 December. I trust that the Under-Secretary of State will offer an adequate comment on that contribution. It is interesting to note that only five months ago, in that debate, the Minister of State recognised that

"the United Kingdom continental shelf and the price that Britain secures for oil in international markets is not"—

and, in my view, most not remain—

"entirely under the control of international integrated companies. We must also ensure that there are some arm's length sales at transparent prices." — [*Official Report*, 18 December 1984; Vol. 70, c. 230.]

We have seen a tremendous change since then. The hon. Member for Erewash (Mr. Rost) seemed to adopt his customary posture of running very rapidly to be able to say, "Me, too" to the Government when they make any change in energy policy, but he must have run with enormous speed in this case because the Minister's

conversion has taken place in a much shorter period than the five months that have elapsed since that debate. I trust that the Under-Secretary of State will provide a further explanation of the speed of conversion that the House has witnessed.

To be fair, several Conservative Members have sought to ensure that the destruction is humane. In addition to that humanity, my hon. Friends are deeply concerned, perhaps because some of them belong to the same trade union as the staff of BNOC, that the treatment of the staff shall be generous. It has been suggested that fair arrangements will be made. The Under-Secretary of State may prefer to wait until the Committee stage before he provides detailed information about that. The distinguished and often extremely important and valuable service that BNOC staff have provided over the years should be properly recognised. Will any of them be retained in the agency? May we have an assurance that those who feel sickened by the Government's sudden conversion and who do not wish to serve in the new agency will not be under any compulsion to remain?

Perhaps the Government will provide, through their various job creation schemes or educational arrangements, an opportunity for them to set up in consultative capacities so that they may become gamekeepers turned poachers, or the other way round. It will be a pity if the Government's behaviour has so disturbed the diligent and devoted staff of BNOC that they feel unable to remain in the public service. Over the years they have developed not only experience and knowledge but a commitment to their organisation, and that should not be so sweepingly eradicated.

The debate has not ranged as widely as I had suspected it might, and I am anxious to comment on the various speeches that have been made. For example, I thought that attention might have been paid earlier to a speech that the Minister made in Texas on 7 May last. His remarks were relevant to national energy policy, and our feelings about his speech on that occasion illustrate the difference that exists between the two sides of the House on this issue.

Speaking in Texas, the Minister boasted about our capital investment in the oil industry and the record levels of exploration and appraisal drilling. He said that 182 wells had been started in 1984—a considerable number, though perhaps not enough to please the hon. Member for Brigg and Cleethorpes. The Minister thought that the number of wells drilled this year might be even greater than last year's total. He was pleased about there having been an increase in the amount of oil being discovered. That is not surprising, with more wells being drilled.

In that speech, the Minister failed to perceive that the oil companies—no matter how closely attached to them some Conservative Members may be and no matter how cordial relations with them may be, so that the Minister can talk about informal agreements which might help us in our hour of need—are devoted to profits.

Mr. Hannam: What about the trade unions?

Mr. Hardy: The hon. Member for Exeter (Mr. Hannam)—who made a complacent speech to which I shall come—is right to refer to trade unions, which, naturally, seek to improve conditions for their members. They would be misguided if they did not.

Likewise, the first obligation of the companies is to make profits—one might say, to perform the role of the vulture, and the vulture goes where the pickings are easy — and it is inevitable that they will look after themselves. *[Interruption.]* Conservative Members should not be surprised that we have a grasp of capitalist economics. The oil companies go for profits, and because at present the profits are attractive, they are rushing into the North sea.

The Minister boasted in Texas that the United Kingdom was the fifth largest producer of oil. That is true, but it is not the most prudent oil-producing country. It does not have the fifth largest reserves of oil. There are 20 or 25 countries—there may be more—that have larger oil reserves than we do. They are not boasting that they are in a good position.

While a number of Conservative Members — the speech of the former Secretary of State for Energy, the right hon. Member for Guildford (Mr. Howell) was notable for its complacency—may believe that oil prices in the rest of the 1980s may be less than they were in real terms in 1983, the fact remains that oil is a diminishing resource. The Government cannot expect that the British oil requirement will be met in full for much longer from our reserves. By the middle of the 1990s—I should be delighted if the Under-Secretary would comment on this —we shall be dependent once again. It is a pity that such a short-sighted view exists.

I do not know whether Conservative Members have studied the effect that that will have on a rundown economy which is already in dire difficulty. During the past five years we have seen industrial devastation to an unparalleled extent. That which properly harvested, planned, and depleted could have maintained Britain in some semblance of prosperity has been eagerly rushed at and exploited on the grounds that low prices will continue indefinitely. Even with a further deterioration in the Gulf, with an escalation of the conflict between Iran and Iraq, we are told that we need not worry unduly. That is gambling with the national interest in a way which is utterly reprehensible.

A number of my hon. Friends and one or two Conservative Members asked some questions. I want the Under-Secretary to respond to some of the detailed ones. To assist him, I shall emphasise some of the more significant questions. We are entitled to ask the Under-Secretary to estimate the volume of royalty oil which will accrue in the next year or two. We are entitled to ask him —despite the fact that some of the points will have to be dealt with in Committee—to offer a guarantee about the forced transfer of staff. We are entitled to expect him to say whether he will allow the independent oil companies, in particular the smaller ones, to sell to the agency.

Minnows must still swim. We cannot allow the offshore waters to be feeding grounds merely for the larger, major companies. The minnows must survive. They must have, if they wish, the capacity to trade. The agency must therefore be able to take oil from the smaller independents. If the Government are not prepared to make such a concessionary arrangement, that will once again demonstrate their interest in business, but it is big business that dominates their priorities.

Will the Under-Secretary refer to participation agreements? There has been some confusion about them. I should like to know how many participation agreements

[Mr. Hardy]

will be on a six-month and how many on a 12-month basis. The relevant information about those agreements should be given.

It was reprehensible of the Minister of State not to deal adequately with BNOC's financial basis. Several of my hon. Friends——

Mr. Rowlands: Unprecedented.

Mr. Hardy: My hon. Friend uses the word unprecedented. I suppose that it is inevitable that if the Minister's advisers are not fully informed about the matter he may wish to leave it until the Bill is in Committee.

The Bill is peculiar in its structure in that certain provisions are made in schedules that I should have thought—I am no lawyer and have no pretensions about having a draftsman's ability — should be in clauses. Since those provisions deal with financial matters, we are entitled to a more credible presentation.

What was BNOC's financial position during the last financial year? Will the Under-Secretary of State say something about the fees which have accrued to BNOC and which may have some relevance to the Department? We wish to know about BNOC's financial structure and the financial structure of the new agency. If the Under-Secretary of State cares to offer an explanation or an apology as to the nature and character of the Bill, which will be in Committee next week, that will be well received, at least by the Opposition.

The House is aware that one of BNOC's important functions is its involvement in committees that consider the technical requirements and problems posed by North sea development. By BNOC's presence on those committees, it acquires information and experience that is available for the public interest. If BNOC were dismantled, a real risk would be faced. Unless the Secretary of State positively instructs the agency to be involved in these committees, his Department and the public interest will be deprived of information and experience which will be sadly missed.

I must end in a few moments because I should hate the Under-Secretary of State not to have sufficient time to answer the questions posed by my hon. Friends. It will be a matter of considerable regret and will make it more difficult for the Government to fulfil their timetable if they cannot provide that information this evening. If they cannot, I trust that the Committee stage will not be far advanced before we receive an explanation of the points that concern us.

BNOC has been criticised for its losses of between £40 million and £50 million. I accept the fact that the Minister of State did not offer that criticism, but other hon. Members have talked about the accumulated losses. Will the Under-Secretary of State confirm that had BNOC—perhaps acting on a ministerial suggestion—not engaged in that activity the losses to the nation would have been scores of times higher than the minimal loss incurred by BNOC's intervention in the market? Any accusation of incompetence or loss making by BNOC needs to be qualified.

I shall make one further reference to the speech made by the Minister of State in Houston which received little attention. I make this point because my constituency is a long way from the sea but is deeply affected by the industrial devastation that has been experienced in so many parts of Britain since 1979. Because of the need to regenerate our industry, I was delighted to see that the Minister had realised that orders must accrue to British industry and commerce. The right hon. Gentleman needs to be careful, because I do not think that two heretics would be allowed in one Department at the present time. By his perception of the need to promote industrial orders as a result of offshore activity, the right hon. Gentleman departed from the traditional pattern of responsibility in the Department.

When the Labour Government were elected in 1974, they found that only about 20 per cent. of the value of offshore orders was benefiting British commerce and industry. By the time the Labour Government left office in 1979, that share had been built up to almost 80 per cent. It has never touched that level since the present Government took office in 1979. In some areas — pipelines, drilling tools and equipment—over one third of the orders are going to industries in other nations. The Government have always taken the view that they have an obligation to share the benefit of our offshore inheritance with our European partners. Our European partners would not take quite the same attitude if the legacy was theirs.

It is delightful that the Minister now recognises that orders should accrue to Britain. It is a pity that he did not perceive it before or that people such as the right hon. Member for Guildford, who inflicted a great deal of complacency on the House today, did not perceive it earlier. *[Interruption.]* I am sorry if the right hon. Gentleman feels that I am being unfair, but the share of offshore orders accruing to British industry during his tenure of office fell abysmally, which was sad, and perhaps helped to generate in a small way the enormous growth of unemployment that has so affected us all.

Mr. David Howell: I do not know what figures the hon. Gentleman is quoting, but if he looks at the facts he will see that, although our share of offshore orders is never enough—we would like more for our industry—it rose steadily in the early 1980s, and has achieved some substantial levels. My noble Friend Lord Gray of Contin, who was Minister of State at that time, was able to tell the House of some encouraging figures. Therefore, I wonder whether the hon. Gentleman has got his facts right.

Mr. Hardy: I have got my facts absolutely right. The right hon. Gentleman need only look at the Brown Book that he issued when he was in office and the ones that have been issued since then to see that over the past year there has been a slight improvement in most sectors of the offshore market, but the fact remains that there was a decline after 1979. I recall asking the right hon. Gentleman a question about the matter when he was Secretary of State. I said that there had been a disappointing fall. I was given the explanation that in 1979 there had been some particularly large orders that had benefited British industry. Ministers said that it was reasonable for us to operate on a 60 per cent. to 64 per cent. share. In fact, Britain's unemployment problem is now so severe that we cannot possibly allow our share of, for example, drilling equipment or pipeline orders to be as low as 61 or 62 per cent., which it has been in the past few years. The right hon. Gentleman can look at the record of the Department of Energy. It is published, and it is clear.

I do not believe that I have anything to apologise for. None of my right hon. Friends and hon. Friends who spoke

in the debate about an institution that could continue to serve the nation has anything to be ashamed of. We are entirely right and justified in asking the House to vote against this pernicious and nasty, if consistent, Bill.

9.33 pm

The Parliamentary Under-Secretary of State for Energy (Mr. Alastair Goodlad): With the debates on the two reports from the Select Committee on Energy and a full day's debate today, the House has had extensive opportunities in this Session to consider the recent developments in the structure of the oil market. I should like to join my right hon. Friend the Minister of State and the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) in their tributes to the work of the Select Committee and in what they said about the directors and staff of BNOC.

We have had many knowledgable and constructive speeches. I intend to respond to as many as I can of the main points that my hon. Friends and Opposition Members have raised. The detailed issues can be considered in Committee.

The Bill is a modest measure. The hon. Member for Wentworth (Mr. Hardy) asked me to comment on its format. There is no need for any apology. It establishes a small successor body to BNOC, and the structure of the Bill is appropriate for that body. The Government's reasons for abolishing BNOC and for retaining the small number of the corporation's functions that continue to be needed have been fully explained to the House.

Since my right hon. Friend the Minister of State's announcement of 13 March, we have moved swiftly to prepare the Bill and to lay the ground for setting up the new agency. The management of BNOC has made vast progress to rid itself of the supplies which put its finances at risk, and has urgently sorted out redundancy payments for staff who will not be transferred to the agency so that they may know where they stand as early as possible.

The Government have not followed the suggestions of some Opposition Members who, it seems, would have preferred BNOC to have remained, like King Canute, immovable on the beach while the tide of the changed structure in the oil market engulfed it. We must remember that world oil prices are determined by the balance between supply and demand. Neither the Government nor BNOC has wished or been able to affect that. An alternative Government containing Opposition Members might wish it were otherwise, but such wishes are hypothetical. What has been crucial is the avoidance of any actions that could have destabilished the market. That is why, when BNOC disposed of large amounts of crude under term contracts, it ensured that its pricing proposals were handled delicately. Within moments, on a market dominated by spot and spot-related transactions, the corporation's slight capacity to promote stability changed into a potential for promoting instability. In those circumstances, if BNOC's abolition has any effect on the world market, it will be beneficial.

No action by BNOC, even if its board were comprised of omniscient angels, could have averted the market change. The management and staff coped admirably in circumstances that proved to be impossible.

For other hon. Members—in general they are not on the Opposition Benches—the Bill has not been radical enough. Some of my hon. Friends have argued that, having proposed the discontinuation of some of BNOC's functions, we should have gone the whole hog. The Government would not wish to lay claim to such omniscience. There has been a change in market structures which was not envisaged by either party when BNOC was established and which was scarcely envisaged when Britoil was privatised 30 months ago. The market structure might change again. If we have destroyed participation agreements, we might live to regret it in the event of such a change. It remains the Government's view that the Bill strikes the right balance.

Several Opposition Members have charged the Government, and especially my right hon. Friend the Minister of State, with inconsistency. That is not justified. The Government have recognised and reacted to changes. The Government and BNOC cannot influence oil prices in the longer term, and do not wish to do so. In so far as BNOC has any influence in the short term, it rightly exerted that influence to avoid destabilising the oil market. Last July, the spot market plunged on account of temporary destocking and rumours of large barter deals by producing countries. This appeared to be a short-term speculative move. BNOC accordingly and correctly maintained the prices that it paid to suppliers, which were intended to be term prices. To have reduced them would have been to confirm and reinforce current speculation and to have risked setting off a competitive downward spiral of term prices.

BNOC reduced prices in October in response to a change in market fundamentals which had reduced the value of light crudes such as those from the North sea as compared with heavier crudes from the middle east and South America. Speculative downward pressures reappeared and, for much of the past nine months, the spot prices at which BNOC has had to sell its oil are lower than the term prices at which it had to purchase its barrels. In such circumstances, a loss was inevitable. This has happened before. In the debate on the Oil and Gas (Enterprise) Bill the right hon. Member for Morley and Leeds, South (Mr. Rees) referred to losses in the summer of 1981. If, by reducing its prices, BNOC had enhanced speculative pressures, its losses could have been magnified.

Right hon. and hon. Members have accused the Government of propping up the oil price. That is utterly false for, as I have explained, we are unable to alter the level of prices in the world market. Sharp movements of oil prices are in nobody's interests. A sharp fall adds to the risks of the world banking system, threatens important debtor countries, and reduces the incentive to energy conservation and substitution away from oil. That would risk making us again, in a few years' time, a captive of OPEC, and the sharp rise that would follow such a fall would damage world economic prospects.

Mr. Gordon Wilson (Dundee, East): I absolve the Minister of any real attempt to prop up world oil prices, and would condemn the Government for having failed to do so. However, does not the Minister realise that it is over-production from the North sea's Scottish sector, together with production from Mexico and the Norwegian sector, that is swamping the world market and contributing to the downward pressure? In that respect, the Minister is a victim of over-production and of inadequacies of policy.

Mr. Goodlad: I am interested to hear that the Scottish National party would wish to slow down the development

[Mr. Goodlad]

of the North sea. Perhaps we should reflect on the effect of that on job prospects in Scotland. However, since the hon. Gentleman has only just joined the debate, he will not have heard what has been said on the subject.

In the past, BNOC's pricing arrangements could make a slight contribution to averting the danger of violent price changes. However, with the change in market structures, they have become a potential for sparking off such violent changes.

The hon. Member for Merthyr Tydfil and Rhymney asked for an assurance about the sale of royalty in kind. I assure him that there is no commitment on either BNOC or the agency to sell back to the producers any royalty in kind in oil that licensees produce. I was also asked about the value of the royalty oil sold in the current financial year. It was worth just over £2·2 billion. Royalty oil comprises roughly 10 per cent. of all oil production from the United Kingdom's continental shelf.

The hon. Member for Merthyr Tydfil and Rhymney and the hon. Member for Wentworth asked for an unusual assurance — that no BNOC staff should be forced to transfer to the agency. As, fortunately, the Socialist state has not yet dawned in this country the Government have neither means nor intention of forcing BNOC staff to transfer. What is important is that those members of staff who will be offered jobs in the agency should soon be identified and that the board of BNOC should make known what redundancy payments will be made to those not required. I believe that that has now been done.

The hon. Member for Merthyr Tydfil and Rhymney asked about BNOC's finances after the Supplementary Estimates approved by the House in December and March. My Department made grants totalling £67,209,000 to the corporation under section 6 of the Oil and Gas (Enterprise) Act 1982. Those payments restored the financial reserves to a level that should be more than adequate to enable BNOC to meet all commitments liable to arise prior to the transfer of its residual assets and liabilities to the new agency.

The hon. Member for Merthyr Tydfil and Rhymney also asked about BNOC's institutional arrangements. BNOC was unique as a seller of oil in that its announced price was even more a price applicable to its suppliers than to its customers. The effects of its secure access and pricing provisions and the participation agreements is that it has had to propose uniform transparent prices. That has precluded any hidden discounts, barter deals or processing arrangements. Statoil, which sells only oil, was in quite a different position. That uniform transparent price achieved symbolic significance, so that any change in it was not really neutral but carried the risk of destabilising the market, as my hon. Friend the Member for Erewash (Mr. Rost) demonstrated with his usual eloquence.

The hon. Member for Merthyr Tydfil and Rhymney also made a plea, in his usual impassioned way, to the effect that the agency should sell the oil produced by small independent companies. There are four reasons why I do not accept that it is necessary for a public sector body to be involved in such trading. First, many small producers existed, and operated satisfactorily, before BNOC was created. Secondly, the policy of participation halved the availability of their production and so made it more difficult for the small companies to trade the remainder. Thirdly, the hon. Gentleman said that 20 years ago the major refineries refused to purchase oil from the independents. Similarly, I suspect that the difficulties anticipated by Westar in its evidence to the Select Committee were based on the world of 20 years ago. Then the major companies had potential oil production in excess of their refinery needs. Now their refinery needs are greater than their supplies, and they are eager to contract oil from independent producers. I suspect that Opposition Members may be living in the 1960s rather than today.

Fourthly, the danger of allowing the agency to act as a marketer for small companies is that it would yet again get into the business of setting a price to its suppliers. It would then run the same risk of destabilising the market as BNOC has run during the past few months.

My right hon. Friend the Minister referred to the assurances given by the oil companies on the security of supply. The hon. Member for Merthyr Tydfil and Rhymney and the right hon. Member for Glasgow, Govan (Mr. Millan) poured cold water on that. I cannot disclose the details because they are commercially confidential. The assurances do not have the legally binding force of contracts. I should be surprised if the right hon. and hon. Gentlemen were suggesting that companies of that size, which are dependent on their United Kingdom operation for their economic success, would risk going back on their word. If that is so, what is the use of participation? The British motorist cannot burn crude oil in his engine, nor the textile mills in their boilers. They require products which, whoever supplies the crude, must come from private companies, which Opposition Members consider to be unreliable. My hon. Friend the Member for Enfield, Southgate (Mr. Portillo) was accurate in his analysis of that point.

The right hon. Member for Govan pointed out that it would be several months after participation options were reactivated before oil would flow to the agency again. Several other hon. Members also probed how the security of supply would be preserved. It is correct that lead times of several months are built into the participation agreements. However, we should consider the position if participation options were already being exercised.

If the agency were by then able to sell the oil on term contracts, it would need many months to get out of those contracts to supply more oil to Britain. It would be reluctant to do so in case it spoilt its market when circumstances returned to normal. That happened in the late 1970s. What if the agency were obliged to sell its participation spot as BNOC must do now? There is no reason why the refining companies in the United Kingdom should not equally be able to buy that oil spot. BNOC claims to have diverted 100,000 barrels a day to United Kingdom companies in 1979. That is 12 months or more after the crisis of that time had started. The increase in all United Kingdom oil supplies between 1978 and 1979 amounts to only 30,000 barrels a day — less than the addition to the companies' own supplies from the North sea.

The oil companies which received BNOC's supplies must have diverted other supplies from the United Kingdom. Our increase of 30,000 barrels a day—about 2 per cent. of our demand—compares with increases of 11 per cent. to France, 15 per cent. to West Germany and 10 per cent. to the Netherlands. Moreover, United Kingdom stocks in that period increased by more than 30,000 barrels a day. Therefore, in spite of active participation, or possibly because of it, supplies to the

United Kingdom increased by less than supplies to our continental neighbours, and none of the increase reached our consumers.

Reference has been made to the Energy Act 1976, which gives my right hon. Friend the Secretary of State for Energy comprehensive powers to control production, supply, acquisition, use and price of crude oil and oil products. Similarly, reference was made to the International Energy Agency arrangements.

My hon. Friend the Member for Exeter (Mr. Hannan) asked what would trigger the Secretary of State's consent to reactivation of participation and the assurances given by the oil companies. On the latter, there is no question in general of triggering; the assurances are an ongoing recognition of the companies' responsibilities to the British market. On the former, I would not wish to be precise. There will be no question of an international trigger. It would be for the Government of the day to decide whether the threat to world oil supplies had become sufficiently close to justify the disturbance which reactivation would create.

My hon. Friend also drew attention to the queues in Britain in the late 1970s compared with the adequacy of supplies on the Continent. May that not have happened because of Government intervention on participation and —much more devastating—price control?

The hon. Member for Merthyr Tydfil and Rhymney drew attention to the remarks made by my right hon. Friend the Minister of State last December on tax reference prices, and the right hon. Member for Govan questioned whether the abolition of BNOC would result in a lack of information on the pricing of oil for taxation purposes. In fact, there is substantial evidence of spot prices published in the trade press. The oil taxation office is confident that fair arm's length prices can be established for valuing oil traded within the individual companies. The oil taxation office has plenty of expertise, and, the right hon. Gentleman will be relieved to know, plenty of accountants. The corporation's contribution to tax valuation came from its ability to find a firm market-related term price acceptable to both producers and customers. It did not come from grassing to the oil taxation office on the disgraceful habits of the oil companies. Once BNOC could no longer find a term price acceptable to producers and consumers, it was no longer able to contribute to tax valuations.

My right hon. Friend the Member for Guildford (Mr. Howell), in a thoughtful speech that demonstrated his considerable knowledge of this subject, asked why the Government should continue to take royalty in kind oil. Taking royalty in kind provides the Government with some oil immediately available during an interruption to world oil supplies, so long as that oil is not being sold on long-term contracts. It also provides a quantity of oil that can be sold at arm's length and, therefore, offers some protection should the open market for United Kingdom continental shelf oil be threatened.

The hon. Member for Merthyr Tydfil and Rhymney questioned my right hon. Friend's announcement today about LPG trading. The removal of the public sector in LPG trading is unlikely to have a major impact on prices. BNOC was handling less than 30 per cent. of United Kingdom continental shelf production, and less than 20 per cent. of total United Kingdom output, including that from refineries. BNOC's influence with the market was, therefore, not wide ranging and the ending of this trading role will have little influence on the market. It is unlikely that the business would remain viable without the volume provided under participation.

Our discussions with the LPG industry lead us to expect that a company or group will soon emerge to fill the role of BNOC in collecting small parcels of LPG from producers who have only small quantities available. I do not believe that small producers' interests will be disadvantaged in any way.

The right hon. Member for Govan claimed that the Government had no depletion policy. The hon. Member for Gordon (Mr. Bruce), on behalf of the Liberal party, suggested that the depletion policy should be reconsidered, although it was not clear how his party would do that. It is the Government's objective to promote the successful exploration for and maximum economic recovery of the United Kingdom's petroleum resources. That policy lay behind the major fiscal changes in 1983, and the Government have been encouraged by the oil industry's response to those measures in the acceleration of exploration and development programmes.

At the same time, the pace of development has been considerably helped by the industry being free from artificial and arbitrary controls on production. Licensees are free to manage production from their fields within a framework of consents or approvals based on the requirements of good oilfield practice and tight controls on gas flaring. It would clearly not be consistent with the Government's policy to impose arbitrary restrictions on the output from producing fields in the present circumstances. The Government of which the right hon. Member for Govan was so prominent a member recognised that point clearly when Mr. Varley, then Secretary of State, had to give licensees detailed assurances that he would not use the powers that he was about to take.

The Government retain reserve powers to limit United Kingdom continental shelf oil production, but, as the Select Committee on Energy's third report in 1982 recognised, the circumstances in which they might be used would relate to specific and overriding circumstances in the national interest or to a radical change in circumstances pertaining to the United Kingdom continental shelf and its development. A move to cut United Kingdom production now would impose clear and tangible losses on the nation, while there is great uncertainty about potential benefits, given that the United Kingdom has only 5 per cent. of world oil production.

Therefore, the use of those powers in the present market circumstances is unjustified. Perhaps Liberal Members believe that, with the help of the wise and the good, they can quantify the benefits of cutting production. I remind them that, only four years ago, the wise and the good were confidently forecasting ever-increasing oil prices.

The right hon. Member for Govan raised the question of the effects on the staff of the suddenness of the announcement of the abolition of BNOC. My right hon. Friend would have wished to avoid the sudden nature of the announcement, but there was no alternative to the most strict secrecy, given the opportunities for speculation that any rumours could have given. The right hon. Member also complained that the Bill hands over the oil business to the private companies. What business? All oil is produced by private companies, refined by private companies and distributed to British consumers by private companies. BNOC has been taking oil from one private

[Mr. Goodlad]

company and disposing of it to another. I wish that I could claim that the Bill advanced the Government's privatisation programme, but I fear that I cannot.

Mr. Hardy: It would be remiss of us not to thank the Under-Secretary for attempting to answer a number of detailed questions. However, I trust that before he concludes he will offer some comment about schedule 3 and in particular the almost unprecedented nature of the Government's approach in presenting a Bill on the financial structure of the agency and not yet having said a word about it.

Mr. Goodlad: A large number of matters need to be covered, and I shall come to that important point if I have time.

It is instructive to recall the reaction to my right hon. Friend's announcement on 13 March. *The Times*, in a leader, talked of

"the intrinsic rightness of the Government's decision"

and went on to report that the timing of the announcment was being described within the oil industry as "masterful". Even *The Guardian*, not normally the most vociferous of our supporters, reported the abolition of BNOC as

"the boldest step this Government has taken in the energy field."

The oil markets and the foreign exchange markets reacted calmly to the announcement.

Many OPEC leaders recognised that the opportunties that had been available to BNOC in the past to stabilise the market had disappeared as the structure of the oil market had changed. Our colleagues in Europe and the United States greeted the news with unqualified approval, although many of them were not surprised.

Our critics claim that we shall be weakening our control over the destination of North sea oil, but that is incorrect. The ability to use the participation agreements when they are useful for security of supply will not be affected by these proposals, and the landing requirement for North Sea oil will remain unchanged.

It is perhaps a little difficult to discern the basis for the resistance to the Bill of hon. Members opposite but I suspect that it derives from their simple beliefs that the national interest is best served by expanding the public sector as far as possible, and that state control is preferable to private sector initiative. Perhaps they feel that the defence of the public sector against the supposed attacks of the Government should be proclaimed at every opportunity, even if they cannot work out how that philosophy should be applied to the unusual circumstances of BNOC. Or perhaps they think that the enunciation of some sound Socialist principles, however fatuous, will go down well with their constituency parties.

I hope that on further reflection they will recognise that, given the change in the structure of the oil market, it is clear to all that no responsible Government of any colour could have proposed measures very different from those set out in the Bill.

In a decade, Government policy towards state involvement in the development of North sea oil has turned full circle. Ten years ago almost to the week, the House was debating the Second Reading of the Petroleum and Submarine Pipe-lines Bill. That provided for the establishment of BNOC as an instrument of state involvement and so-called public ownership in the North sea such as would satisfy the most doctrinaire of Socialists.

All that has changed. In 1982, the Government put BNOC's exploration and production business into a new company, Britoil, and transferred these activities to where they rightly belonged—the private sector. The effects of our removing the dead hand of the state from the North sea has been dramatic. In 1983, a record number of 128 offshore exploration and appraisal wells were drilled on the United Kingdom continental shelf. Last year heralded a major increase of 15 per cent. in our gas reserves.

All of these achievements reflect the Government's careful nurturing of the North sea, and it is a record of which we are justifiably proud. In the context of this substantial level of activity in the North sea, the new agency will have a modest role. The Bill is in the interests of both the British oil industry and the country. Therefore, I warmly commend it to the House.

Question put, That the Bill be now read a Second time:—

The House divided: Ayes 264, Noes 159.

Division No. 206] **[10 pm**

AYES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Ancram, Michael
Arnold, Tom
Ashby, David
Aspinwall, Jack
Atkins, Robert *(South Ribble)*
Baker, Rt Hon K. *(Mole Vall'y)*
Baker, Nicholas *(N Dorset)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Rt Hon Sir Frederic
Benyon, William
Best, Keith
Bevan, David Gilroy
Biggs-Davison, Sir John
Blaker, Rt Hon Sir Peter
Body, Richard
Boscawen, Hon Robert
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim
Brooke, Hon Peter
Brown, M. *(Brigg & Cl'thpes)*
Bruinvels, Peter
Bryan, Sir Paul
Buchanan-Smith, Rt Hon A.
Bulmer, Esmond
Burt, Alistair
Butcher, John
Butler, Hon Adam
Carlisle, Kenneth *(Lincoln)*
Cash, William
Chapman, Sydney
Chope, Christopher
Clark, Hon A. *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clegg, Sir Walter
Cockeram, Eric
Colvin, Michael
Coombs, Simon
Cope, John
Cormack, Patrick
Couchman, James
Cranborne, Viscount
Crouch, David
Currie, Mrs Edwina
Dickens, Geoffrey
Dorrell, Stephen
Dover, Den
du Cann, Rt Hon Sir Edward
Dunn, Robert
Durant, Tony
Dykes, Hugh
Eggar, Tim
Evennett, David
Eyre, Sir Reginald
Fairbairn, Nicholas
Finsberg, Sir Geoffrey
Fletcher, Alexander
Fookes, Miss Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Marcus
Franks, Cecil
Fraser, Peter *(Angus East)*
Freeman, Roger
Fry, Peter
Gale, Roger
Gardiner, George *(Reigate)*
Garel-Jones, Tristan
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Goodlad, Alastair
Gower, Sir Raymond
Grant, Sir Anthony
Greenway, Harry
Gregory, Conal
Ground, Patrick
Gummer, John Selwyn
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth
Harris, David
Harvey, Robert
Haselhurst, Alan
Hawksley, Warren
Hayes, J.
Hayward, Robert
Heathcoat-Amory, David

Henderson, Barry
Hickmet, Richard
Hicks, Robert
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hirst, Michael
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Hordern, Peter
Howarth, Alan *(Stratf'd-on-A)*
Howell, Rt Hon D. *(G'ldford)*
Howell, Ralph *(N Norfolk)*
Hunt, David *(Wirral)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irving, Charles
Jackson, Robert
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(W Herts)*
Joseph, Rt Hon Sir Keith
Kellett-Bowman, Mrs Elaine
Key, Robert
King, Roger *(B'ham N'field)*
Knight, Gregory *(Derby N)*
Knowles, Michael
Knox, David
Lamont, Norman
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Lawson, Rt Hon Nigel
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim
Lilley, Peter
Lloyd, Ian *(Havant)*
Lloyd, Peter, *(Fareham)*
Lord, Michael
Luce, Richard
McCrindle, Robert
McCurley, Mrs Anna
MacKay, John *(Argyll & Bute)*
Maclean, David John
McQuarrie, Albert
Major, John
Maples, John
Mather, Carol
Maude, Hon Francis
Maxwell-Hyslop, Robin
Merchant, Piers
Meyer, Sir Anthony
Mills, Iain *(Meriden)*
Mills, Sir Peter *(West Devon)*
Miscampbell, Norman
Mitchell, David *(NW Hants)*
Monro, Sir Hector
Morrison, Hon C. *(Devizes)*
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Normanton, Tom
Oppenheim, Rt Hon Mrs S.
Osborn, Sir John
Page, Sir John *(Harrow W)*
Parris, Matthew
Porter, Barry
Portillo, Michael
Powell, Rt Hon J. E. *(S Down)*
Powell, William *(Corby)*
Prentice, Rt Hon Reg
Raffan, Keith
Rathbone, Tim
Rhodes James, Robert
Ridley, Rt Hon Nicholas
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Thomas
Sainsbury, Hon Timothy
Shaw, Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Silvester, Fred
Sims, Roger
Smith, Tim *(Beaconsfield)*
Speed, Keith
Speller, Tony
Spence, John
Spencer, Derek
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, John
Steen, Anthony
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stevens, Martin *(Fulham)*
Stewart, Allan *(Eastwood)*
Stewart, Andrew *(Sherwood)*
Stewart, Ian *(N Hertf'dshire)*
Stokes, John
Stradling Thomas, J.
Sumberg, David
Taylor, John *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Terlezki, Stefan
Thatcher, Rt Hon Mrs M.
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thorne, Neil *(Ilford S)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Trippier, David
Trotter, Neville
Twinn, Dr Ian
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Viggers, Peter
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side N)*
Wall, Sir Patrick
Waller, Gary
Ward, John
Wardle, C. *(Bexhill)*
Watson, John
Watts, John
Wells, Bowen *(Hertford)*
Wells, Sir John *(Maidstone)*
Wheeler, John
Whitfield, John
Whitney, Raymond
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Michael
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Ayes:
Mr. Archie Hamilton and
Mr. Ian Lang.

NOES

Adams, Allen *(Paisley N)*
Anderson, Donald
Archer, Rt Hon Peter
Ashley, Rt Hon Jack
Atkinson, N. *(Tottenham)*
Bagier, Gordon A. T.
Barnett, Guy
Barron, Kevin
Beckett, Mrs Margaret
Bell, Stuart
Benn, Tony
Bennett, A. *(Dent'n & Red'sh)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Anthony
Boyes, Roland
Bray, Dr Jeremy
Brown, Hugh D. *(Provan)*
Brown, N. *(N'c'tle-u-Tyne E)*
Brown, R. *(N'c'tle-u-Tyne N)*
Buchan, Norman
Caborn, Richard
Callaghan, Rt Hon J.
Callaghan, Jim *(Heyw'd & M)*
Campbell, Ian
Campbell-Savours, Dale
Canavan, Dennis
Carter-Jones, Lewis
Clark, Dr David *(S Shields)*
Clarke, Thomas
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S.)*
Cohen, Harry
Concannon, Rt Hon J. D.
Cook, Frank *(Stockton North)*
Cook, Robin F. *(Livingston)*
Corbett, Robin
Cowans, Harry
Craigen, J. M.
Crowther, Stan
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric
Dewar, Donald
Dixon, Donald
Dobson, Frank
Dormand, Jack
Douglas, Dick
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eadie, Alex
Eastham, Ken
Ellis, Raymond
Evans, John *(St. Helens N)*
Ewing, Harry
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Foot, Rt Hon Michael
Forrester, John
Fraser, J. *(Norwood)*
Freeson, Rt Hon Reginald
George, Bruce
Gould, Bryan
Gourlay, Harry
Hamilton, James *(M'well N)*
Hamilton, W. W. *(Central Fife)*
Hardy, Peter
Harman, Ms Harriet
Harrison, Rt Hon Walter
Hart, Rt Hon Dame Judith
Healey, Rt Hon Denis
Heffer, Eric S.
Holland, Stuart *(Vauxhall)*
Home Robertson, John
Howell, Rt Hon D. *(S'heath)*
Hoyle, Douglas
Hughes, Dr. Mark *(Durham)*
Hughes, Roy *(Newport East)*
Hughes, Sean *(Knowsley S)*
Janner, Hon Greville
John, Brynmor
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Kilroy-Silk, Robert
Kinnock, Rt Hon Neil
Lambie, David
Lamond, James
Leadbitter, Ted
Leighton, Ronald
Lewis, Ron *(Carlisle)*
Lewis, Terence *(Worsley)*
Litherland, Robert
Lloyd, Tony *(Stretford)*
Loyden, Edward
McCartney, Hugh
McDonald, Dr Oonagh
McKelvey, William
McNamara, Kevin
McTaggart, Robert
McWilliam, John
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael
Mason, Rt Hon Roy
Maxton, John
Maynard, Miss Joan
Meacher, Michael
Michie, William
Mikardo, Ian
Millan, Rt Hon Bruce
Miller, Dr M. S. *(E Kilbride)*
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Oakes, Rt Hon Gordon
O'Brien, William
Orme, Rt Hon Stanley
Park, George
Parry, Robert
Patchett, Terry
Pavitt, Laurie
Pendry, Tom
Pike, Peter
Powell, Raymond *(Ogmore)*
Prescott, John
Randall, Stuart
Redmond, M.
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Roberts, Allan *(Bootle)*
Roberts, Ernest *(Hackney N)*
Robertson, George
Robinson, G. *(Coventry NW)*
Rooker, J. W.
Rowlands, Ted
Sheerman, Barry
Sheldon, Rt Hon R.
Short, Ms Clare *(Ladywood)*
Skinner, Dennis
Smith, C. *(Isl'ton S & F'bury)*
Smith, Rt Hon J. *(M'kl'ds E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Strang, Gavin
Straw, Jack
Thomas, Dr R. *(Carmarthen)*
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Tinn, James
Torney, Tom
Wardell, Gareth *(Gower)*
Weetch, Ken
Welsh, Michael
Williams, Rt Hon A.
Wilson, Gordon
Winnick, David

Young, David *(Bolton SE)*

Tellers for the Noes: Mr. Frank Haynes and Mr. Allen McKay.

Question accordingly agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee pursuant to Standing Order No. 42 (Committal of Bills).

BUSINESS OF THE HOUSE

Ordered,

That, at this day's sitting, the Ports (Finance) Bill may be proceeded with, though opposed, until any hour. — *[Mr. Sainsbury.]*

OIL AND PIPELINES BILL *[MONEY]*

Queen's Recommendation having been signified—

Resolved,

That, for the purposes of any Act resulting from the Oil and Pipelines Bill ('the Act'), it is expedient to authorise:—

(a) the payment out of money provided by Parliament of sumes required by the Secretary of State for defraying expenditure of, or making grants to, the Oil and Pipelines Agency ('the Agency');

(b) the payment out of the Consolidated Fund of sums required by the Treasury for fulfilling any guarantee given by them under the Act;

(c) the payment out of the National Loans Fund of sums required by the Secretary of State for making loans to the Agency;

(d) the payment of any sums into the Consolidated Fund or the National Loans Fund.—*[Mr. Sainsbury.]*

Ports (Finance) Bill

Not amended (in the Standing Committee), considered.

New Clause 1

SAFEGUARDING OF FAIR COMPETITION

'The Secretary of State shall not make any grant, loan or guarantee under the provisions of this Act or the Ports (Financial Assistance) Act 1981 save on condition that the same is applied so as not to alter the relative competitive position of any employer of registered dock workers.'.—*[Mr. Chope.]*

Brought up, and read the First time.

10.15 pm

Mr. Christopher Chope (Southampton, Itchen): I beg to move, That the clause be read a Second time.

I do not expect the clause or the second group of amendments which you have selected, Mr. Speaker, to result in Divisions. I hope that I can draw to the attention of my right hon. Friend the Secretary of State my important reservations about the Bill.

My first reservation concerns the increase in public expenditure contemplated by the Bill—£180 million—and whether there are sufficient safeguards of the taxpayers' interests, especially having regard to the financial record of the Port of London Authority and the Mersey Docks and Harbour Board.

My second reservation is that, if we have to pour another £180 million of taxpayers' money into subsidising our ports, we should do so in an even-handed and non-discriminatory fashion. It is to that second point that the new clause is especially directed.

There are three categories of port, and I shall list them in order of privilege. First there are the ports outside the national dock labour scheme. Felixstowe is a prime example of that, and there was a debate about it last night. Those privileged ports are unencumbered by the national dock labour scheme; they are free to bargain terms and conditions with their work forces in accordance with privately arranged agreements.

The second category comprises the ports of London and Liverpool. They are national dock labour scheme ports, weighed down by the burdens of the scheme. However, to a large extent, they are relieved of their burdens by the generosity of this Government's legislation.

The third category comprises the other scheme ports which have to survive without the subsidies that are given to London and Liverpool but which have the millstone of the national dock labour scheme levy around their necks. Principal among those least privileged ports is Southampton.

I understand the Government's policy to be to promote free, open and unsubsidised competition between our many ports. My right hon. Friend the Secretary of State said on Second Reading that it is right that in a competitive industry we should insist upon an equitable framework for competition.

My right hon. Friend the Secretary of State for Social Services was even more explicit five years ago when he was Secretary of State for Transport. He said:

"The Government basically believe that the ports of this country should operate in full competition with one another and meet the normal tests of commercial viability."

It would be unfair to other ports and to British industry generally if we were to pursue any other policy. My concern is that expressions of good intention by Ministers have not been realised.

We began down the road of steadily increasing subsidies to the otherwise bankrupt ports of London and Liverpool in 1980. The Port of London (Financal Assistance) Act 1980 gave £70 million towards to the cost of severing registered dock workers and other staff and for grants, loans and guarantees. The then Minister referred to the strict financial limit as an inherited obligation from the Labour Government. He warned that problems such as those facing the PLA could become permanent if the limit of Government help was not clearly spelt out.

In the Act the limit of Government help was spelt out at a maximum of £70 million—would that that was so today. This Bill proposes that the limit should be raised yet again to a new ceiling of £500 million. My hon. Friend the Parliamentary Secretary was explicit in 1980 when he said:

"The aim set for the PLA is to cope with its major problems and to return to profitability by 1983."

He expanded on that by stating that he included within the definition of a return to profitability

"the need for it to service its capital debt, just as any other business does."—[*Official Report*, 16 April 1980; Vol. 982, c. 1313-79.]

Would that the Port of London Authority had returned to profitability even on the basis that it was not servicing its capital debt. It is far from being in a profitable position today. I am much concerned that nothing that my right hon. Friend or my hon. Friend the Minister of State has said has indicated that there will ever be an end to the open-ended subsidy that is now going to certain ports.

Mr. John Prescott (Kingston upon Hull, East): Southampton included.

Mr. Chope: The subsidy that is going to the port of Southampton is minimal.

Mr. Prescott: Oh.

Mr. Chope: The hon. Gentleman tries to pooh-pooh that, but under the Bill the subsidy that will go to the port of Southampton is limited to a share of £10 million in the first instance with a maximum of £40 million, whereas its principal competitors, the ports of London and Liverpool, are getting £140 million extra. In other words, their subsidy is being increased from £360 million to £500 million. That is just for those two ports alone. If the hon. Member think that that is fair shares, certainly the dockers in Southampton and their Members of Parliament do not agree.

Mr. Peter Snape (West Bromwich, East): The new clause refers specifically to

"the relative competitive position of any employer of registered dock workers."

The hon. Members seems to be complaining that the subsidy for Southampton compared to that for Merseyside or London is too small. Is that the point that he is seeking to make? If so, he is making it very badly.

Mr. Chope: The point that I make is that the subsidy that is going into London and Liverpool is far in excess of the subsidy for any of the other scheme ports, that that subsidy has been largely wasted in the past and that such limited subsidy as is going to Southampton and scheme ports other than London and Liverpool is far too little compared with what London and Liverpool are getting. My private view is that the ports of London and Liverpool should have been allowed to go bankrupt a long time ago. If that had happened the port of Southampton would be thriving to a far greater extent than it is.

Mr. Simon Hughes (Southwark and Bermondsey) *rose*——

Mr. Chope: I do not question the sincerity with which my right hon. Friend spoke in 1980 in the debate on the Port of London (Financial Assistance) Bill, but the sad reality is that there is no evidence that the port of London is any nearer profitability than it was in 1980, despite financial assistance of over £170 million. Of that, £45·4 million was for registered dock worker severance, £56·9 million for the severance of non-registered dock workers and £68·1 million for guarantee loan deficit grant and written-off debt.

On the basis that all scheme ports have benefited from the £45·4 million subsidy for registered dock worker severance, the payments to the Port of London Authority in breach of the principle of fair competition enunicated in the new clause total £125 million since 1980. That sum has been ploughed into the Port of London Authority in unfair competition with other ports.

It is perhaps fortunate for other ports that the Port of London Authority has not used that subsidy solely to improve its competitive position. Much of it has been frittered away in subsidising strikes, restrictive practices and employee terms and conditions which are generous to say the least.

The sad aspect of the subsidies that are going into our ports is that they are going to people who are earning £190 a week or more and are being paid for by people earning £100 a week or less. That is my main complaint. The Government are expecting people on relatively low earnings to subsidise the privileged dockers in a group of ports who are benefiting from these indiscriminate subsidies.

Mr. Simon Hughes: How does the hon. Gentleman reconcile that argument with the fact that in some areas there is, for the local work force, almost no other industry, unlike the position in his town, while in some areas, not least in London, the cost of living—the cost of homes and the like—is considerably greater than in some of the places about which he is speaking? If there is to be justice, it should be justice for the workers and not simply in relation to competition. That principle too should concern the hon. Gentleman.

Mr. Chope: I shall be dealing with that. If those who work in the Port of London Authority were that conscious of their privilege in having jobs there, I am surprised that they were prepared to forfeit 40,800 man days in strikes last year and 88,400 in 1983, to cite but two recent years.

The hon. Gentleman fails to take account of the reality that in the Port of London Authority is a group pf privileged registered dock workers who are taking advantage of their privileged position and have been holding the rest of the country to ransom, who are enjoying the privilege of not being able to be made compulsorily redundant, who have been withdrawing their labour and adding to the cost of the port and who expect the bill to be picked up by the taxpayers, and they are ordinary people earning much less than the dockers.

The scheme ports, other than London and Liverpool, are entitled to know when this unfair subsidy to London and Liverpool will end. The taxpayer is entitled to know what conditions the Government are putting on the new finance of £140 million under clause 2. Is it throwing more good money after bad, or is there a strategy behind it?

[Mr. Chope]

Most of that money, as I say, is coming from people who would enjoy being in the privileged position of the dockers in the Port of London Authority, enjoying a minimum rate of pay of £120 a week, even for doing nothing, and an average rate of pay of £190 a week for doing, relatively speaking, precious little.

Mr. Prescott: What is the hon. Gentleman's daily rate?

Mr. Chope: My right hon. Friend acknowledged on Second Reading that the taxpayers' payments

"have given the PLA and the MDHC an advantage which other port undertakings have not had".—[*Official Report*, 23 April 1985; Vol. 77, c. 800.]

The purpose of the new clause is to blow the whistle on this unfair competition and to accept that there must come a time when it ceases to be subsidised by the general body of taxpayers.

Let us reflect on some of the facts concerning the Port of London Authority and the Mersey Docks and Harbour Company. Even with £170 million in subsidy to the Port of London Authority—that authority had a turnover in 1983 of about £74 million—it suffered trading losses in the four years to 1983 of £24·45 million.

10.30 pm

There were 1,691 registered dock workers employed in the port of London on 1 January 1985. That was substantially fewer than in 1984 and previous years. Those still employed in the port of London feel that they can strike when it suits them regardless of the consequences for their port. That is in stark contrast to the attitude in Southampton where, as a result of carefully negotiated agreements between the work force and the employers, a no-strike agreement and a two-year pay and conditions agreement have been entered into. Many dockers in Southampton have taken a pay cut to keep the port of Southampton viable. Would that the port of London dockers had accepted the same approach to deal with the financial difficulties facing that port.

Unfortunately, the attitude of those dockers, perhaps encouraged by the legislation that the Government have passed, is to assume that they have an indefinitely rosy future based upon grants and subsidies provided by the taxpayer.

If those who work in the port of London recognised that their jobs were on the line, they would not spend as much time on strike as they have during the past two years. During 1983 and 1984, in the port of London alone, 129,000 man days were lost. The revenue cost of strike action to the Port of London Authority in 1984 was apparently £1·25 million. That compares favourably with the revenue lost by the Mersey Docks and Harbour Company which suffered a similar loss of man days. That is perhaps a sign of the productivity of the different work forces.

Mr. Snape: The hon. Gentleman will concede that for various reasons some man days have been lost in Southampton. He has plainly done some work on this new clause. If he feels that London has had a greater share of the scheme than it deserves, will he compare container manning in Southampton with Tilbury?

Mr. Chope: I wish that I could give the House the details of container manning in the port of London. Unfortunately, the questions that I have asked my hon. Friend the Minister of State about efficiency increases in the port of London have resulted in bland answers and a protestation that a detailed inquiry would be in breach of the responsibility that the port has for its own activities and in breach of commercial confidentiality.

The work force and management of the port of Southampton agreed that they would eliminate the restrictive practices which had burdened the port for a long time. They reduced the basic rate of pay by up to 25 per cent. and substantially reduced the work force. For about three months, there was no regular work load. These measures resulted in the port of Southampton being highly competitive in national and international markets and winning back business from the ports of Felixstowe and Liverpool. The port of Southampton intends winning back business from other ports as well. It is doing so on the basis of sacrifices by the individuals who work in the port to ensure that the port survives to fight another day.

The evidence that I have been given in answer to about 40 parliamentary questions during the past fortnight is that the attitude of those who work for the Port of London Authority and the Mersey Docks and Harbour Company is very different from the attitude of those who work for the port of Southampton. Those who work for the port of Southampton realise that their destiny is in their own hands, whereas those who work for the other two bodies seem to think that, regardless of what they do, the Government and the Conservative Goverment in particular, will give them a handout to meet the deficits that they cause by their irresponsible actions.

Before the intervention by the hon. Member for West Bromwich, East (Mr. Snape), I was reminding the House that, even after £170 million of subsidy, compared with an annual turnover in 1983 of £704 million, the Port of London Authority suffered trading losses of £24·45 million in the four years to 1983. That shows that the authority has not begun to become competitive and self-financing in accordance with the Government's resolve when they began to give subsidies to that port in 1980. Whenever those subsidies have been increased, my right hon. and hon. Friends have responded by saying that the subsidies were made to enable the authority to get back on its own feet and become financially viable.

Mr. Richard Hickmet (Glanford and Scunthorpe): Can my hon. Friend help us with his observations on the effect of subsidies on the efficient operation of scheme ports, especially the Port of London Authority and the Mersey Docks and Harbour Company? What effect do the subsidies have on the ability of non-scheme ports to compete with scheme ports?

Mr. Chope: I cannot deal in detail with my hon. Friend's intervention. It is estimated that the national dock labour scheme adds 7·5 per cent. to the cost of each container dealt with by the port of Southampton. That is a cost that the ports of Felixstowe, London and Liverpool do not have to bear. The ports of London and Liverpool also receive additional subsidies. Scheme ports, other than London and Liverpool, are severely discriminated against. They are in the third division when it comes to fair competition.

Mr. Hickmet: In that case, if the port of Southampton and similar ports were no longer in the national dock labour scheme, what effect would that have on the viability, profitability and efficiency of those ports?

Mr. Chope: I can only speculate that on the basis of the commitment shown by the work force in Southampton and its management, and given fair competition between the ports up and down the country, Southampton would come out pretty near the top, as it has done in the first division of the Football League this season. There is the will in Southampton to succeed. Given fair competition, it will succeed. I venture to suggest that if we did not have the national dock labour scheme we would not have had the submission before the House last night from the port of Felixstowe to extend its operation. Felixstowe is benefiting from the fact that all its competitors have a millstone round their necks, otherwise known as the national dock labour scheme.

It is the burden of my argument that a port that wishes to get its own house in order, as the port of Southampton has shown clearly over the past few months, is still inhibited because of that unfair competition. The purpose of the new clause is to ensure that there is fair competition between the ports in a way that there has not been in the past.

I think that the House will agree that the position of the Port of London Authority is bad enough. However, the Ports (Financial Assistance) Act 1981 extended the regime of indiscriminate subsidy to the Mersey Docks and Harbour Company and lifted the ceiling on payments, which had originally been £70 million, to £160 million. Later, in the Transport (Finance) Act 1982, that ceiling was raised to £360 million.

What has the Mersey Docks and Harbour Company done with all the subsidy money that it has received from taxpayers? Admittedly, it has to an extent reduced its work force. It has reduced the number of registered dock workers. With the benefit of subsidy, it has also reduced the number of non-registered dock workers. However, its net trading losses in the five years between 1980 and 1984 amounted to £18·91 million. That is after subsidy of £144·4 million. I accept that £37·5 million of that sum was on account of the severance of registered dock workers, and it could be said that that subsidy was common to all the scheme ports.

However, I cannot say the same in respect of the additional £106·9 million that the Mersey Docks and Harbour Company received in respect of severance of non-registered dock workers and on account of guaranteed loan and deficit grant. Those are enormous sums of money. One can compare them with the turnover of that company in 1983, which was £57 million. The total subsidy that has supported the unfair competition about which I complain so strongly has been excessive. It has been the equivalent of two years' turnover of the whole port.

If I could say to the House, "Well, they are trying to do their best in the Mersey Docks and Harbour Company to put their house in order," that would be some mitigation, but I have to tell the House that last year 48,200 days were lost through strike action in the port of Liverpool. That has resulted in £4 million in lost revenue and an additional £2 million in lost profits. It is clear from those figures that the docks are being subsidised indiscriminately.

The management of the Mersey Docks and Harbour Company has thought fit to increase the basic wages of dock workers in Liverpool far in excess of those enjoyed by most others, not least teachers, during the past five years. The House should not have much sympathy for that organisation. In 1984, the basic wages of dockers were raised by 7·4 per cent., the previous year they were raised by 9·1 per cent., the year before that by 10 per cent., the year before that by 14 per cent. and in 1980 they were raised by 18 per cent. Although there is still a substantial surplus of registered dock workers, they receive an average of £189 a week and overtime is available.

When do the Government expect the Mersey Docks and Harbour Company and the Port of London Authority to be able to trade profitably and without the benefit of any financial assistance from the Government and the taxpayer? I am sorry to say that, on 13 May, in answer to a written question to that effect I received the reply:

"That will depend primarily on how quickly they can match their work forces to the requirements of present and future patterns of trade."—[*Official Report*, 13 May 1985; Vol. 79, c. 66.]

I also asked when restrictive working practices would be eliminated and received the bland answer that the details were commercially confidential. The details of the agreement made in Southampton last year to remove restrictive practices to make the port competitive were not regarded as commercially confidential. They were available to employees, shareholders and those with an interest in the port. Surely the great British taxpayer, who is keeping the ports of Liverpool and London from bankruptcy, should be entitled to more detailed answers about the progress — or lack of it — towards the elimination of restrictive working practices.

On 25 March 1981, my right hon. Friend the Secretary of State for Social Services said on Second Reading of the Ports (Financial Assistance) Bill:

"At any successive stage I shall be prepared to provide assistance under the Bill only if the authorities can demonstrate substantial progress towards reducing manpower and eliminating restrictive working practices, and if I am convinced that all concerned are committed to making the changes that are needed."—[*Official Report*, 25 March 1981; Vol. 1, c. 993.]

Although there has been substantial progress in reducing manpower, there is no evidence of similar progress towards the elimination of restrictive working practices. I suspect that my right hon. Friend the Secretary of State and my hon. Friend the Minister are still reluctant to reveal the full facts because they might be embarrassing.

Under clause 2, the contemplated subsidy per dock worker in the port of London Authority and the Mersey Docks and Harbour Company amounts to £44,500. I base those figures on the fact that there were 1,349 registered dock workers in the Mersey Docks and Harbour Company on 1 January 1985, and 1,691 in the Port of London Authority—about 3,000 registered dock workers. Under clause 2 there will be an additional £140 million of taxpayers' money given in subsidies. That works out in excess of £46,000 per registered dock worker. If those ports cannot sort out their problems with that amount of money, they should be forced into bankruptcy.

My hon. Friend the Parliamentary Under-Secretary of State for Employment said in Committee that of the relatively modest subsidy in clause 1 a maximum of £40 million—which will go to the dock labour scheme ports in general, other than the ports of London and Liverpool — £17 million was already bespoken. That was the

[Mr. Chope]

extent of the overdraft facility that had already been taken advantage of. We are talking of possible additional expenditure of £23 million under clause 1. If clause 1 were balanced with clause 2, and my right hon. Friend could assure me that there would not be discrimination between the various scheme ports in giving Government subsidies, I would have no complaint. However, I am worried that the relatively modest sum available under clause 1 will be far outreached by the massive sum available to the ports of London and Liverpool under clause 2.

I hope that my right hon. Friend can tell the House that he will ensure that the £10 million, which is immediately payable under clause 1, will be paid this year to the scheme ports other than London and Liverpool, so that they receive some compensation for their suffering from the imposition of the national voluntary severance scheme.

I realise that I have detained the House at length over the matter, but it is vital. Too often hon. Members on both sides disregard sums such as £140 million as being small beer, while they agonise extensively over sums less than £40 million for higher education and the grant system. They certainly agonise extensively over sums even smaller than that, and rightly so. I am disappointed that this Bill, which proposes such massive injections of additional taxpayers' money into our ports, should have received relatively little comment from hon. Members.

Everyone realises that the national voluntary severence scheme must be supported. The Government have made considerable contributions to it. I hope that in reply to the debate on new clause 1, my right hon. Friend will be able to tell the House that there will be a limit on the extent of these new subsidies, and that there will come a time when those who work in the ports of London and Liverpool must face up to reality, as those in Southampton did last year. They will have to say to themselves, "Our jobs are on the line. If we do not agree to remove restrictive practices and become more competitive, we shall fold as our port will fold". That was the ultimatum that the port of Southampton had last year, and I am proud to say that those who work there decided that the port came before their narrow interests. They decided that, for the greater good, they would keep the port going and make sacrifices. Would that the same was the case in London and Liverpool. I hope that my right hon. Friend the Secretary of State will ensure that there is no continuation of the unfair subsidy to London and Liverpool, which inevitably must be at the expense of ports such as Southampton.

Mr. Eddie Loyden (Liverpool, Garston): I listened with great interest and mounting anger to the comments of the hon. Member for Southampton, Itchen (Mr. Chope), who obviously does not understand the history of the ports or the position in which the dock labour scheme ports have been placed. It is not a matter of competition, but of how the ports of the south-east and south-west coasts of Britain have taken over the role that was previously played by the major ports of London and Liverpool. They used to be the two largest ports in the United Kingdom, dealing with massive imports and exports of materials that we no longer see in our docks. The port of Liverpool employed about 15,000 registered workers after the decasualisation of the docks industry, which, it would appear, the hon. Member for Itchen wishes to be revived. He also favours the withdrawal of the right of dockers to strike, because he seems to believe that there should never be a reason for dockers resorting to strike action——

Mr. Snape: As in Southampton.

Mr. Loyden: Yes — although Liverpool benefited from that strike, for a change.

The Bill's purpose is to wind down further the number of registered dock workers employed by the Mersey Docks and Harbour Company. The number of ancillary workers at the port has fallen to almost nil. That has had a dramatic effect not only on Liverpool, but on large areas of the north-west far beyond Merseyside. The hon. Gentleman should recognise that in places such as Liverpool, where unemployment is 21 per cent., there is bound to be resistance to the sort of dramatic change that has taken place in the port transport industry, with a reduction in registered dock workers from nearly 15,000 to fewer than 2,000. In the 1960s, about 18 dredgers operated in the port of Liverpool, and there was a total dredging fleet of more than 40 ships. Now there are only three, because of the closure of most of the docks at the south and north ends of the city.

The effect of the change on employment and the port-related industries is dramatic. It amazes me that there is no trace of sympathy from Conservative Members for the devastation caused by the decline of the port, which happened because of the political decision of a Tory Government to enter the Common Market. That ended the possibility of those ports continuing to flourish as they had for the whole of the century.

The speech of the hon. Member for Itchen showed the unacceptable face of Toryism towards the areas that have been devastated by the policies that he and his Government have followed. There is not a shred of sympathy for the many unemployed or for a port which was once flourishing but which is now employing, in comparable terms, only a handful of men. He recognised that one of the main purposes of the Government's port policy is to kill off the national dock labour scheme, which, in 1946, ended the inhumane way that dock workers were treated. Thousands of men used to parade on the docks to be taken on by the employers on whim. That is the sort of indignity that the Tories offer to working people, and that is what we expect from this new brand of Tory MPs.

11 pm

There will be no welcome for the Bill from the port of Liverpool, the registered dock workers and ancillary workers, or the people of Merseyside. It will hasten the further downward spiral of the port by reducing the labour force. The hon. Member for Itchen did not mention the savings that had been made by the massive reduction in the payroll of both the port of London and the port of Liverpool, although he spoke at length about subsidy. Anyone who has examined these things knows that the recovery of that subsidy was amazingly quick once the payroll was reduced. It is a scandal and a shame that there has been no understanding or sympathy for the plight of these two great ports, but I should not expect that from this new brand of Tory.

I hope that the Secretary of State will ensure that the problems facing London and Liverpool will be met as they should be. They are not the responsibility of the ports but result from the dramatic changes that have taken place, not only technologically but in the location of our trading

ports, and they have led to the deterioration and downfall of our ports. There should be constant Government sympathy and understanding of the position. They could show that by ensuring that the Mersey Docks and Harbour Company and the port of London are not left with a burden that is not of their making, but has been acquired to sustain those ports, and to give employment opportunities, and the services provided by both ports.

Mr. James Couchman (Gillingham): I am much in sympathy with the thrust of the new clause. I would prefer it if the House were discussing the abolition of the National Dock Labour Board scheme, but that was not to be, at any rate not for this year. The scheme is a major distorting factor in the ports and docks industry, in which there is plenty of capacity and competition is keen between scheme port and scheme port, and scheme port and non-scheme port.

My interest in this matter arises out of the fact that in my constituency I have the most recently constituted dock in the country. On 1 January 1984, the Medway Ports authority moved into the royal naval base at Chatham, set up a subsiduary company, the Medway Chatham Dock Company, and started a commercial dock operation. The MPA already operated a highly successful deep-water dock at Sheerness.

Much that I have to say about Chatham applies equally to Sheerness, although the latter is situated just outside my constituency, and in that of my hon. Friend the Member for Faversham (Mr. Moate). Both Sheerness and Chatham are scheme ports, and are successful to boot. The new Chatham docks has started with all the disadvantages of an old-style enclosed dock, just like the London docks, the royal docks, the Surrey docks and all the old-fashioned ports. Ships have to be locked in and out and they are dependent on tidal estuarial water. Despite that, in its first year of operation, the Chatham docks showed a profit. It handled over 400,000 tonnes out of 336 vessels, and used all of its eight berths in the great number 3 basin of the former Royal Navy dockyard.

In 1985 that tonnage is expected to rise to more than 1 million tonnes. By 1988 it should reach 2·5 million tonnes. The tenants of the Medway Chatham Dock Company expect to invest £5 million in new facilities at Chatham during 1985. That is not a bad record, when one considers that in 1984 there was an irrelevant and damaging attempt to involve dock workers in the coal strike. Jobs have been created in an area of high unemployment and deindustrialisation. There may be gloomy predictions from many of Britain's ports, but the considerable success of Chatham shows that Medway is an exception. Its success is already putting a strain on the infrastructure.

One may ask why the Medway scheme ports are doing so well. Where is their business coming from? Chatham, which is well placed for the motorway network, is probably taking trade away from the east coast ports, but there is little doubt that the growth of Sheerness has been at the expense of port of London facilities, particularly at Tilbury. Why has that happened? The most telling single factor is the difference in the attitude of the work force. The men on the Medway are paid a good day's pay for a good day's work, whereas I suspect that my hon. Friend the Member for Southampton, Itchen (Mr. Chope) would say that PLA men are paid a fair day's pay for an hour's work.

Mr. Prescott: Look at the daily rates that they get.

Mr. Couchman: The contrast in attitudes towards the 1984 strikes between the Medway men, who rapidly cleared the backlog of cargo that accumulated during the first strike and who did not go on strike at all when the second strike was called, and the PLA men in Liverpool, to whom strike action is a knee-jerk reaction, is stark indeed.

The men in the ports of London and Liverpool bear much of the blame for their lack of competitiveness and success and for the need for this House to consider raising the ceiling for financial assistance from £360 million to £500 million, which my right hon. Friend the Secretary of State for Transport may give to the PLA and to the Mersey Docks and Harbour Company by means of grants, loans and guarantees. The Bill stipulates that that assistance should be devoted to reducing manpower in the ports and, to quote from the explanatory and financial memorandum, to

"supporting them while such measures are being taken."

It is the latter vague description and definition which worries the movers of the new clause, for there is a heavy suspicion that Liverpool and London are offering discounts to offset their mediocre industrial relations, discounts which will be paid for by means of the financial assistance that they are to receive. That creates unfair distortion of the whole market and serves to put the successful scheme ports of the Medway at a grave disadvantage. The Bill both accentuates and perpetuates that unfairness.

There is another unfairness. Because the Medway ports are successful and are recruiting labour, they are paying heavily into the National Dock Labour Board levy, whereas the unsuccessful docks which are shedding labour are receiving money from the levy. The make-up of the board of 50 per cent. employers and 50 per cent. representatives of the work force controlling dicipline, employment protection and, above all, recruitment means that competition from the successful scheme ports can be stifled by the competitors of those ports and by trade unions whose interests may be very different. The scheme must mitigate against the successful scheme port in several ways and it distorts the whole market. It should have been scrapped when decasualisation took place in 1967. It should be scrapped now and the money involved in implementing the provisions of the Bill should be used to that end.

To continue to pour money into unsuccessful ports, propped up by such a distorting agency as the dock labour scheme, is as wasteful and as sterile as pouring money into unviable coal mines, unused railway lines and unwanted steel capacity. The money would be better invested— *[Interruption.]* It would do Opposition Members well to listen instead of chiacking from a sedentary position. The money would be better invested in making even more attractive the successful ports, such as those on the Medway. My right hon. Friend the Secretary of State could make a start by providing within his roads budget a much needed new access across the Medway to the new docks scheme so that the projected 1,100 heavy lorries a day which will thunder through Gillingham and Chatham do not make the life of my constituents hell. That would be a good way of spending the £40 million included in the Bill and proposed to be used for propping up London and Liverpool docks.

[Mr. Couchman]

I have a great deal of sympathy with the clause, and I hope that my right hon. Friend the Secretary of State will accept it.

Mr. Snape: At the outset of the debate, I thought that we would have a nice, quiet and pleasant evening. One imagined that the Secretary of State would creep into the Chamber wearing his carpet slippers and throw a bucket of public money at the latest problem that he and his Department have managed to create by their incompetence. The debate has been much livelier than we expected.

My hon. Friend the Member for Liverpool, Garston (Mr. Loyden), who rightly pointed out that industrial relations problems are not peculiar to Liverpool, did so with particular effect on the comparison between Liverpool and Southampton. It is not customary for Opposition Members to exacerbate the effects of industrial disputes anywhere in the country. Until comparatively recently, somewhat regrettably, the port of Southampton appeared from time to time in the long list of industrial disputes in the country. Indeed, until quite recently it was said by various Fleet street newspapers—we understand that they are not renowned for their accuracy in dealing with industrial relations — that the activities of a minority of dockers in Southampton were leading to the transfer of traffic out of the country, and that our competitors in the EEC were benefiting as a direct result.

According to the hon. Member for Southampton, Itchen (Mr. Chope), who somewhat tenuously represents one of Southampton's constituencies, all these problems are behind us. The Opposition, of course, welcome that. We are delighted that industrial relations in Southampton have shown this much-needed improvement.

If ever the time of Parliament was wasted, it was for 40 minutes or so tonight with the hollow sound of whatever sort of grapeshot one could call it that came from the hon. Member for Itchen — perhaps Bordeaux grapeshot would be a good description — because the hon. Gentleman has no serious intention of asking his right hon. Friend the Secretary of State to accept the clause. If the Secretary of State declines to accept it, as I fairly confidently predict he will, I hazard a guess that the hon. Member for Itchen, for all the chest beating and tub thumping that we have listened to tonight, would not dare vote for it. The port and the constituents that he represents have directly benefited from the scheme about which he complained so bitterly tonight.

Mr. Chope *rose*——

Mr. Snape: I will give way in a moment or two. The hon. Gentleman will find it helpful if he allows me to finish giving him the verbal box round the ears before he starts to retaliate; otherwise we might well be here for considerably longer than we should.

Listening to the hon. Gentleman, one would have thought that the only two ports that had benefited from the scheme were London and Liverpool. We heard a great deal from him about the working practices and the comparatively high salaries, so he said, that the dockers earned at Tilbury. The figure of £125 was one that——

Mr. Chope: For doing nothing.

Mr. Snape: I always like to listen to barristers talking about the salaries of other people. I have no doubt that £125 a week would not interest most of the barristers in the hon. Gentleman's chambers. I hazard a guess, looking at the hon. Gentleman's dad's occupation, that it would not keep his dad in lunches for too many wet Wednesdays.

11.15 pm

When the hon. Gentleman talks about dockers and their wages, he should be a little less offensive. I hazard a guess that all the empty threats that we have heard this evening will not be followed by action—indeed, they could not be, because the hon. Gentleman knows full well that there have been redundancies in Southampton that were directly funded by the very scheme that he affects to despise and which he implies he will vote against if he pushes new clause 1 to a vote.

I cannot understand why the hon. Member for Glanford and Scunthorpe (Mr. Hickmet) has disappeared. If any hon. Member who has put his name to the new clause has a legitimate grouse, it is he. Unlike the warlike hon. Member for Itchen, the hon. Member for Glanford and Scunthorpe has in his constituency the scheme port of Immingham, which has not so far benefited from the redundancy payments payable under the scheme. Perhaps that is why he made a quick intervention, to prove to his local newspapers that he was here for a minute or two, and the scuttled from the Chamber. There is a legitimate gulf between the two hon. Members. The hon. Member for Itchen represents a port that has benefited from the scheme, while the hon. Member for Glanford and Scunthorpe does not.

Mr. Chope: What proportion of the £360 million so far voted under the Ports (Financial Assistance) Act 1980 has been to the benefit of Southampton, and how much of the remaining £140 million proposed in the Bill will be to its benefit?

Mr. Snape: Again, we have the problem with Conservative Members who are all in favour of capitalism —but not too much of it in their constituencies—and against subsidies, except when the subsidies to their constituencies are smaller than those to other parts of the country.

It has nothing to do with the productivity record of Southampton that it has benefited less than the port of Liverpool. As my hon. Friend the Member for Garston accurately said, the fact that Britain joined the EEC benefited Southampton at a stroke, and provided an enormous disbenefit to Liverpool. I do not think that even the hon. Gentleman, in his desire to blow his constituency trumpet, can deny that that geographical accident — Southampton being nearer than Liverpool to the other countries in the EEC—will inevitably benefit that port and tell against Liverpool.

Mr. Chope *rose*——

Mr. Snape: I shall give way in a moment. The hon. Gentleman had 40 minutes huffing and puffing—[HON. MEMBERS: "Forty one."] so he had 41 minutes huffing and puffing, and if he is ever to blow down this House, he will need more ammunition than he has produced so far. I am a patient man and I am prepared to give way to him again.

Mr. Chope: I am grateful to the hon. Gentleman. I do not know whether he saw a national newspaper earlier this week which had the headline:

"Pay-cut port sets hourly record in container trade".

It stated:

"The Port of Southampton, where dockers have accepted pay cuts and lower manning levels to try to win more business, set a record last week for the number of containers handled."

To what extent have the ports of London and Liverpool sought to help themselves in the same way as Southampton?

Mr. Snape: Again, the benefits received by the port of Southampton are a direct result of this scheme about which the hon. Gentleman seeks to complain. They have been paid for directly through this scheme.

Mr. Chope: Rubbish.

Mr. Snape: It is not rubbish at all; it is fact. If the Secretary of State has brought the right brief, he will tell the hon. Member for Itchen that. The benefits which Southampton has enjoyed have been funded directly by the scheme which he seeks to complain about and to vote against, although we doubt whether the donning of war paint and the brandishing of spears will lead to much when the Division bells ring. We shall do our best to provide the hon. Gentleman with the opportunity of proving to his constituents that he is serious, that the chest beating that he has indulged in tonight meant something and that he seeks to prevent the port of Southampton from receiving any more benefits from this scheme which, in the terms of the new clause that he has moved, is designed

"so as not to alter the relative competitive position of any employer of registered dock workers."

That comes from an hon. Member who has seen the competitive position of the dock workers in his constituency boosted by the scheme. For him to indulge in 41 minutes of empty rhetoric about the working practices of Tilbury and Liverpool is an abuse of your tolerance, Mr. Deputy Speaker, and, as we shall see in due course, is likely to be regarded by the rest of us as an abuse of the procedures of the House.

The hon. Member for Gillingham (Mr. Couchman) read his notes very well. He referred to the miners' strike. One can always tell when the Conservative party is getting desperate because it delves into history, whether a long way back or a short time ago. According to Conservative Members, the miners' strike was a good investment. They do not seem to be too eager to remind us of those days now, but, to give him his due, the hon. Member for Gillingham did so. He, too, was against any sort of subsidy. He implied that there could be no subsidy for outdated industries and under-used railway lines.

In the next breath he demanded extra roads to be paid for by the taxpayer to take the extra heavy lorries that he did not want thundering through his constituency. Where does he think the money will come from to pay for new roads? Is it to be plucked out of the air? The Secretary of State does not have much credibility these days, let alone any money. The money for roads comes out of general taxation or the taxation of private motorists. Certainly it does not come out of the budget for the road haulage iudustry or, fortunately for the hon. Member for Gillingham, from the ratepayers in his constituency.

Again the hon. Gentleman is fortunate, because the port to which he referred has not so far had to apply for benefits under the scheme. Is he sure that that will continue to be the case? He must not fall for the sort of empty rhetoric that was used by the hon. Member for Itchen. After all, his hon. Friend is a barrister; he is used to blowing hot and cold with empty rhetoric, and charging a pretty penny for the use of it too. The hon. Member for Gillingham has had a much more varied career and he must not indulge in that sort of thing. He cannot guarantee that in the future the Medway ports will not need to apply for benefits under the scheme.

The Secretary of State is determined never to have any sort of national ports policy. He believes in the philosophy of the market place. We are eagerly awaiting his honeyed words. As I said, he will no doubt chuck another bucket of public money at yet another disaster. Nominally he believes in the freedom of the market place and he is not in favour of a national ports policy. In a moment or two he will tell the House why he cannot accept the new clause so ably if not too briefly moved by his hon. Friend the Member for Itchen.

I confess to some relish about tonight. I have not had the privilege of listening to the Secretary of State for some weeks, and when he appears before us to advocate a little Socialism, I should be the last to complain. He will tonight advocate the spending of more public money to correct a series of mistakes made over the years by the Department of Transport and to contradict some of the fine Right-wing phrases used by some of his predecessors.

In view of that, I urge the right hon. Gentleman to accept the new clause and show us what a good capitalist he really is. I cannot say that the hon. Member for Itchen is a good capitalist, because his port has had its nose in the trough for some time. Although the right hon. Gentleman will not want too many noses being put in the enormous trough that he will fill tonight, I hope he will demonstrate that at heart he is still an old-fashioned Treasury Minister, and accept the new clause. By so doing, he will demonstrate that, no matter what sneers come from Opposition Members or what unkind comments come from his hon. Friends, he remains a lovable and unrestrained capitalist of whom the Prime Minister approves so much that she keeps him in her Cabinet despite all the newspaper prophecies about his future and despite the more than a dash of Socialism that he will offer the House tonight.

The Secretary of State for Transport (Mr. Nicholas Ridley): What a pathetic speech the hon. Member for West Bromwich, East (Mr. Snape) made. He has never made a constructive remark about anything. Indeed, if he had an entry in "Who's Who", he would list under hobbies only one—there might be others, but I had better not go into those now—and that would be "fishing in troubled waters." That is all he has ever tried to do. I assure him that tonight the waters are not as troubled as he thinks. His bait is easy to see, with a great hook sticking through it, and I advise my hon. Friends to pay no attention to that part of the debate that has been totally and utterly wasted by him.

The debate has otherwise ranged wide. The hon. Member for Liverpool, Garston (Mr. Loyden) said that Liverpool had declined because we joined the Common Market. Why, then, did London decline, as it too is on the east coast, as is Felixstowe? The hon. Gentleman stretches that point too far and fails to notice the enormous technological revolution that has taken place in the docks, with containerisation, roll on roll off and oil and bulk cargo moving by pipeline, all of which has been the cause of the massive decline in dock labour in this country.

I agree with the hon. Member for Garston that nowhere has that decline been more massive than in London and Liverpool. He quoted some figures. In 1960, there were

[Mr. Nicholas Ridley]

14,823 registered dock workers in Liverpool. Now there are 1,925. In London the drop has been even bigger, from 28,401 in 1960 to 2,744 now. On many occasions the House has felt that problems on that massive scale, with an industry which is not profitable, has required the intervention of the taxpayer to assist in managing the decline.

This is not the occasion, and it certainly would not be right for me, to go into comparisons between Liverpool, London and Southampton or even Chatham and Sheerness, to which my hon. Friend the Member for Gillingham (Mr. Couchman) referred. It would be quite wrong to go into which had the best strike record or productivity record or which, as it were, deserved rewards or penalties from the taxpayer. That is not the way to look at the matter. I acknowledge that my hon Friend's ports are now beginning to prosper and I hope that many others which have suffered serious decline will go in the same direction.

11.30 pm

I believe that the basis on which the Government have assisted the industry is the only correct one. It is not based on strike records, efficiency, productivity or anything of that kind. It is based on the need to assist people who have to leave the industry because there is no longer any work for them. Assisting those albeit voluntary redundancies has been the purpose for which the vast bulk of the money has been used in the past. In a sense, there is no competitive advantage in it for one dock or another. That which suffers the biggest drop in its labour force will receive the largest amount of severance grant, but I am not sure that that is really relevant to the efficiency aspect.

There are three ways in which the Government can assist ports, under the 1981 Act and under the Bill if it becomes law. I should like to describe them, as I believe that this will help to allay the fears of my hon. Friend the Member for Southampton, Itchen (Mr. Chope) that there is discrimination and that too much money will go to London and Liverpool at the expense of other scheme ports.

First, there is the money paid for the severance of registered dock workers. I believe that the figures given by my hon. Friend were correct, but that money does not go to the benefit of London and Liverpool particularly. It is paid to the National Dock Labour Board, which then compensates those dock workers whose jobs are to be voluntary severed, whatever their port of origin. Under the dock labour scheme both London and Liverpool pay the levy towards the severance fund. The benefit of the money paid for the severance of registered dock workers goes to the industry as a whole. The amount paid under clause 2 is determined by the number severed in London and Liverpool. That is the trigger determining the number of severances to be paid, but it is not and never has been an advantage for London or Liverpool. Recognising that the way in which this is funded should be broadened, however, clause 1 enables the Government to pay money direct to the National Dock Labour Board, which will be of equal benefit with the clause 2 money for the severance of registered dock workers.

Secondly, the money has been used in the past to pay for severance payments to non-registered dock workers in London and Liverpool. In this context, my hon. Friend the Member for Itchen is absolutely right to say that that is an advantage which goes to those two ports and not to other scheme ports. That is why I announced on Second Reading the Government's intention to phase out the payment of severance money for non-registered dock workers in London and Liverpool in two or three stages over two or three years. We have not yet settled the details precisely but that will bring this form—it is not discrimination—of favourable treatment, compared with other ports, to an end.

Mr. Prescott: Is it not discrimination?

Mr. Ridley: The hon. Gentleman has the better of me in forming the term of words.

The third way in which London and Liverpool have been assisted is through grants, loans and guarantees for their economic performance. My predecessor, my right hon. Friend the Member for Guildford (Mr. Howell), told the House in December 1982 that he would continue to meet the cost of severances by the Port of London Authority and the Mersey Docks and Harbour Company and to make loan finance available for justified projects until he judged that the authorities could make their own arrangements to cover those items. He said that he would guarantee overdrafts to cover normal trading fluctuations.

I am as anxious as anyone to bring to an end the special assistance that the PLA and the MDHC receive and which other ports do not, but that must be done in a realistic way. To end it now, completely, would place a greater burden on both authorities than they could reasonably be expected to bear. That is why I intend to phase out the assistance that we have been giving in the form of guarantees and loans, and more especially grants, for the cost of severing non-registered dock workers. We have already reduced the overdraft guarantee for the MDHC from £5 million to £1 million. My predecessor said that we would not resort again to deficit financing for London and Liverpool and that I reaffirm we shall not do.

I share the objective of my predecessor of working towards a position of no favouritism. I agree that some ports have been in a third group, as it were, and have had the least help, including Southampton. That is why we, my hon. Friend and I have both suggested a way of moving such Government finance as will be needed towards the scheme ports as a whole under clause 1. Secondly, we have announced the phasing out of the payment of severance grant to non-registered dock workers at London and Liverpool. Thirdly, we shall tighten the financial regime on London and Liverpool so that as soon as it is ever possible for them to do so they will stand on their own feet without Government support.

Given the size of the decline in the work forces in the ports of London and Liverpool, there would be no possibility of anything but total collapse if the form of assistance that the Bill provides had not been extended to the ports. We are near the stage when special assistance can be brought to an end. The two ports are nearing the point where labour requirements are not far below the labour that they still have on their books.

I was shocked to hear the hon. Member for Garston say that within the Government there is no sympathy for the plight of the ports. As my hon. Friend the Member for Itchen said, there is £180 million-worth of sympathy in the Bill. The hon. Gentleman took an extreme and unjustified position.

I hope that my hon. Friend the Member for Itchen will accept that I have announced active measures to end discrimination. There has been an enormous reduction in the number of registered dock workers due to the impact of technological change. We are close to obtaining our goal of even-handed and non-discriminatory competition. We intend to use the Bill to reach that stage as soon as possible. I hope that my hon. Friend will not feel like pressing the clause to a Division.

Mr. Chope: Although my right hon. Friend the Secretary of State has not given a specific date by which the special assistance will be brought to an end, I hope that the House will accept what he has said in the spirit in which he said it. I hope also that his remarks will be borne out by results. I am grateful to my right hon. Friend for going as far as he has, which I think is further than hitherto. I beg to ask leave to withdraw the motion.

Hon. Members: No.

Question put, That the clause be read a Second time:—

The House divided: Ayes nil, Noes 80.

Division No. 207] **[11.39 pm**

AYES

Nil

Tellers for the Ayes:
Mr. Eddie Loyden and
Mr. Simon Hughes.

NOES

Amess, David
Ashdown, Paddy
Baker, Nicholas *(N Dorset)*
Beaumont-Dark, Anthony
Best, Keith
Boscawen, Hon Robert
Bottomley, Peter
Bowden, A. *(Brighton K'to'n)*
Bright, Graham
Brinton, Tim
Burt, Alistair
Butterfill, John
Cash, William
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Simon
Cope, John
Couchman, James
Currie, Mrs Edwina
Dover, Den
Durant, Tony
Eggar, Tim
Fenner, Mrs Peggy
Forsyth, Michael *(Stirling)*
Forth, Eric
Franks, Cecil
Freeman, Roger
Garel-Jones, Tristan
Gower, Sir Raymond
Gregory, Conal
Ground, Patrick
Hamilton, Neil *(Tatton)*
Hargreaves, Kenneth
Harris, David
Howarth, Alan *(Stratf'd-on-A)*
Hunter, Andrew
Jackson, Robert
Jones, Gwilym *(Cardiff N)*
King, Roger *(B'ham N'field)*
Kirkwood, Archy
Knowles, Michael
Lang, Ian
Lennox-Boyd, Hon Mark
Lester, Jim
Lilley, Peter
Lord, Michael
Luce, Richard
Maclean, David John
Major, John
Mather, Carol
Maxwell-Hyslop, Robin
Mitchell, David *(NW Hants)*
Neale, Gerrard
Neubert, Michael
Nicholls, Patrick
Penhaligon, David
Powell, William *(Corby)*
Ridley, Rt Hon Nicholas
Roe, Mrs Marion
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Thomas
Sainsbury, Hon Timothy
Shepherd, Colin *(Hereford)*
Smith, Tim *(Beaconsfield)*
Spencer, Derek
Spicer, Michael *(S Worcs)*
Stern, Michael
Stevens, Martin *(Fulham)*
Stewart, Allan *(Eastwood)*
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thurnham, Peter
Trippier, David
Viggers, Peter
Wardle, C. *(Bexhill)*
Watson, John
Watts, John
Wood, Timothy
Yeo, Tim

Tellers for the Noes:
Mr. Archie Hamilton and
Mr. Peter Lloyd.

Question accordingly negatived.

Mr. Snape: On a point of order, Mr. Deputy Speaker. Is it not unprecedented for an hon. Member to detain the House as long as did the hon. Member for Southampton, Itchen (Mr. Chope) without finding the courage to vote —[HON. MEMBERS: "Bogus."] Conservative Members do not know yet what I am about to say. The hon. Gentleman did not find the courage to vote for his new clause. Indeed, he did not find the courage even to call a Division. Bearing in mind the seriousness of the new clause that we have just been discussing and the fact that the hon. Member for Itchen took no less than 41 minutes to explain the reasons behind his tabling of the new clause, surely it must be discourteous, if not unprecedented in the House, for the hon. Gentleman then to seek to withdraw the motion, although the explanation that he received from the Secretary of State was manifestly unsatisfactory.

I have no intention of detaining the House for a moment longer than is necessary, but it is for you, Mr. Deputy Speaker, as an old campaigner, to guide the hon. Gentleman on his duty in the House, particularly in regard to the contents of the Bill, which are vital to thousands of people who work in ports throughout the country. I hope that you will consider, if not formally reprimanding the hon. Gentleman from the Chair, at least guiding him on the moving of new clauses and their impact on legislation as important as this Bill.

Mr. Deputy Speaker (Mr. Ernest Armstrong): I do not know about precedents, but I know that what the hon. Member for Southampton, Itchen (Mr. Chope) did was not out of order. It is not unknown for amendments and new clauses to be moved and for the mover to be persuaded by the argument. However, it is not for me to decide why the action was taken. It is for me only to say that it was perfectly in order.

Mr. Snape: Further to that point of order, Mr. Deputy Speaker — *[Interruption.]* I should have thought that even at this comparatively late hour the House would be interested to learn the views of at least some of us who were concerned enough about the legislation to remain here until this time of night. I object to verbal abuse from Conservative Members who have been conspicuous by their absence from the debate so far, yet on the bidding of the Whip, the hon. Member for Watford (Mr. Garel-Jones), come into the Chamber to seek to barrack Opposition Members who wish to make a constructive point.

In reply to the point of order that I raised, Mr. Deputy Speaker, you said that it was not unprecedented for an hon. Member who has moved a new clause, albeit at some length—and I notice that you did not comment on the time that it took the hon. Member for Itchen to move his new clause — to be persuaded by the argument. An inordinate time was taken in moving that new clause, and the explanation to which you referred, Mr. Deputy Speaker, was specious to say the least. The House is worthy of better consideration than that which it has received from the Secretary of State and the hon. Member for Itchen.

In conclusion, I ask that if the hon. Member for Itchen pursues the amendments, which deal with fairly substantial matters in the Bill, they should be moved with a little more diligence and brevity than the new clause on which he recently failed to vote.

Mr. Deputy Speaker: I had intended to inform the House that I allowed a fairly wide debate on the new clause —clauses 1 and 2 were referred to often—so the debate on the amendments will be much narrower.

Mr. Snape: On a point of order, Mr. Deputy Speaker. Might I ask you to look at the names of the hon. Members in whose names amendment No. 1 has been tabled? You will see that the name of my hon. Friend the Member for Cynon Valley (Mrs. Clwyd) appears.

Mr. Keith Best (Ynys Môn): Cynon Valley?

Mr. Snape: To an Englishman, one valley is pretty much like another. It is bizarre even by the standards of the House of Commons for us to be taught Welsh by a resident of Brighton at midnight. My point of order is that I believe that my hon. Friend's name appears in error, and I should like your guidance on how to remove it before the amendment is debated as I know she would not want to be associated with it. I hope that when the hon. Member for Itchen moves the amendment he will make that plain.

Mr. David Harris (St. Ives): Further to the point of order, Mr. Deputy Speaker. I have noticed the protest of the hon. Member for West Bromwich, East (Mr. Snape), but he has failed to inform us that there are no Back Benchers behind him——

Mr. Deputy Speaker: Order. That was not further to a point of order about signatures to the amendment.

Mr. Harris: With the greatest respect, Mr. Deputy Speaker, the hon. Member for West Bromwich, East said that the hon. Member for Cynon Valley (Mrs. Clwyd) wished to be dissociated from the amendment, but she is not here. No Opposition Back Benchers——

Mr. Deputy Speaker: Order. The hon. Gentleman knows that that is not a matter for me. I think that we can now consider the amendments.

Clause 1

Grants to National Dock Labour Board

Mr. Deputy Speaker: We now come to amendment No. 1 with which it will be convenient to take the following amendments:

No. 4, in page 2, line 9, leave out clause 2.

No. 5, in clause 2, page 2, line 13, leave out '£500 million' and insert '£400 million'.

Mr. Chope: I regret that the hon. Member for West Bromwich, East (Mr. Snape) should have trivialised the important issues that affect the ports industry by rather flippant remarks dressed up as points of order. We had a useful debate on subsidy on new clause 1. I thought that my right hon. Friend's reply met what I said and showed that the Government will not allow unfair discrimination and the subsidy to the ports of London and Liverpool to continue indefinitely. That is good news for Southampton and other scheme ports. I am sorry that some of my right hon. and hon. Friends have been inconvenienced by being put through a Division called by Opposition Members when I had made it clear that, in the light of what my right hon. Friend the Secretary of State had said, I wished to withdraw the new clause.

This group of amendments flow from the new clause. Because of what my right hon. Friend said, I beg to ask leave to withdraw the amendments.

Mr. Deputy Speaker: There is no question of withdrawing the amendments.

Mr. Snape: I rise to speak to the amendments. *[Interruption.]* It is normal custom and practice for one hon. Member to speak at a time, except late at night when one or two Conservative Members have had rather a good dinner.

The amendments involve a large element of unfair discrimination and subsidy. The hon. Member for Southampton, Itchen (Mr. Chope) has used that phrase himself. From the wording of the amendments——

12 midnight

Mr. Deputy Speaker: Order. The hon. Member for West Bromwich, East (Mr. Snape) must not speak to amendments which are not before the House. He can move the amendment.

Mr. Snape: I had not realised that the hon. Member for Itchen had not moved the amendment. What he said for 41 minutes bore no resemblance to what he did when the new clause standing in his name was put before the House. If the hon. Gentleman has not yet moved the amendments, for the purpose of discussing the amendments, I beg to move amendment No. 1, in page 1, line 8, at end insert

'other than those registered with the Port of London Authority and the Mersey Docks and Harbour Company'.

May I ask you, Mr. Deputy Speaker, whether it is in order to debate amendment No. 2 with amendment No. 1, or whether you wish me to debate them separately?

Mr. Deputy Speaker: Amendments Nos. 2 and 3 are out of order. The hon. Gentleman or another hon. Gentleman can move amendment No. 1, and amendments Nos. 4 and 5 may be discussed with it.

Mr. Snape: I am appalled that the hon. Member for Itchen tabled amendments Nos. 2 and 3 which have been ruled out of order. Given his pretended expertise, I should have thought that he would have taken proper advice before tabling them. When the amendments are put to the vote, I reserve the right to demand a separate vote on amendments Nos. 4 and 5, although we may debate all three amendments together.

I denounce the appalling discrimination behind the amendments, which the hon. Gentleman did not have the courage to move. We heard a wholly unjustified tirade against the employees of the ports of London and Liverpool. Prejudice against those employees lies directly behind the tabling of the amendments. I move amendment No. 1 merely to discuss it.

The amendments seek to exclude from the nationally agreed scheme the employees of the Port of London Authority and the Mersey Docks and Harbour Company. In an earlier speech, the hon. Gentleman left the House in no doubt about his feelings about the employees of those two ports. Indeed, he was most outspoken about what he saw as their appalling strike record. He spoke of what he termed their appallingly low productivity, and sought to compare what he termed as inefficient and incompetent employees of those ports with the super-efficient employees of the port of Southampton.

Given the opinion polls and the results of the county council elections, I well understand that a Conservative majority of about 5,000 does not allow one to rest easy in one's bed, and that the hon. Gentleman would have to portray himself to his electorate as a great defender of their

interests and a proud advocate of the working practices in the port of Southampton. However, that is no excuse for his earlier attack on the employees of Liverpool and London, nor for the tabling of the amendment, which seeks to perpetuate those wholly unproven and unjustified allegations. Again I refer to the hon. Member who used to represent Anglesey. As an Englishman I would not even attempt to pronounce his present constituency. He assured me that the hon. Member for Itchen spoke for no less than 41 minutes. I hope that, now that I have moved the amendment on his behalf, the hon. Gentleman will attempt to justify the allegations that he made. Without repeating any of my earlier points about the fortunate geographical location of the port of Southampton compared with the other two ports, I must say that such attacks are completely unjustified.

Indeed, given the complexity of the scheme, it is completely unnecessary for the hon. Gentleman to make such an attack, because the winding up of the Mersey Docks and Harbour Company and its exclusion from the scheme is nothing new. As long ago as 1970, in the brave new world of Selsdon man, the right hon. Member for Old Bexley and Sidcup (Mr. Heath), who was then Prime Minister, decided that the Mersey Docks and Harbour Board was bankrupt and, therefore, should go to the wall sooner rather than later. Common sense prevailed, and even the Government of the right hon. Member for Old Bexley and Sidcup, in their fairly Right-wing days—the Secretary of State for Transport was a fairly junior member of it—saw the folly of what they were trying to do and introduced legislation to bail out the port of Liverpool.

The fact that we are debating a similar matter tonight shows that the brave Right-wing rhetoric of the Conservative party soon melts away when it is faced with electoral reality. We saw that phenomenon in the speech of the hon. Member for Itchen on new clause 1. In 1972, the House was asked for the first time, but certainly not for the last, to vote considerable sums of money in loans and grants for the preservation of jobs and the infrastructure of the port of Liverpool. The Bill is not unusual; indeed, a similar Bill was debated only about two years ago.

To try to exclude those ports from the benefits of the scheme is blatantly unfair. The Secretary of State——

Mr. Chope: Will the hon. Gentleman give way?

Mr. Snape: No, not yet. The hon. Gentleman has been put up to intervening by the Secretary of State's parliamentary private secretary.

Mr. Chope: Not at all.

Mr. Snape: I am not giving way, so the hon. Gentleman had better sit down or he will be ruled out of order. If he wishes to speak to the amendments that stand in his name, he should have had the guts to get to his feet and do so at the appropriate time. He could have done so when you, Mr. Deputy Speaker, called the amendments immediately after the Division—a Division in which he did not have the guts to vote—and I have no intention of giving way to him.

Mr. Chope: Will the hon. Gentleman give way? He has cast aspersions on my character.

Mr. Snape: I have no intention of giving way to the hon. Gentleman. I could not possibly cast aspersions on his character, because I would not know him if he walked into the Chamber, or even walked out of the Chamber, as he is doing now. The aspersions that the hon. Gentleman cast on the employees of those two ports were little short of deplorable.

For once, the Secretary of State and I are at one, because we both wish to guarantee the future of those two ports. He and I are, in our respective ways, anxious to ensure that the ports of Liverpool and London prosper, although it is an expensive business to guarantee, if not their prosperity, their continuation. The provisions of the scheme could extend far beyond the two ports that the amendment seeks to exclude.

As I said earlier, it is largely a matter of luck rather than judgment, of geographical location rather than productivity and of fortune rather than working practices that has brought some prosperity, not without much anguish, particularly in Southampton. It is clear that ill fortune has frowned on the ports of London and Liverpool. I hope that, in the more measured atmosphere that we now find ourselves, it will be possible to elicit from the Secretary of State some further concrete guarantees about the future of these two ports.

I assure the Secretary of State that if it becomes necessary, at some unspecified time in the future, for him to come to the House to ask for a further tranche of public money to fund the scheme in London and Liverpool Labour Members, albeit with a little light banter, will be delighted to support him. Although the support from Tory Benches may melt away, I assure him that, whatever the time of day or night, if jobs at Liverpool, London, or any other port, within the scheme or outside it, are affected, provided that he comes to the House properly to request that money, the Opposition can guarantee not only our support but our presence.

Mr. John McWilliam (Blaydon): I do not intend to keep the House long, but I am somewhat puzzled. I have been trying to follow the amendments and compare them with what has happened to Tory Members. I have listened to my hon. Friend the Member for West Bromwich, East (Mr. Snape) with interest, as I always do. As usual, I found his arguments cogent and reasonable. However, I cannot understand why certain Tory Members want to leave out references to the London and Mersey docks. Nor can I understand why they want to leave out clause 2, because if that were put to the vote and carried, the whole scheme would collapse. Nor can I understand where they get the figure of £100 million in the reduction that they propose in amendment No. 5.

It might seem odd that I, as a Member representing a Tyneside constituency, bearing in mind the interest of the Tyneside docks, should be speaking against amendments that would allow more money to come to Tyneside, because that is the import of amendments Nos. 4 and 5, if carried. However, I have a problem. I do not know why the hon. Members who tabled the amendments moved amendment No. 1. I have no clue. They sought to withdraw it before it was moved. If there is a problem with London and Merseyside, they should let the House know what it is. However, we have not had the benefit of the analysis of hon. Members who have tabled the amendment. It was only my hon. Friend the Member for West Bromwich, East who pushed the amendment so that we could discuss this fact. I cannot see any of the hon. Members who tabled the amendments here. Indeed, I cannot see many Tory Members at all.

[Mr. John McWilliam]

It is an abuse of the House to table an amendment, and then abandon it as this one has been. Some of the signatories have made use of the amendment to get a bit of cheap publicity, but where are they tonight to explain its purpose? I deplore the way in which this has been done. It is not within the best traditions or principles of this House for it to be dealt with in this way. I should dearly like to know what was in the minds of those Conservative Members who laid this amendment. They might have had a point which some Opposition Members would have been able to understand. We have not been given the opportunity to hear their argument since they have chosen to abandon it.

12.15 am

I hope that the amendment will not be pushed to a vote. If it is, I fear that, since no arguments have been advanced in its favour, it will suffer the fate that it so richly deserves.

Question put, That the amendment be made:—

The House divided: Ayes Nil, Noes 74.

Division No. 208] **[12.15 am**

AYES

Nil

Tellers for the Ayes:
Mr. Simon Hughes and
Mr. Eddie Loyden.

NOES

Amess, David
Ashdown, Paddy
Beaumont-Dark, Anthony
Best, Keith
Boscawen, Hon Robert
Bottomley, Peter
Bright, Graham
Brinton, Tim
Carlisle, John *(N Luton)*
Cash, William
Chope, Christopher
Colvin, Michael
Coombs, Simon
Cope, John
Couchman, James
Currie, Mrs Edwina
Dover, Den
Durant, Tony
Dykes, Hugh
Eggar, Tim
Franks, Cecil
Freeman, Roger
Garel-Jones, Tristan
Gregory, Conal
Ground, Patrick
Hamilton, Hon A. *(Epsom)*
Hamilton, Neil *(Tatton)*
Hargreaves, Kenneth
Harris, David
Hirst, Michael
Howarth, Alan *(Stratf'd-on-A)*
Hunter, Andrew
Jackson, Robert
Jones, Gwilym *(Cardiff N)*
King, Roger *(B'ham N'field)*
Kirkwood, Archy
Knowles, Michael
Lang, Ian
Lester, Jim
Lilley, Peter
Lloyd, Peter, *(Fareham)*
Lord, Michael
Luce, Richard
Maclean, David John
Major, John
Mather, Carol
Maxwell-Hyslop, Robin
Mitchell, David *(NW Hants)*
Moynihan, Hon C.
Neubert, Michael
Nicholls, Patrick
Powell, Raymond *(Ogmore)*
Ridley, Rt Hon Nicholas
Roe, Mrs Marion
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Thomas
Shepherd, Colin *(Hereford)*
Smith, Tim *(Beaconsfield)*
Spencer, Derek
Spicer, Michael *(S Worcs)*
Stern, Michael
Stevens, Martin *(Fulham)*
Stewart, Allan *(Eastwood)*
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thurnham, Peter
Trotter, Neville
Viggers, Peter
Wardle, C. *(Bexhill)*
Watson, John
Watts, John
Wood, Timothy
Yeo, Tim

Tellers for the Noes:
Mr. Tim Sainsbury and
Mr. Mark Lennox-Boyd.

Question accordingly negatived.

12.26 am

Mr. Ridley: I beg to move, That the Bill be now read the Third time.

Mr. Snape: The House will be grateful to the right hon. Gentleman for that little burst of oratory, even at this time of the morning. Of course, it would be remiss of us to allow the Bill to pass without a few comments.

If anything illustrates the weakness of the leave-it-to-the-market view, it is the Bill. We are debating the disbursement of about £500 million of public money. It is a somewhat poignant figure, because it is about the same amount as the country spends on subsidising buses each year. To save £500 million of subsidy for buses, the right hon. Gentleman has spent considerable time in Committee, and provoked considerable political controversy from one end of the country to the other. Yet here we are debating the Third Reading of a Bill that involves the same amount of money, and on which the right hon. Gentleman has resisted amendments from his hon. Friends who sought to reduce that £500 million to what they considered to be a more reasonable figure. That is a somewhat unusual, if not invidious position, for the right hon. Gentleman. It is the result of the lack of an overall ports policy since the Government were elected in 1979. Indeed, the cynic would say that the lack of policy on ports has bedevilled the Conservative party since the early 1970s.

If the right hon. Gentleman's hon. Friends will not put these pointed questions, it is for us to do so. Although we agree with the expenditure of public money on ports, we feel that we have a duty to discharge. We must ask the relevant question about expenditure. The first and obvious question is whether the right hon. Gentleman will return next year, or even before, and say that the Government have been blown off course, things have gone wrong in the ports industry and there will be even more redundancies. Will he ask for an even greater amount of public money for that area? In short, will he be back again next year seeking to chuck even more money at that deep-rooted and, in many ways, grave problem of redundancies and the future of dockers and port workers throughout the country, but especially at the scheme ports?

Mr. McWilliam: I do not wish to imply that I am in any way opposed to the Bill, because I am not. Will my hon. Friend put another question to the right hon. Gentleman? Does he still believe in competition?

Mr. Snape: Valid though that intervention is, I have some other questions to put to the right hon. Gentleman. I hope to elicit some answers from him. I might even start answering for the right hon. Gentleman the question that my hon. Friend has put. I am sure the right hon. Gentleman agrees with competition, like many of his predecessors in that office. Under a Conservative Government he stumps the country advocating the principles of captialism and competition, if that is not a contradiction. Occasionally reality must intrude and it is necessary for him to don his other hat as Secretary of State and say to the House of Commons, "Capitalism is not working and it is necessary to find some public money to assist those in the scheme ports who regrettably have to be made redundant"—I am using his words even though one cannot see the bubble emanating from his mouth. He may say, "Regrettably it is necessary to persuade even

more dockers to leave the industry. Therefore, I must come before the House of Commons to ask for a further transfer of public money."

Conservatism is a strange policy and philosophy. As we can see from the legislation proposed by a Conservative Government, it does not work. It is strange policy for an avowedly Right-wing Secretary of State to come to the House to ask for this £500 million and to say that basically most of this money is intended as a loan against the redundancy pay of dockers in various scheme ports. Although he may not say so, we know that the burden of maintaining those dockers and their families will remain with the state because, once they have been made redundant, they will become eligible for state benefits. We shall pay twice. It is a strange form of capitalism although I am used to strange forms of capitalism emerging from the lips of the right hon. Gentleman.

Mr. Loyden: Does my hon. Friend agree that we have a degree of sympathy for the Secretary of State? Having served with him on the Committee considering the Dock Work Regulation act 1976, and knowing how vociferously and adamantly he presented the argument against the national dock labour scheme, we now see him doing at least half a U-turn to maintain what were once the two major ports in the country. Probably he was a little afraid of the voices from his own Back Bench tonight that argued constantly for bankrupting the ports of Liverpool and London. I wonder how long the Secretary of State will be able to resist such demands from his Back Benches.

Mr. Snape: My hon. Friend has put his finger on a great dilemma that faces the Secretary of State. When the Conservatives are in opposition the answers are easy. They revert to the policies, philosophies and ideologies of the market place, which lead to some distortions, but by and large when in opposition the Conservative party would say that they work and that any Government interference or attempt to inject public money is to be regretted, if not deplored.

That is the philosophy of the Conservatives when in opposition. When in Government, reality frequently intrudes into that myth and it becomes necessary, even for this Secretary of State, to promote legislation such as this and, no matter how distasteful, to advocate the expenditure of substantial sums of public money.

I cannot answer my hon. Friend's question about how long the right hon. Gentleman will be able to defend the ports of Tilbury and Liverpool from the predators who sit on the Benches behind him. Perhaps the right hon. Gentleman will answer that because it is a justifiable question, because although Conservative Back Benchers failed to pursue their amendments to a Division, they left the House in no doubt about their detestation of a further tranche of public money being directed towards those two ports.

We cannot tell, therefore, for how long the right hon. Gentleman will be able to resist that pressure from his hon. Friends. Indeed, I know not whether he has been under pressure from his former colleagues at the Treasury. After all, one would have thought that the expenditure of £500 million of public money would have been resisted vociferously by Treasury Ministers. Given the right hon. Gentleman's track record, one would have thought that while he might not agree with his former masters at the Treasury, he would have a degree of sympathy for them in their endless pursuit of savings in the public sector.

I like to give the right hon. Gentleman credit when I can. As I said earlier, the need for him to advocate what might be regarded as Socialist policies must be distasteful to him. Tonight he must stand before us and say, "Regrettably, yet again the system has fallen apart and the philosophy of the market place has been found wanting. I have had to knock on the door of the Treasury and ask for £500 million to dispense in the area covered by the Bill." Whatever hon. Members on either side of the House feel about the right hon. Gentleman, we must be touched by the thought of this somewhat sad figure having to go through that exercise.

Mr. McWilliam: Does my hon. Friend consider it strange that while the Secretary of State is proposing to increase from £360 million to £500 million the level of financial assistance, he is, under clauses 3 and 4, seeking to withdraw himself from any real control of the expenditure of that public money? I thought that the Conservatives were keen on accountability.

Mr. Snape: My hon. Friend amply illustrates the incompetence of Ministers in the present Government in relation to the spending of public money. The House has spent a considerable amount of time, and some of us spent a great deal of time in Committee, discussing how money is disbursed by local authorities. Conservative Members left us in no doubt as to their views about that. They believed that some authorities — including, coincidentally, the top-tier authorities of London and Liverpool — were guilty of gross misspending. I think that that is a fair summary of the Conservative view on the Local Government Bill. Yet the expenditure under discussion today is a very imprecise science indeed.

As far back as 1981, the then the Secretary of State for Transport—the right hon. Member for Sutton Coldfield (Mr. Fowler)—was responsible for the Ports (Financial Assistance) Act which empowered the Government to make up to £160 million available to London and Liverpool by way of grant. At that time, the then Secretary of State said that that was the end of the road and that there would be no further advances for those ports.

Within a year, however, the Transport Finance Act 1982 raised that figure to £360 million. Admittedly, there had been a change of Secretary of State. By then, the right hon. Member for Sutton Coldfield had gone on to seek fame if not fortune as Secretary of State for Social Services, but the new Secretary of State for Transport, the right hon. Member for Guildford (Mr. Howell), sang a pretty similar tune. On that occasion, too, the House was assured that that amount would suffice for the scheme.

Whatever one's view of the characters of the two previous Secretaries of State, one would have thought that from a purely monetarist standpoint their diligence and desire to reduce public expenditure would be vastly exceeded by the hard Right-wing monetarist views of the right hon. Member for Cirencester and Tewkesbury (Mr. Ridley). Yet within three years he has sought to increase the £360 million, which his predecessor assured us was the final payment, to a new limit of £500 million? When it comes to talking about money, one just cannot trust anyone in the Government nowadays.

Mr. Allan Roberts (Bootle): Does my hon. Friend agree that because the Government keep upping the ante many dockers will not accept this as a final figure either? Does he agree that they are likely to wait for the next round

[Mr. Allan Roberts]

of increases in the hope that more money will be available rather than accept what is now on offer, especially as taxi rounds and shops which eventually go bankrupt cost more and more on Merseyside?

Mr. Snape: My hon. Friend illustrates the scale of the dilemma in which the Government now find themselves. Lacking any national ports plan, the Government have spent years trying to bribe dockers and registered port workers to take redundancy, with the result that people in London and Liverpool especially do not believe that this is the end of the road, and who can blame them? Given the deplorable lack of consistency shown by successive Ministers in a Right-wing Conservative Government the average docker in London or Liverpool is most unlikely to say, "Well, this is it, lads—we had better take the money and run because this time they really mean it." The House deserves some assurances from the Secretary of State that this really is his last demand for more public money to be spent in this way—although of course, Labour Members are the first to agree that if it is necessary for people to lose their jobs under the scheme it is right that they should be compensated.

Mr. Roberts: Are the Government aware of the law of diminishing returns? There is a limit to the number of taxi drivers who can drive unemployed dockers, to the number of those who take redundancy money and buy shops to serve the unemployed who have only their redundancy money and to the number who can take redundancy money and run public houses to serve those who are living on redundancy money. Unemployment levels are such on Merseyside that if someone takes redundancy money he will be unable to buy a business to which any customers will come.

Mr. Snape: My hon. Friend has underestimated the ingenuity of the Secretary of State. For all my hon. Friend's ingenuity, he has failed to recognise an area in which those who have accepted redundancy payments can invest their money. The Government have introduced a Bill to save the £500 million of public money that we shall spend under the Bill. Under the Transport Bill, it will be possible for redundant dockers, provided that they have sufficient money, to buy a bus and operate a bus service. They will be able to cater for redundant dockers in pubs. Others will be able to drive redundant dockers in taxis. They will be able to drive redundant dockers in their search for new small businesses, or for work that does not exist, in buses that they have purchased with the lump sums available under the Bill. They will be free to apply for licences and obtain them under the terms of another piece of legislation for which the Secretary of State is responsible and to which I do not wish to refer in any detail this evening.

There is a lack of national direction. If we had not had a general election in 1983, the Labour Government would have created a national docks authority. That would have provided us with the opportunity sensibly to organise capacity throughout the ports. Under this Government we have a system whereby non-scheme ports are encouraged to proliferate and scheme ports are undermined because of a lack of central policy. Under the terms of the Bill, millions of pounds of public money will be disbursed in redundancy payments while millions of pounds from the same source are being expended on infrastructure, including roads to non-scheme ports. The Secretary of State is known if not loved for his eccentricity, but even against that background the Government are pursuing a strange and expensive philosophy. They choose to pay off those who work in scheme ports while spending as much money in improving the infrastructure of the non-scheme ports and building them up.

The philosophy of the Secretary of State is to up the subsidies and scrap controls, which leaves us with the worst of both worlds. Perhaps that is a fitting commentary on the right hon. Gentleman's attempts to ruin public tranport industries since the unfortunate date when he was appointed Secretary of State for Transport.

Mr. Loyden: My hon. Friend will recognise that besides the medicine that is being offered for the scheme ports there is a poisoned chalice in clause 6, which will give virtually a free hand to the non-scheme ports to develop and extend their activities. That will be done only at the expense of scheme ports. The haemorrhaging of the scheme ports will continue as a result of clause 6.

Mr. Snape: That was the point that I was seeking to make. Public money is being devoted to building up the non-scheme ports while at the same time we are being forced by the Bill to stump up public money towards the redundancy payments of those employed in the scheme ports.

We are not merely discussing Liverpool and London, however important are those ports and their preservation. There are problems throughout the scheme ports. Cries of anguish and pleas for help are aimed at the Government. May I refer the right hon. Gentleman to the Tuesday 7 May issue of the *Journal of Commerce* and *Freighting World*, which is not an especially Left-wing newspaper? Under the headline:

"State aid plea for River Clyde"

the article said that a plea for Government assistance for funding maintenance dredging of the river Clyde in a bid to safeguard jobs in local industries had been made by the port boss. In his statement in the Clyde Port Authority's annual report, its Chairman Robert Easton was reported as saying that the cost of dredging in relation to the diminished level of trade in Glasgow continued to cause concern. He was said to be firmly of the view that central Government should directly contribute to that cost. I do not know whether the right hon. Gentleman agrees with that view, but it is one that is common throughout the scheme ports. If that plea for assistance to dredge the river Clyde is not answered there will be a further decline of the Clyde and no doubt that decline will be accelerated by the policy of moving containerised traffic from Scotland to ports such as Felixstowe.

As long as we have that illogical "hands off the non-scheme ports" approach by the Government, too much container capacity, and an apparent desire by the Government to create more container capacity outside the scheme ports, the right hon. Gentleman will presumably continue to come before the House year after year to beg for a further injection of public funds. The "pay up and hands off" approach contained in the Bill typifies the right hon. Gentleman's all too often muddled philosophy.

As I tried to show when I described the problems faced by the river Clyde, playing off a scheme port such as the Clyde against a non-scheme port such as Felixstowe

merely involves the nation in the expenditure of a great deal of public money. It does nothing for any coherent ports plan or to boost the prospects for the British economy. The right hon. Gentleman cannot have it both ways. Are we to have a national ports policy or are we to have Secretaries of State for Transport continually coming to the House to say, "The policies of the past 12 months have not worked. We must seek another cash injection."? The Secretary of State should devote his reply to those points. No hon. Member would wish to see the right hon. Gentleman next year again under attack by his colleagues and again seeking the protection of those of us in the Opposition who happen to be interested in the preservation of jobs and the creation of a national ports council.

It is fortunate that those Conservative Members who made such warlike noises a couple of hours ago proved to have more wind than stamina, because it could have been embarrassing for the Secretary of State had some of us on the Opposition side of the Chamber not been around to protect him.

We do not oppose the Bill. Regrettably, it is necessary. We warn the Government that there is no point in saying day after day that public expenditure is inherently wicked when they are creating increased public expenditure by not having a national policy or by having, in some cases, ill-thought-out competition between ports in certain categories. The Secretary of State has been fortunate so far in receiving the support of Labour Members, but, unless he is more persuasive, he might have a great deal of difficulty in persuading his colleagues about the necessity for similar legislation.

12.56 am

Mr. Simon Hughes (Southwark and Bermondsey): As I said on Second Reading, I do not oppose the Bill. My reason is encapsulated in the comments that I would have made on Report, if I had intervened, during the contribution of the hon. Member for Southampton, Itchen (Mr. Chope). It would have been folly for a series of Governments to invest in an attempt to restructure the port industry—specifically London, but also Merseyside—and then suddenly find, when there was a prospect of everything coming to life again, that the taps were turned off so that industry fell flat as an investment. That would have wasted the investment of years.

Not many weeks ago the House passed a Bill which was equally related to financing England's dockland areas—the New Towns and Urban Development Corporations Bill. We substantially increased the amounts of money that the urban development corporations in London and Liverpool docks were to receive—to £400 million and £800 million respectively. On Second Reading, the Secretary of State and the Under-Secretary of State said that the ceiling of financial assistance provided in the Bill was necessary because a promise was given and a scheme was established. As more and more people leave the dock labour scheme they have to be paid at the same rate as they were led to believe they would always be paid. One cannot break one's word nine tenths of the way through a deal. The increased provisions should be used to provide a regeneration in the ports which, because of their differing histories and circumstances, need the industry and are suitable in many ways for the necessary adaptation to the technological revolution. We cannot go back to the old style of port or trade. Trade has moved on, and we accept that. I have to ask the Secretary of State, as I asked his colleague on Second Reading, whether we can get more than just the gleam of hope or glimpse of the vision referred to in reply to the questions that I raised on Second Reading. We need some clear and decisive answers as to how we bring back the trade to the ports and up the rivers, particularly in this, our capital city.

It would be ludicrous if we did not seek to use the moneys that the Bill and the New Towns and Urban Development Corporations Act of this year provide by way of borrowing and funding to maximise what must be a great opportunity in the new containerised trade for either the port of London or part of the river further down the estuary, and capture trade from our competitors elsewhere. It is not trade that we need take from other ports on the east or west coast, but trade that we can take from ports on the other side of the North sea and the English Channel, to which we have been losing trade for a variety of reasons.

There are specific questions related to increasing the advantages for the private wharves as well as wharves that remain in my part of London, nearest to the Pool of London. They should be considered positively and urgently by the Government. I have not decried the ideas that have emerged since 1981, when the development corporation was set up. It is one of the areas that could produce something. It has not done so yet. I ask the Secretary of State and his colleagues to see to it that they continue their obligation, which they and previous Governments undertook to uphold, to the mass of people who put their backs, years and lives into building up and sustaining our port industry through the blitz as well as times of peace. Those people now have to be relocated elsewhere, and a commitment is made to them in the Bill.

However, we need more than just a commitment to pay off those people; we need a commitment that the moneys that the Government invest will be invested to provide jobs anew for people with skills and the willingness to contribute to the rebuilding of industry in the areas now deserted by the industry that they knew and to which they wanted to contribute.

I look to the Government to do more in seeking ways to do that. I am sure that colleagues from other parties as well as mine will say that Merseyside needs help. Both Liverpool and London need continued incentives for employment, using the enormous skills that the people have.

Mr. Loyden: The hon. Gentleman raises an important point, which is relevant to the Bill. Had alternative employment and training been available in the ports of London and Liverpool, the transition from the old method of dock working to the new technology would have been virtually painless, and would have been embraced by the people who worked in those ports. Sadly, that was not so. It has been a painful experience.

Mr. Hughes: I accept that entirely. In many ways, it is almost too late. However, it is just not quite too late.

I should like to end with this sombre warning. In London and Liverpool we have relied in large measure on transport for our jobs—not just in the docks, but in related industries, such as haulage and the warehousing that relates the two. Not only have we lost the industry from the ports and the docks in areas of London such as mine, as well as in Merseyside, but a substantial part of the remaining related transport industries is being pulled

[Mr. Hughes]

away from us. Perhaps it is good for the silicon vallleys, the M25s and some employers that the haulage industries move away. But we cannot have the transport industries drained from us without having something to substitute.

I ask that the Secretary of State for Transport perceives more clearly the need for transport industries still to play a major role in the British economy. They have always been important. If we lose that sector of industry, we shall lose something which, in all probability, we shall not recover. It would mean not only many lost jobs but an enormous amount of lost opportunities for those who now have skills, and who are willing to learn and adapt those skills to apply them to our nation's wealth in the years and decades ahead.

1.5 am

Mr. Ridley: The hon. Member for West Bromwich, East (Mr. Snape) has not done his homework on the Bill. He said that it provides for £500 million. It does not. It is £150 million, not £500 million of new money, increasable by order to £180 million. He has missed the first and most elementary point about the Bill.

The hon. Gentleman also said that the Transport Bill is intended to save money. He obviously has not read that Bill either. There are no financial clauses in that Bill with such an effect. Its purpose is to improve the use of money that is spent.

The hon. Gentleman said that the Bill enables loans to be made to various dock undertakings. Again I must correct him; it makes grants. He said that a docker who lost his job as a result, sadly, of redundancy immediately went on social security. People with £25,000 of capital are not eligible for social security. That is the extent of the hon. Gentleman's knowledge of the subjects about which he wasted a considerable amount of the House's time today.

Mr. Snape: In the interests of accuracy——

Mr. Ridley: I have not given way. I shall be delighted to give way to the hon. Gentleman, but I shall do so when I feel like it, not when he feels like it.

Mr. Snape: I am grateful to the right hon. Gentleman, even though he was a little churlish. I think that I said that someone who was made redundant went on the dole.

Mr. Ridley: The hon. Gentleman did not say that.

Mr. Snape: That is the phrase that I meant to use.

Mr. Ridley: The hon. Gentleman did not use it.

Mr. Snape: In that case I hope that the right hon. Gentleman will accept that that is the phrase that I meant to use and that is the context in which I meant to——

Mr. Ridley *rose——*

Mr. Snape: I have not finished yet. It is difficult to convince the right hon. Gentleman about this appalling legislation, but if I have to tell him about the elementary etiquette of the House we may be here for a long time.

Mr. Ridley *rose——*

Mr. Snape: The right hon. Gentleman cannot cease to give way. I am not trying to make another speech. I am merely asking the right hon. Gentleman to accept the accuracy of the correction that I have mentioned. I hope that he will do so.

Mr. Ridley: It is nice to hear the hon. Gentleman grovelling. I imagine that he could not read the writing of his superior, the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), who clearly had written his speech. I am sorry that her writing is so bad that he cannot get his facts right when he is brought in for a Bill at, I admit, very short notice. This is the first time that the hon. Gentleman has had anything to do with the Bill, as is clear from his performance.

I shall not come back to the House next year for a further Bill such as this. I have no difficulty in persuading my hon. Friends who voted for the Second Reading and who will vote for the Third Reading if so required and did not vote for the amendments. Only the hon. Gentleman called for Divisions on the amendments. I am in no trouble, but it seems that the hon. Gentleman might be because he could not get anyone to vote when he called a Division. Any support that the hon. Gentleman might have in his party has not been in evidence tonight.

Mr. McWilliam: Perhaps the right hon. Gentleman has noticed that the amendments on which my hon. Friend called a Division were signed by Conservative Members, with the exception of one hon. Lady.

Mr. Snape: And that was a mistake.

Mr. McWilliam: We called a Division to enable Conservative Members who might have felt that they had a problem with the Bill to record that problem. Their failure to do so is a matter for them, not for my hon. Friend.

Mr. Deputy Speaker (Sir Paul Dean): Order. I hope that we shall not hark back to amendments which we have already discussed. We are now on Third Reading.

Mr. Ridley: I was also hoping that. If we are to discuss who put their name on the Order Paper, including the hon. Lady for the unpronounceable valley, we may get into considerable trouble. Most of the right hon. and hon. Gentlemen who put their names to the blocking motion on Third Reading are not present. I assume that their names are there by mistake. May I withdraw the names of the Leader of the Opposition, the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) and so on because I have it on good authority that they did not mean to put their names to the motion? Anyone can play at that game.

The hon. Members for Liverpool, Garston (Mr. Loyden) and for West Bromwich, East said that a ports policy would make life difficult both until now and in future. When the Labour Government were in power from 1974 to 1979 there were 57 applications for investment permission under the Harbours Act 1964. They turned down two of them, one of which was simply for a fishing boat harbour and required 85 per cent. subsidy, and the other 55 were accepted. The net effect of their having the powers, which they now regret losing, was to stop one harbour development, thereby preventing a few people from getting jobs. That is a planned ports policy, as administered by a Labour Government during five years of office. The net result was to prevent jobs from being created at one port. Therefore, I simply do not know what is the point of the hon. Gentleman's criticism of the Government's port policy.

Mr. Loyden *rose——*

Mr. Ridley: I give way for the last time.

Mr. Loyden: Does the Secretary of State agree that the important point was the limit on the sums that could be spent, which prohibited ports from making a major development? Most of that money was used for capital equipment rather than for the extension of the ports.

Mr. Ridley: The Act provided that investments above a certain size had to be approved. The only way in which the powers can be used is by not approving those investments, thereby reducing port developments and the number of jobs created. If the Labour party thinks that a negative control of that sort will solve the problems with which we are grappling in the ports industry, it must think again.

The hon. Member for Southwark and Bermondsey (Mr. Hughes) regretted, as does the Labour party, the fact that trade changes. It changes for 100 different reasons. It changes principally for technological reasons, but also for reasons of trade, geography, and the alteration of the type of business carried by ships. Obviously it is sad and regrettable when trade leaves a port. However, it is almost inevitable that it will move from the pool of London and narrow river harbours of the sort that front the hon. Gentleman's constituency. It is not good enough to say that somehow the Government must bring back trade, especially to Bermondsey and Southwark. It is hopeless and unrealistic to suggest that, on Third Reading and wholly out of order, I can announce a policy to bring back trade, which may have vanished 50 years ago from wharves in the hon. Gentleman's constituency. That may be good vote winning stuff, but the hon. Gentleman must do better than that.

Mr. Simon Hughes *rose*——

Mr. Ridley: No. I said that I would not give way again.

I remind the hon. Gentleman that, through flexibility, competition and private capital, we have seen the growth of continental ports such as Rotterdam and Antwerp. That has not happened because of a planned ports policy or nationalised state capital. It has not happened because of wishing that the Government would bring back the trade. It has happened because a long time ago those countries followed policies similar to those of the present British Government.

Rotterdam probably handles as much trade as all the United Kingdom ports put together, and it employs 4,100 dockers. Britain still employs 12,000 registered dockers. That is why we need the Bill, and I hope that the House will give it a Third Reading.

Question put and agreed to.

Bill read the Third time, and passed.

South-East Asia (Refugees)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Mather.]*

1.15 am

Mr. Keith Best (Ynys Môn): During the past few days, most of us have participated in celebrations to mark the 40th anniversary of VE day. Less well publicised is the 10th anniversary of the fall of Saigon, which happened only two years after American troops pulled out. The effect of that is with us today. The withdrawal from Vietnam tilted American foreign policy off balance and seriously undermined the self-confidence of the most powerful nation in the world, in addition to bringing tragedy to the families of the dead and injured American conscripts, the average age of whom, as the current best-selling pop record tells us, was 19.

The shadow of Vietnam hangs like a pall over the United States' intervention in other countries and colours moral judgment in a comparison, however inappropriate, with Soviet intervention in Afghanistan.

The misery and convulsion of south-east Asia continues and, occasionally, is brought home to people in the western world through a haunting picture such as that in *The Times* yesterday of a Vietnamese child with longing eyes peering through the wire fence of a closed refugee centre in Hong Kong.

Anyone who has seen the current factual film "The Killing Fields" about the excesses of the Pol Pot Khmer Rouge regime in Cambodia should realise that such things are still going on in south-east Asia today.

In Vietnam today there is a policy of tyranny and oppression towards those who had anything to do with the Saigon Government. Thousands of people are in the so-called re-education camps — a synonym for concentration camps. I spoke recently with a person who had finally escaped from one such camp after three years. His fellow escapees had been shot in the attempt. He told of a daily regime which involved working in the fields for almost 12 hours, followed by two hours intensive political indoctrination by camp leaders who were not qualified teachers. Individuals are required to learn parrot fashion everything they are taught, are tested every three weeks and are required to go over it again and again until it is well conned. The only newspaper available is the organ of the party.

About 3,000 people were in his camp alone, divided into units of 10, of whom two remain to prepare meals while the other eight go to work in the fields, still having to do the work of all 10. No communication between groups is allowed and individuals are permitted to send one censored letter and receive one food parcel every three months. Only goods for immediate consumption can be received, and nothing can be stored. The people must grow their own food, but most is taken by the Government.

The misery is unendurable for many. There are several suicides. I was told of a man who hanged himself from a low beam in the hut by holding his legs off the floor until he was past saving.

The result of such oppression has made Vietnam an international pariah, and has led to a massive exodus of her people. First the ethnic Chinese came, but now the refugees arriving in Hong Kong are 98 per cent. ethnic Vietnamese. They have come in whatever way they can to escape the tyranny of their country. It is difficult for us

[Mr. Keith Best]

to imagine the sense of despair which leads to such a flood of humanity and which drives people to leave home, family, possessions and familiar surroundings and to commit themselves to the uncertainty of becoming refugees. Thousands who trusted themselves to small boats perished at the hands of the cruel sea or pirates. Yet still they come.

We have a moral duty to use every way open to us to get Vietnam not only to change its internal policies towards its citizens, but to enable those who have difficulty in obtaining exit visas, many of which must be paid for dearly through corrupt officials, to leave their country under the orderly departure programme. The British Committee for Refugees from Vietnam, Laos and Cambodia, of which I have the privilege to be the chairman, has obtained permission from the royal borough of Kensington and Chelsea to erect on the banks of the Thames in London a telling memorial to those who perished at sea in the search for freedom. It will be a statue of a mother holding a baby emerging from the waves. We are raising funds for it now. It will be a constant reminder to us all that the price of freedom can be life itself.

In January, I visited Hong Kong and went to see refugees in Chi Ma Wan closed centre, Kai Tak transit centre and the Jubilee camp. The Hong Kong Government have coped remarkably well and with great endeavour and skill with well over 100,000 Vietnamese refugees who have arrived in a community which has a population density of 4,972 persons per sq km, which compares with 230 in the United Kingdom and 22 in the United States of America. In the last financial year, the Hong Kong Government spent about 100 million Hong Kong dollars, of which the United Nations High Commissioner for Refugees provided about 20 million Hong Kong dollars. Many of them have been resettled in Western countries following the Geneva conference in July 1979. I am pleased that the British Government took a leading role in that conference and agreed to take a quota of 10,000. We now have about 19,000 Vietnamese refugees in the United Kingdom.

However, as at 1 December 1984 there still remained 12,258 Vietnamese refugees in Hong Kong, although I understand that that figure has subsequently decreased. Hong Kong has already assimilated many refugees in its community, but there is now a need for further international response to help to clear this human log-jam. Mr. Paul Hartling the United Nations High Commissioner for Refugees, is in Hong Kong and now has called on the United Kingdom to take a few hundred more Vietnamese refugees from Hong Kong.

A similar plea has been made in the excellent and comprehensive report of Vietnamese refugees, produced by the Select Committee on Home Affairs. We eagerly await the Government response.

In giving evidence to the Select Committee, my hon. Friend the Minister of State, Foreign and Commonwealth Office, said:

> "It is our responsibility to take the lead, as the Department in the Government responsible for Hong Kong, and to try to find a solution to it."

He agreed that

> "it must be a priority in terms of our responsibilities".

I understand the view of the Home Office that there is no positive evidence that other countries would follow suit in taking more refugees, but no country is likely to give an undertaking in advance of any proposals by Britain.

There is strong evidence to suggest that such a lead would be imitated by other countries. Canada has recently announced that it will take more refugees. In any event, it is worth while our doing so. The numbers are small. We took only 88 people from Hong Kong last year. Those refugees in Hong Kong with close family relatives in the United Kingdom number no more than 434, or 112 cases, on figures given to me when I visited Hong Kong. It is because these refugees have family links with the United Kingdom that no other country will have them. If we do not take them, they will be condemned to remain in Hong Kong camps indefinitely.

What does that mean? Chi Ma Wan is a prison camp. The refugees there are "behind barbed wire", the phrase that forms the title of the policy statement issued by the British Refugee Council in December 1984. I was greatly impressed by the standards of cleanliness and hygiene, the quality and variety of the food and the excellent medical attention. I asked the resident doctor, who was English and had lived in Vietnam for a time, whether she was short of any supplies, and she said that she was not. However, the fact remains that these people cannot go outside the camp, unlike their fellow refugees, and sometimes relatives, in the open camps, who can go outside and work in the Hong Kong community. There were 2,502 in Chi Ma Wan when I was there, mainly aged 15 to 30, 73 of them under six months old. Some 90 had been born in the camp in 1984. About 100 are going on to resettlement in the United States, Canada and Australia.

Some 300 to 400 have been there since the closed camp policy was started in July 1982 to deter further refugees from coming. These tend to be the most uneducated of the single young males. They are unlikely to be accepted by any country and will have to be assisted into Hong Kong society if no other country takes them in. In Kai Tak, I was told that 60 per cent. had not been taken because they refused a previous offer of resettlement because they were ill or had a criminal record. I have never been satisfied that the closed camp policy acted as a deterrent. In any event, if it ever did, its raison d'etre has disappeared. The numbers of refugees coming to Hong Kong have dropped off, not just as a result of the closed camp policy. The numbers were dropping off before July 1982, as the British Refugee Council has pointed out.

It is true that there was a quite dramatic diminution in numbers about that time, which has continued. However, it flies in the face of common sense to suggest that those who are prepared to risk losing everything, including their lives, in escaping from tyranny, are likely to be deterred by the thought that they would be incarcerated for a time in a closed camp. Natural optimism would entitle potential refugees to think that the period in such a camp would not be too long, even if they were also to discover the facts.

In conjunction with the Select Committee on Home Affairs, I ask my hon. Friend the Minister to persuade the Hong Kong Government to phase out closed camps as soon as possible and allow the inmates to work in the community. I accept that our moral position of persuasion will be weak if we do not accept the fewer than 500 refugees whom I have mentioned, and if there is not a rolling programme of acceptances over a period to assuage the fears of the Hong Kong people that 12,000 refugees,

speaking a different language and with a different culture, will no be integrated into Hong Kong society once they are able to work in it pending resettlement. The resettlement must be assumed.

There is one matter to do with the closed camps which the Hong Kong Government can remedy immediately. From my talks with Government officials there, I am optimistic that the Government are on the verge of a change and need just a gentle push from my hon. Friend the Minister of State. That change would be to allow refugees in closed camps to join their spouses in open ones. One woman I met in Chi Ma Wan had been there with her two children for two years unable to join her husband who was living in an open camp and working. This is inhumane. It is no good suggesting that those in open camps can give up work and join spouses in closed ones. Realistically, the concession must be the other way round.

Since May 1981, Vietnamese refugees settled here have had applied to them the same criteria as for other citizens for family reunion—that they can be joined by minors under the age of 18 and spouses but not by others, unless they are elderly dependants or there are compassionate grounds. Unaccompanied minors, for example, do not qualify to have families join them. Refugee agencies give a much broader definition of close relatives, as we did before 1981. I believe that my hon. and learned Friend the Minister of State, Home Office does the best he can, but I urge the Government to give a broader interpretation. I should like to know whether other recipient countries adopt similar restrictive criteria.

More needs to be done, but they are matters mainly for my hon. and learned Friend the Minister of State, Home Office, so I shall not deal with them in detail now. I believe that we now need to concentrate assistance on those areas in which Vietnamese refugees settled here have congregated following the disastrous initial dispersal policy. If it is right for other ethnic minorities, it is certainly right for this industrious and decent people, for whose character and ability to adapt I have the highest regard. I urge the Department of Health and Social Security to look carefully at the effect on insecure refugees of the board and lodging regulations and to exempt refugees if the regulations work unfairly against them. We owe a duty to all our citizens, including those from overseas who enrich our society. Many such points were raised last Thursday during an Adjournment debate by the hon. Member for Hammersmith (Mr. Soley), who has apologised to me for not being able to be here tonight.

The situation in south-east Asia has been destabilised by the occupation of, first, Laos and then Cambodia by Vietnam, which has the third or fourth largest standing army in the world. One hundred and fifty thousand Vietnamese troops are stationed in Cambodia, and after the recent offensive which pushed into Thailand the forces of the coalition Government of Democratic Kampuchea, a Soviet-backed communist regime's forces now lap up against the border. There are 250,000 Cambodian refugees within Thailand and I ask my hon. Friend the Minister of State, Foreign and Commonwealth Office whether he does not think it necessary for further international action to be taken to deal with this massive problem.

The United States is deeply concerned not just about any possible further aggression against Thailand and compromise of its territorial integrity which would involve American troops once more in south-east Asia but also about the refugee problem, which is insupportable for Thailand. That country has just persuaded the United States that it must have F16 fighters. All around, the countries of south-east Asia are arming. The situation is critical.

Personally I doubt whether Vietnamese adventurism would risk a major conflagration, but the danger must be met. After its considerable losses in the abortive action against the northern part of Vietnam in 1979, China is unlikely to try to force the issue militarily, although it will continue to support the coalition Government, in particular the brutal Khmer Rouge.

Cambodia is going through an agony. There is an active policy by the invaders of Vietnamisation, particularly in the schools, and an attempt to suppress Cambodian culture, as well as reported atrocities. However welcome the Vietnamese may have been in 1979 rescuing the Cambodians from the loathsome Khmer Rouge regime of Pol Pot, they have now become unwelcome oppressors, condemned by the United Nations and the international community. It has been said that, as long as the Khmer Rouge cast their shadow over the country, the Vietnamese are likely to remain and the people of Kampuchea will be glad of their protection. That is open to question, but the Khmer Rouge are no friends of democracy.

Of the two other members of the coalition, Son Sann is presently too weak, though perhaps the most favoured by the west. We must look to Prince Norodom Sihanouk, who is the key to a resolution of the problem and who may be able to establish a genuinely neutral Cambodia. This might persuade the Vietnamese, with much guerrilla fighting ahead of them otherwise and continuing international criticism, to withdraw if they could be satisfied that Cambodia would not be a threat on their borders. Prince Sihanouk has a home in Peking and could well be acceptable to the Chinese but act as a buffer against any thoughts of extension of influence from that quarter which would be met with concern by Indonesia.

There is no easy solution, and one is still a long way off, as acknowledged by Senor Perez de Cuellar. Yet a time bomb is ticking away in south-east Asia which could threaten world peace. It is for that reason that Great Britain has a vested interest in seeking a workable solution, along with other nations that wish to save a brave and deserving people from suffering.

1.29 am

The Minister of State, Foreign and Commonwealth Office (Mr. Richard Luce): I congratulate my hon. Friend the Member for Ynys Môn (Mr. Best) on raising in this Adjournment debate the subject of the crisis in south-east Asia and the refugee problem. He addressed it with the greatest thoroughness and has shown that he has not only a great interest in the problem but a very great knowledge of it. He spoke with great feeling. He is the chairman of the British Committee for Refugees from Vietnam, Laos and Cambodia of the British Refugee Council and does a great deal of very important work in that area. I am glad too that my hon. Friend the Member for Richmond and Barnes (Mr. Hanley) is present because he takes a close interest in the affairs of refugees, and of Vietnamese refugees, particularly in Hong Kong, and has been active in the Select Committee that has been looking into these matters.

My hon. Friend the Member for Ynys Môn is absolutely right in drawing attention to the root cause of the whole

[Mr. Richard Luce]

problem of Vietnamese refugees. It lies, as he said, in Hanoi. The oppressive foreign and domestic policies of the Vietnamese Government have led to economic priorities whereby disproportionate resources are devoted to maintaining the third largest army in the world. This, combined with a lamentable human rights record, has resulted in a continuing exodus of large numbers of Vietnamese — around one million since 1975. These people flee their country in search of a better life. Last year a further 25,000 fled by boat, risking dangers at sea, including piracy. I think that these figures in themselves are a massive condemnation of the policies of the Vietnam Government.

Many thousands of Vietnamese have been detained since 1975 in the so-called re-education camps of Vietnam without charge or trial. They continue to be subjected to exceptionally harsh treatment, and deprived of food and medicine. We are similarly disturbed by the continuing detention without trial or charge of intellectuals, diplomats and writers, for example, who have expressed views even marginally different from the official party line, by the discriminatory attitude of the Vietnamese Government towards Chinese and other ethnic minorities in Vietnam, and by the persecution and harassment of Catholics and Buddhists—particularly of Catholic and Buddhist priests —solely because of their faith. We and the international community must continue to try to persuade the Hanoi Government to treat their citizens in a civilised fashion and to take proper responsibility for them. We certainly make this clear whenever we can.

The United Kingdom and Hong Kong, although they have no historic links with Vietnam, have made important contributions in helping to alleviate this human tragedy. As my hon. Friend has already said, some 19,000 Vietnamese have been given new homes in this country, and over 14,000 Indo-Chinese have been resettled in Hong Kong. The 1979 conference on Indo-Chinese refugees was a United Kingdom initiative. Over 12,000 of the refugees who have been resettled in this country have come from Hong Kong. The House should be aware of our continuing international commitment to resettle family reunion and ship rescue cases. Last year alone, we took in 832 Vietnamese in these two categories. Under the orderly departure programme, the Vietnamese continue to join their families here direct from Vietnam.

If I may say a word about Cambodia, a further reason for the crisis in the region has been Vietnam's unwarranted invasion and occupation of Cambodia in 1978. Vietnamese troops totalling 160,000 are still there. Vietnam prides itself on having fought for its own liberation. It should respect the wish of the Cambodian people to determine their own future free from outside interference. But the Vietnamese Government have ignored repeated calls at the United Nations, in the 1981 international conference on Kampuchea and subsequent General Assembly resolutions, for the withdrawal of all foreign forces from Cambodia and the holding of internationally supervised elections for a neutral, non-aligned and independent Cambodia. These principles were re-endorsed at last year's UN General Assembly by an overwhelming majority of 110 countries. Not only have these calls been ignored, but last November Vietnamese forces launched their most ferocious offensive to date on the Thai-Cambodia border, causing well over 200,000 Cambodians to flee into Thailand with great human hardship.

What is the United Kingdom policy? The British Government have consistently supported these UN calls, and we have condemned the Vietnamese occupation, which is the root cause of the Cambodian refugee problem. We have also called upon the Vietnamese to put a stop to actions such as their repeated offensives and violations of Thai territory, summoning the Vietnamese ambassador to reinforce these views. We shall certainly maintain this pressure.

We play, and intend to continue to play, a full part, in conjunction with our European and other Western partners, in support of the ASEAN nations, who are rightly in the forefront. We maintain the closest contact with them on this and on other matters. Any solution in our view must be based, as ASEAN insists, on withdrawal of the Vietnamese forces from Cambodia. We shall certainly continue to keep in the closest touch with our ASEAN colleagues, as, indeed, my right hon. Friend, the Prime Minister, has done in her recent tour.

We shall continue to support the aims of the resistance coalition whose forces confront Vietnam in Cambodia. Prince Sihanouk and Mr. Son Sann, the leader of the Khmer People's National Liberation Front, play an important role in providing a focus for Cambodians who wish to see their country independent once again. We maintain links with representatives of the Prince and Mr. Son Sann. Indeed, my right hon. and learned Friend had talks with Mr. Son Sann only a year ago. We have provided bilateral humanitarian aid to their two organisations after the attacks by Vietnamese troops on the Thai-Cambodian border.

United Kingdom support for the coalition does not mean support for Pol Pot. We withdrew our formal recognition of the Pol Pot regime in December 1979. Our representative at the 1982 United Nations General Assembly made it quite clear that our support for the credentials of Democratic Kampuchea did not represent a change in the Government's position in this matter, and that we had no intention of contributing to the re-establishment of the Pol Pot regime. It is surely for the people of Cambodia to decide who should represent them. In contributing to international relief on the Thai-Cambodian border we have made it clear to the agencies concerned that our aid must not go to the Khmer Rouge, and we are assured that that commitment is honoured.

I should also refer to our efforts to help Cambodian refugees, a subject of concern to my hon. Friend. Together with other western countries, we co-ordinate our policies closely to try to alleviate this problem. During the financial year 1984-85, we contributed £850,000 to international relief work on the Thai-Cambodian border, and we shall continue to maintain our contacts with the international bodies in the period ahead.

I want to say a word about the important subject of Hong Kong, which is our responsibility. The recent publication of the Select Committee on Home Affairs on refugees and asylum highlighted the problem of Vietnamese refugees, especially those in Hong Kong. That makes the debate most timely. My hon. Friend the Minister of State, Home Office said during an Adjournment debate on 9 May that the Government were considering the Select Committee's recommendations

very carefully, and would be giving a detailed response in due course. In the meantime, it would not be appropriate to offer detailed comment on the recommendations.

I assure the House that the Government attach the utmost importance to improving the position of the Vietnamese who have settled in this country and to finding permanent solutions for the 11,200 who are still in Hong Kong awaiting resettlement.

My hon. Friend referred to the remarks of the United Nations High Commissioner for Refugees, Mr. Hartling —who is now visiting Hong Kong—to the effect that Britain should

"take an initiative that would encourage other countries to take more."

I said in my evidence to the sub-committee on race relations and immigration on 4 February that

"a clear indication that we are prepared to carry out a resettlement programme, linking it perhaps to special family reunion cases, and that we have very positive proposals and ideas in this connection, could well produce a response."

I believe this to be the position, but there obviously can be no guarantee.

As my hon. Friend the Minister of State said on 9 May, the Government will look at the question of the United Kingdom accepting more refugees, especially family reunion cases, in the context of their consideration of the Select Committee's recommendations. It is, therefore, inappropriate for me to comment in more detail, save to stress that the Government are treating the matter as one of very great importance and urgency.

I wish to praise the contribution already made by other countries towards helping to solve Hong Kong's refugee problem. The United States, Canada and Australia have accepted 55,000, 16,000 and 4,400 refugees respectively from Hong Kong. I am pleased to say that Canada has just announced a decision to take an additional 500 refugees this year from Hong Kong on top of the 600 that it had already agreed to take. That means that this year it will take the same number as last year.

In particular, I must thank the Hong Kong Government and people for what they have done to help the Vietnamese refugees. Since 1975 they have provided temporary asylum for more than 100,000 refugees. In addition, they have themselves absorbed more than 14,000. They have turned none away. It is a remarkable humanitarian achievement for such a small and densely crowded territory.

In regard to the difficult problem of the closed camp, as I said in my evidence to the Select Committee on 4 February, the position of having 5,600 refugees in closed camps and an equal number in open camps—but I refer particularly to the closed camps — is such that no Minister can conceivably say that it is satisfactory, desirable or acceptable. It is not. Nor is it satisfactory or desirable for the Hong Kong Government. We and the Hong Kong Government would like camps to be abolished as soon as possible. But we have to face reality. Hong Kong is one of the most crowded places in the world. The population density is 20 times that in this country. It has received more than 100,000 refugees since 1975. It has enormous immigration presssure simultaneously from China. It has been difficult for the people of Hong Kong to accept that Chinese, often kith and kin, should be returned to China, while Vietnamese remain in Hong Kong pending resettlement overseas.

I ask my hon. Friend to bear in mind that the evidence shows that, however painful the process of introducing those camps in 1982, it has led to an increase in the decline in the number of people arriving from Vietnam in relation to the number of people who have been going from Vietnam to other countries. The figures for the period from 1981 to 1984 demonstrate clearly that there has been a decrease in the numbers arriving in Hong Kong. In 1983 the arrivals decreased by 53 per cent. but on a regional basis by 36 per cent. In 1984 the Hong Kong arrivals decreased by 39 per cent. and the regional arrivals by 11 per cent.

Those who argue that Hong Kong's refugee burdens were already declining when closed camps were introduced should bear in mind that in July 1982, the month in which Hong Kong changed its policy, arrivals in the territory reached their highest level for three years. More than 1,600 refugees arrived in Hong Kong in a single month. I ask my hon. Friend to bear in mind that it is terribly important to take these factors into account and to consider the difficult position of the people of Hong Kong.

The Hong Kong Government make every effort to meet the needs of refugees for shelter, food, medical treatment, clothing, education, welfare and recreational facilities. In particular, they are devoting considerable attention and resources to improving educational and training opportunities. They seek to provide educational and vocational training, with emphasis on English, in all Government-run centres. In Hei Ling Chau closed centre for the North Vietnamese where the resettlement rate is therefore lowest and potential integration problems greater, the Hong Kong Government intend to provide special multi-purpose training centre, to be funded by United Nations High Commissioner for Refugees and run by the World Relief voluntary agency. We all hope that will help.

In particular, my hon. Friend referred to the segregation of husbands and wives. That is one of the most difficult and humane problems that one has to deal with. The problem is that if we allow people from closed camps to join their spouses in open camps there is a serious danger of abuse of the system which must be taken into account. In the meantime, there have been 50 applications for reunion in closed centres; 37 of them have been approved. I shall consider very carefully the recommendation that my hon. Friend has made.

Again, I thank my hon. Friend for raising this important issue. Our objective is to seek durable solutions to these painful problems. In looking to the future, we believe that in the long term the ideal goal is to create conditions in which refugees will want to return to their countries of origin of their own free will. They must not be denied that aspiration.

Question put and agreed to.

Adjourned accordingly at sixteen minutes to Two o'clock.

House of Commons

Wednesday 15 May 1985

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

NOTTINGHAMSHIRE COUNTY COUNCIL (SUPERANNUATION) BILL *[Lords]*

Read a Second time and committed.

Oral Answers to Questions

SCOTLAND

Teachers (Pay)

1. **Mr. Strang** asked the Secretary of State for Scotland whether he has any plans to meet representatives of the Educational Institute of Scotland to discuss the teachers' campaign for an independent pay review; and if he will make a statement.

The Secretary of State for Scotland (Mr. George Younger): No such meeting is at present arranged, but I am always prepared to consider requests by the Educational Institute of Scotland for meetings on matters of mutual concern.

I regret very much that, although the employers and two of the other teachers' unions would have been prepared to agree to my proposal that the Scottish joint negotiating committee should carry out a review of pay and conditions of service together, the EIS has maintained its demand for an independent review of pay alone. The sooner the EIS ceases its damaging strike action and returns to the negotiating table, the better it will be for Scottish education.

Mr. Strang: When will the Secretary of State attach to Scotland's teachers the same priority as he has to our hard-pressed ratepayers? Does he recognise that the decision of the EIS to suspend the targeting of Minister's constituencies means that the Government have three weeks before the EIS delegate meeting to come forward with a new initiative? Does he accept that the answer he gave is wholly unacceptable, and that if he continues in that vein the meeting on 7 June is bound to vote for more militant action?

Mr. Younger: The hon. Gentleman will be as aware as all hon. Members on both sides of the House that as long ago as December I recognised the strength of the teachers' feelings on these matters and offered to consider a package of pay and conditions and to make a contribution towards implementing it. The EIS has made no positive response to that, although the other unions are prepared to meet. I believe that that answers the first part of the hon. Gentleman's question. I believe it is generally agreed that targeting has been a most unfortunate development. In the targeted areas it has harmed the opinion that people have of teachers. With regard to time, as the hon. Gentleman will be aware, I have all along been encouraging the teachers to discuss these matters. There is no reason why they should not do so.

Mr. Henderson: Will my right hon. Friend take the opportunity today to appeal once again to the EIS to explore the opportunities that he has offered for fruitful discussion and review through the joint negotiating committee? Does he agree that that would be a more fruitful way of going forward than the campaign on which it is waxing strong and which is often misleading? For example, one EIS representative said that the Parliamentary Under-Secretary of State for Scotland, my hon. Friend the Member for Eastwood (Mr. Stewart), would not know the inside of a Scottish school if he saw one, although he had recently visited Bell Baxter school in his official capacity. He was a pupil there and no doubt saw his name on the dux board.

Mr. Younger: Yes, Mr. Speaker, I am grateful to my hon. Friend. I know what nonsense such a remark is about my hon. Friend the Under-Secretary. As to making an appeal to the EIS, may I again stress that at no point during the long dispute have I denied that the teachers feel strongly about it? What is depressing is that they have not been prepared even to discuss pay and conditions. I hope that they will reconsider their position on that.

Mr. Bruce: Does the Secretary of State recognise, from parents' meetings around the country, that there is considerable anxiety about the prolonged nature of the strike and the dispute, and the need for it to be resolved? Parents do not feel that the Government have responded positively enough. Taking up the question by the hon. Member for Edinburgh, East (Mr. Strang), when will the Secretary of State recognise that Scottish education will receive the priority that it needs only when he is prepared to find new money for it in the way that he has been able to find new money for other things which he clearly believes have higher priority?

Mr. Younger: I agree with the hon. Gentleman that parents are most anxious about the position. Although I do not believe that he has been involved, I can tell him that the parents in those areas that were targeted feel bitter about the way in which they were singled out for action in this matter. As regards the hon. Gentleman's suggestion about finance, I must again repeat that since as long ago as December I have been offering to try to find some money, but I have had no response from the EIS.

Lord James Douglas-Hamilton: Will my right hon. Friend stress that he is absolutely ready and willing to negotiate in an effort to break the deadlock.

Mr. Younger: I appreciate my hon. Friend's point, but it is really not up to me to negotiate in this matter. The negotiating takes place in the joint negotiating committee between the employers, who are the education authorities, and the representatives of the teachers' unions. Usually the Secretary of State plays no part in such negotiating, apart from having two observers present. However, in this instance I said that I would look at a package of pay and

conditions and endeavour to help in implementing it. So much time has passed since I made that offer that it will become increasingly difficult to meet it, but it is still there.

Mr. Douglas: Does the Secretary of State appreciate that the teachers have reached a crisis position and that they are adamant about pursuing a review by an independent body?

Mrs. McCurely: The professional association is for negotiation.

Mr. Douglas: Well, the vast majority of them take that view, and we are talking about the vast majority. Will the right hon. Gentleman accept that this cat-and-mouse attitude of his will not do and that a crisis has been reached in Scottish education which only an independent review body can resolve? Will he concede that that should be done before the 1985-86 session commences?

Mr. Younger: I agree with the hon. Gentleman that this is a very serious matter indeed for Scottish education. I can sum up the respective positions briefly by saying that while the hon. Gentleman is right to say that the EIS has been adamant, I have not been adamant. Everyone can see who is trying to resolve the dispute and who is trying to be selfish.

Mr. Bill Walker: Does my right hon. Friend agree that while, obviously, some Scottish teachers merit greater rewards for what they do, the days when across-the-board agreements could be reached disappeared when the Labour Government went to the IMF? Does he further agree that to get the rewards for those who deserve them, it is essential that conditions as well as other matters are looked at; in other words, that it is impossible to look at pay in isolation?

Mr. Younger: I agree with my hon. Friend that it is unrealistic in any profession or employment to look at pay completely unrelated to conditions of service. That will have to be tackled as one subject, or as two subjects both applying to this problem. Until that happens, it will be impossible to have a realistic discussion.

Mr. Buchan: Did the right hon. Gentleman hear one of his hon. Friends say, "Not enough" when my hon. Friend the Member for Dunfermline, West (Mr. Douglas) referred to the vast majority of Scottish teachers approving of this action? May we be told what would be enough on the part of the teachers to persuade the right hon. Gentleman to change his mind, considering that the EIS represents 80 per cent. of Scottish teachers? Will he stop trying to pretend that they are an isolated group? They represent the vast majority of teachers and, I believe, the vast majority of parents, too.

Mr. Younger: It is true that the EIS represents the vast majority of teachers, and I have never suggested otherwise. It is significant, however, that the other unions are at least prepared to enter into discussions on the matter. It is very sad indeed that the largest union should not be prepared at least to try to resolve the dispute.

Mr. Wilson: Is the Secretary of State aware that there is disbelief among the EIS about the Government's willingness to give sufficient priority to the educational system in Scotland and to find the money necessary to answer the claim, and that that feeling is rooted particularly in his refusal of an independent pay inquiry? Will he give an undertaking here and now to find new money to prime the pump so that these negotiations can be started? Is he aware that, without doing that, he will be in great difficulty?

Mr. Younger: Any teachers who are not convinced that the Government place a high enough priority on education have no reason to take such a view, considering that we are providing more per pupil both in primary and secondary schools than has ever been provided before. That answers completely that suspicion. The answer to the rest of the hon. Gentleman's supplementary question is that since last December I have been offering to help. The trouble is that nobody has taken it up.

Mr. Ewing: Despite the insults hurled at the teachers by the Secretary of State and by the Minister responsible for education and industry at the Scottish Office, does the right hon. Gentleman agree that the teachers have shown a fair degree of good will in ensuring that the O and H-level examinations proceed smoothly? Will the Secretary of State show similar good will and give an assurance that it is no part of his tactics to allow the dispute to run on into the summer holidays and create discontent when the new term starts? Will he consider a fresh initiative to get talks going to solve this very damaging dispute?

Mr. Younger: I have never uttered any insults to teachers or, so far as I am aware, to anyone else. As for the examinations, I am very grateful to the EIS teachers for changing their deeply unpopular proposal to disrupt the examinations, which I understand are now proceeding reasonably normally. I certainly do not agree that parents would take a happy view of what has occurred, because they feel very bitter about the way in which their children have been targeted. As for showing understanding, any reasonable person considering the two parties to the dispute would agree that I have shown understanding throughout and that the other teachers' unions have also shown flexibility, but there has been no sign of that from the biggest union, which is a great shame.

Western Isles

2. **Mr. Donald Stewart** asked the Secretary of State for Scotland if he intends to make representations to the EEC for an extension of the integrated development programme in the Western Isles.

The Parliamentary Under-Secretary of State for Scotland (Mr. John MacKay): The European Commission first proposed the IDP and, in the light of progress, it would be for the Commission to propose an extension if it believed one to be warranted. If it did so, the Government would evaluate the proposals carefully.

Mr. Stewart: In view of the satisfactory and widespread take-up of the grant available, does the Scottish Office intend to make its own approach to the EEC for an extension of the programme? In view of the wide take-up, will the hon. Gentleman ensure that there is a proper return on investment by all concerned by saving the agricultural advisory service from the cuts that he intends to make?

Mr. MacKay: I certainly hope that there will be a good return on the investment of £12 million by the Government and £8 million by the EEC for agriculture and fisheries and the additional £36 million from the Government for infrastructure and other activities. The IDP regulations

require the Commission to submit a progress report before April 1986 and to make proposals to the Council of Ministers before 1987 as to whether the IDP should be extended. As I have said, we shall consider carefully anything that comes from the Council then.

Dr. Godman: With regard to European Community involvement in Scotland, what is the likelihood of the Government conducting a review in the near future——

Mr. Speaker: Order. I hope that the hon. Gentleman is referring to the Western Isles.

Dr. Godman: I am referring to the whole of Scotland.

Mr. Speaker: The question relates to the Western Isles. Can the hon. Gentleman get his question into order? If not, I call Mr. Kennedy.

Mr. Kennedy: In representations about the IDP in relation to the Western Isles, will the Minister bear in mind that the agricultural development programme — or the assisted development programme, as it is also described — covering the Western Isles and other parts of the Highlands and Islands commands broad public support in those areas and also within the Commission and that the Government were committed to it before the last election? Does the hon. Gentleman agree that it is misleading always to say that it is up to the Commission to make proposals when those of us who represents the interests of the Highlands and Islands know — the right hon. Member for Western Isles (Mr. Stewart) will confirm this —that at present there is a more sympathetic ear from the Commission than from the Scottish Office?

Mr. MacKay: On the last part of the question, the hon. Gentleman is quite wrong. The Government are fully aware of the disadvantages of the Highlands and Islands. That is why we have injected substantial sums into the Highlands and Islands Development Board and introduced measures such as the recent enhancement of hill subsidies in the Highlands and Islands development area. As we have said before, however, it is for the Commission to come up with proposals for a development programme and we have undertaken that any such proposals will be given careful consideration.

Conservation

3. **Mr. Hardy** asked the Secretary of State for Scotland if he will advise the chairman of the Forestry Commission to establish improved arrangements for consultation with responsible organisations concerned with conservation; and what arrangements for such consultations currently exist.

Mr. John MacKay: Discussions take place between the Forestry Commission and conservation bodies and there are many close contacts at local level. My right hon. Friend has no reason to think that the commission is unaware of the views of conservation bodies or that it fails to take them into account, and he is not convinced that there is a need for the introduction of any more formal arrangements.

Mr. Hardy: Is the hon. Gentleman aware that there is widespread continuing concern that the Forestry Commission is reluctant to engage in meaningful consultation with responsible conservation bodies? Does he agree that there should be further examination of this matter to ensure that a sensible policy on broadleaved woodlands emerges?

Mr. MacKay: Most of the major conservation organisations will have had four opportunities to express their views to the Forestry Commission—in comments invited before the publication of the paper, in accepting the open invitation to submit written comments, by attending the seminar which was held on 8 May and by submitting written comments in a paper on that seminar. I think that every opportunity has been given to the conservation lobby to consult the Forestry Commission.

Sir Hector Monro: Is my hon. Friend concerned at the increasing trend towards undertaking afforestation without grants? Does he agree that this takes away the limited control over planning through the grant system and that, therefore, conservation and Scotland's scenic beauty are increasingly at risk?

Mr. MacKay: The case in the south of Scotland is the first major case of its kind in 10 years. The action taken by the owners of the land is to be deplored. It would be unfortunate if this incident were used to undermine confidence in the consultation procedures, which have proved highly effective over the years.

Mr. John Mark Taylor: Will my hon. Friend accept that many of us on the Conservative Benches are also concerned about the broadleaved woodlands? When my hon. Friend speaks to the chairman of the Forestry Commission, will he tell him that many of us who take pleasure in the countryside take no pleasure whatsoever in seeing the broadleaved woodlands steadily eroded, very often by alien trees?

Mr. MacKay: I did not quite catch the last part of my hon. Friend's question. The Government and the Forestry Commission are well aware of the importance of broadleaved woodlands. That is why the Forestry Commission produced the paper and is having such widespread consultation on the future of broadleaved woodlands. My right hon. Friend the Secretary of State expects to make a statement on the matter before the summer recess.

Mr. Dalyell: Will Parliament have an opportunity to debate the statement before decisions are taken?

Mr. MacKay: As I have just said to my hon. Friend the Member for Solihull (Mr. Taylor), my right hon. Friend the Secretary of State expects to make a statement on this matter before the summer recess. Questions of debate are for my right hon. Friend the Leader of the House and not for me.

Mr. Home Robertson: Will the Under-Secretary of State say something about the disturbing case at Crichness in my constituency, where a private forestry company has completely disregarded the previously accepted system of controlling afforestation through forestry grants, which are supposed to take account of environmental and social concerns? In view of the damage that blanket afforestation could cause to the economy and environment of many hill farming areas, will the hon. Gentleman intervene to prevent a precedent from being set?

Mr. MacKay: As usual, the hon. Gentleman has greatly over-reacted to something that is, as I said to my hon. Friend the Member for Dumfries (Sir H. Monro), the

first major case of its kind in 10 years. I think that I have made the Government's position clear. We deplore what has happened there. It would be unfortunate if the incident were used to undermine confidence in the consultation procedures, which have proved highly effective. Obviously, we shall carefully watch this case, and any others that come behind it.

Mr. Key: As my right hon. Friend the Secretary of State is responsible for trees in my constituency of Salisbury, will my hon. Friend give an undertaking that, in the review of broadleaved woodlands policy, a proper balance is maintained between the preservation of the environment and employment opportunities in forestry-related industries?

Mr. MacKay: I thought for a moment that my hon. Friend was going to invite me to come to Salisbury. One has to take a broad view of forestry in the countryside. It has an important part to play in conservation, but it is also an important provider of employment in the rural areas.

Employment Prospects

4. **Mr. James Hamilton** asked the Secretary of State for Scotland when he will next meet the general secretary of the Scottish Trades Union Congress to discuss the employment prospects for Scotland and Lanarkshire in particular.

Mr. Younger: I have no such meeting arranged, nor has any such meeting been requested.

Mr. Hamilton: As the right hon. Gentleman is aware, Labour Members have been persistent and insistent and will continue to be persistent in trying to alleviate the scourge of unemployment in Scotland, and in Lanarkshire in particular. As he is aware, two cases of major redundancies have been made known to us in my own constituency, and one company is teetering on the edge of bankruptcy. At the same time, many of the lads and lasses in the youth opportunities programme have not yet had their first job. Many people between 45 and 55 are still unemployed and have been unemployed for over two years. If the Government are not prepared to align themselves with the Centre Forwards, will they align themselves with the sweepers and try to sweep up this scourge?

Mr. Younger: I appreciate the hon. Gentleman's great concern about unemployment, which is shared by hon. Members in all parts of the House. The hon. Gentleman's description of some of the ill effects of unemployment is correct and should be borne in mind by everyone in the House. But it is unfair not to mention the large amount of work that has been done, the huge amount of money put into the youth training scheme, and before that the youth opportunities programme, and also some of the items of good news industrially in his own part of the world, including the better news regarding Terex and new orders for TWC.

Mr. Hirst: Does my right hon. Friend agree that the future of Ravenscraig is vital to employment prospects in Lanarkshire? Will he and his ministerial colleagues do everything possible to impress on the British Steel Corporation the need to invest in new coke ovens so that Ravenscraig can continue to produce competitively priced steel?

Mr. Younger: As my hon. Friend knows, I watch the position very closely. No such proposals have yet been made to the Government. When they are, I shall be looking into them very carefully.

Mr. Martin: The right hon. Gentleman may know that it has been announced that by 1987 the work force in the British Rail workshops will be reduced to about 460 people, salaried and non-salaried. He will know that since the new year the Alliance Box Company has closed down, White Horse Whisky has closed down, and now it appears that the only railway workshop in the country will possibly close down, because it cannot be sustained with that number of personnel. Will the right hon. Gentleman come to Springburn and do something for the people in that community?

Mr. Younger: I am extremely concerned to hear the news this morning about the railway workshop, and I echo the hon. Gentleman's concern about it. I am glad that BREL and the Scottish Development Agency are financing a study, commissioned by Glasgow Opportunities, into alternative employment opportunities in the area, and that BREL has allocated £500,000 towards putting the recommendations of the study into effect. The decision is for BREL, and it is caused by the fact that it has spent so much money in modernising railway stock that it does not need so many people to maintain old stock. It is a commitment from British Rail which, alas, has very unfortunate consequences for us.

Mr. Malone: Is my right hon. Friend aware of the deep concern in the city of Aberdeen about the employment prospect for workers in the Hall Russell shipyard? Will he do what he can to ensure that the yard is disposed of as quickly as possible so that uncertainty can be dispelled? Will he also ensure that, when the yard is disposed of, it will be on terms that allow it to be as competitive as other yards in the United Kingdom?

Mr. Younger: My hon. Friend has expressed great concern to me about this matter. In the Scottish Office we are also very concerned. I agree with him that the most important task is to end the uncertainty, and that the yard should be given the best possible opportunity to be competitive and get new work.

Mr. George Robertson: Does the Secretary of State realise that one Lanarkshire person in every five is out of work and that each is a major human, economic and social tragedy? Does he accept that that well merits the strictures in Oxford last night by the right hon. Member for Cambridgeshire, South-East (Mr. Pym). Instead of giving us, at Question Time after Question Time, soft words of sympathy on unemployment, will the Secretary of State take the advice of his right hon. Friend and embark on a major investment programme in Scotland and get people back to work?

Mr. Younger: I am very anxious not to make the position worse by putting many other people out of work through raising interest rates and taxation to levels that businesses cannot afford.

Mr. Henderson: Can my right hon. Friend confirm that during the past year there has been an increase in the number of people in work in Scotland? Can he say what sectors of the economy have shown that increase? Will he discuss with the Scottish TUC whether, in concert with the

CBI, its experience is that the prospects for stability of employment in the manufacturing sector are now more encouraging than for many years?

Mr. Younger: It is encouraging that for the past year there has been an increase in employment in Scotland. That must be the first step towards obtaining a reduction in unemployment. The increases have been principally in the service sector, which has been performing very strongly during the past few years. However, during the past year the manufacturing sector has also begun to increase employment, which is an encouraging sign.

Mr. Ewing: Is the right hon. Gentleman aware that the only growth industry in Scotland is the working parties being set up by him to consider alternative employment for those made redundant by the Government's economic policies? What will he do about the 600 redundancies announced today at the British Rail workshop at Springburn? Is he in favour of British Steel investment at Ravenscraig to replace the coke ovens? When will he stop expressing such pious concern while unemployment in Scotland continues to go up and up?

Mr. Younger: The hon. Gentleman's remarks would hold water only if his opening remark had been true. I wonder where he has been during the past few years. What about the oil industry, the electronics industry and the health care industry?

Mr. Ewing: They are all employing fewer people.

Mr. Younger: That is a totally untrue statement. All the industries that I mentioned are employing more people. I suggest that the hon. Gentleman gets his facts rights before he makes such statements.

Local Government Finance

5. **Mr. MacKenzie** asked the Secretary of State for Scotland how many representations he has received on the raising of local government finance; and if he will make a statement.

The Parliamentary Under-Secretary of State for Scotland (Mr. Michael Ancram): My right hon. Friend has received some 15,000 represention on the linked subjects of rates, revaluation and local taxation. Many of these suggest changes in the method of financing local government.

Mr. MacKenzie: Is the Minister aware that although many of us gave a guarded welcome to the proposals announced yesterday, we feel that they were hastily conceived? Many of us believe them to be a temporary, patch-up job. Is the Minister aware that we want the Secretary of State to go back to his office and take plenty of time to talk to local authority people and those who know about these matters, and return to the House with proposals on rating, valuation and rate support grant that will be fair, equitable and lasting for the future of Scotland?

Mr. Ancram: I thank the right hon. Gentleman for his welcome — even though a little grudging — for the package announced yesterday. That is in line with the welcome given to it by ratepayers in Scotland. I find it difficult to understand how he could suggest that the scheme was hastily conceived when, for the past five weeks, others in this House have accused the Government of not coming forward with a scheme soon enough. We waited until we had the information we required to prepare a scheme that could work. When we had that information, we announced the scheme. The right hon. Gentleman knows that there is a current Government review, of which I am a part, looking at the whole system of financing local government. We hope to come forward with proposals this year.

Mrs. McCurley: While I congratulate my right hon. Friend the Secretary of State on his supreme efforts during the past few days to alleviate the problems of ratepayers in Scotland, may I suggest that before we make any radical alterations to the rating system we do not go from the frying pan into the fire, that we halt the decline in rate support grant and that we stop hooking the local government line with a sharp stick and reach a conciliatory point with it? That is absolutely necessary if we are to treat with local government over the next few years, which, after all, we must do, and which our supporters want us to do.

Mr. Ancram: I agree with my hon. Friend that the proposals that the Government bring forward with regard to the system of financing local government must be workable. It is for that reason that we are taking time in considering them. I believe that we will be able to come forward with something that meets that requirement. I further agree with my hon. Friend that we want to have good relations with local government. Last year, when there was a gap of some £200 million between that which it wished to spend and the level at which we believe it should be spending, we came halfway to meet it by enhancing the provision made by £98 million. We looked to it then, and we look to it now, to play its part. If it sticks within the reasonable spending guidelines set by the Government, there is no reason why we should not have the sort of relationship that my hon. Friend seeks.

Mr. Roy Jenkins: Can the hon. Gentleman confirm that in his right hon. Friend's scheme announced yesterday there is no tapering provision and that, therefore, for somebody short of a threefold increase in valuation with, say, a factor of 2·8 per cent., which probably means an increase in the actual bill of 80 to 100 per cent., there is no benefit at all, whether domestic or commercial? In view of the fact that this has to be seen in circumstances in which the Secretary of State has taken unprecedented steps to interfere with local government finance, and in which there is an alleged Government achievement of an inflation target of 4·5 to 6 per cent., this cannot be regarded as a matter for congratulation of the Secretary of State's administration of the Scottish Office.

Mr. Ancram: I do not know whether the right hon. Gentleman was present yesterday when my right hon. Friend made his statement, but, if he was, I do not think that he has understood the scheme that has been proposed. The scheme is quite simply to ensure that nobody suffers rate increases as a result of having a revaluation of over three times the valuation he had previously, so that those who benefit will benefit down to that extent only. I think that that is a fair way of doing it. If I may say so, it is somewhat in line with the proposals that were put forward by the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) in his ten-minute Bill. The only difference— and I fear that this seems to be part of the alliance's way

of calculating things—is that he got his calculations on what it would cost wrong by a factor of 10. That seems to be endemic in the Liberal party at present.

Mr. Dewar: First, I congratulate the hon. Member for Renfrew, West and Inverclyde (Mrs. McCurley) on what she said, which was certainly welcome. May I suggest to the Minister that, if he wants to make peace with local government, one contribution might be to refrain from financing the package announced yesterday from a general abatement clawed back out of the already inadequate spending allowed to local authorities? Can he confirm—because we want to avoid doubt and know exactly where we stand—the views of the Secretary of State that a manifesto commitment at the next election to rating reform will not do, and that the Scottish Office will therefore be in a position not only to produce a scheme but to legislate on rating reform in this Parliament?

Mr. Ancram: The hon. Gentleman has quoted, I think accurately, what my right hon. Friend said at the conference, and that is of course the position. I think that many of us would be interested to know the views of the Labour party on rate reform. Opposition Members critise easily and give only grudging acceptance to the scheme that we put forward yesterday, but we hear nothing from them as to whether they wish to see the present rating system reformed or replaced. We look forward to hearing that in the future. As to the penalties, the hon. Gentleman knows full well that last August, a long time before revaluation took place, we were warning authorities that if they spent over the guidelines they would face penalties far more severe than those which were imposed last year. That has been the case, they made their spending decisions in the light of that knowledge, and we hope very soon to be able to announce the details of the penalties.

Rates

6. **Mr. David Marshall** asked the Secretary of State for Scotland what further additional assistance he intends to give to Scottish ratepayers.

7. **Mr. Wallace** asked the Secretary of State for Scotland whether the Government intend to seek to take any immediate action to relieve the rates burden on those commercial businesses most adversely affected by recent rates increases.

11. **Mr. Kirkwood** asked the Secretary of State for Scotland what proposals he is considering for rating reform in Scotland to relieve the added financial burden on many small businesses during the present financial year.

Mr. Ancram: I refer the hon. Gentlemen to the statement my right hon. Friend made yesterday.

Mr. Marshall: Yesterday's statement anticipated many of today's questions, but for domestic ratepayers this is a case of too little too late. Will the Minister give a categorical assurance that this level of relief will continue for each year until revaluation takes place in the rest of Britain, when the situation can be reviewed? Will he also give an assurance that it will all be new money and that it will not be taken from the Scottish Office budget or recouped by further cuts in local government rate support grant?

Mr. Ancram: As my right hon. Friend the Secretary of State said yesterday, we are talking about new money. The hon. Gentleman claims that we are giving too little too late to domestic ratepayers. He might like to consider the fact that the domestic relief element of the rate support grant, which directly benefits domestic ratepayers, was increased by £88 million this year, in addition to the £10 million announced yesterday. We have reacted to the revaluation problems in an exceptionally generous way and I am sure that the ratepayers of Scotland recognise that. As my right hon. Friend said yesterday, we shall consider what will happen next year in the autumn, when we make decisions on public expenditure for next year.

Mr. Wallace: Since the Chancellor of the Exchequer warned the Scottish Conservatives in Perth that he might not be so open-handed next year, can the Minister assure the House that the Secretary of State will at least argue his corner in Cabinet next year to achieve a similar arrangement? If it is not too late, will the Minister accept the need to consider the particular difficulties facing distilleries in Scotland, in particular two in my constituency, which face rate increases of over 80 per cent.? Will he give them special assistance this year and in future years?

Mr. Ancram: The hon. Gentleman's concern for the Scottish ratepayers is in distinct contrast to that shown by his hon. Friend the Member for Gordon (Mr. Bruce), who yesterday said that the package showed warped priorities. I wonder how many Scottish ratepayers will regard the package that way. We shall take decisions about next year in the autumn when we consider the rate support grant settlement and the domestic and other elements.

Mr. Kirkwood: I endorse what the Government have done, but will the Minister accept that there is an element of rough justice in the way in which the ceiling is applied? Has the Minister any plans to help the small business man with a multiplier of less than a factor of three who might still be put out of business? Has he any plans to consider his plight?

Mr. Ancram: We had to create a level of protection which we believed to be correct. The factor of three in terms of a multiplier on valuations covers the worst of the examples that have been drawn to our attention. As my right hon. Friend said yesterday, it covers about 50,000 commercial subjects. On the basis of those figures it is clear that many people who have been hard hit by the revaluation will benefit. I believe that the system is fair. When the details are made clear the hon. Gentleman might agree that it is fair.

Several Hon. Members *rose*——

Mr. Speaker: Order. There was a statement yesterday on this subject, so today I propose to give priority to those right hon. and hon. Members who were not called yesterday.

Mr. Fairbairn: Does my hon. Friend appreciate that, although we are grateful for the increase in money for domestic and commercial rate relief, quoting figures does not assist domestic or commercial ratepayers who are being asked to pay extra sums in rates which are uncommercial because they simply cannot afford them? Will he consider a scheme which, after the application of the announced scheme, is equitable and provides an equitable remedy for those who are caught in the rates poverty trap?

Mr. Ancram: I have to agree with my hon. and learned Friend that in some instances even a small increase in rates, of the type that has been imposed in past years, will cause problems. Even my hon. and learned Friend would not expect a scheme to be so sensitive as to deal with such instances. We have reached a formula by which, on the data available, we believe that the worst of the increases, such as those in my hon. and learned Friend's constituency which he drew to my attention, will be mitigated. I hope that my hon. and learned Friend's welcome for the scheme will be further enhanced when he sees the details of it and realises what it will mean.

Mr. Gourlay: Is the Minister aware that relief for domestic and commercial ratepayers, with which I agree, sets aside decisions by assessors? Will the Minister therefore take a further step and encourage the Scottish assessors to agree a basic system of valuation for Scotland and so prevent the assessor in Fife from going his own solitary way and deciding on his own the basis for certain properties?

Mr. Ancram: I do not think it can be said that we have set aside the decisions of the assessors, because, as my right hon. Friend the Secretary of State said yesterday, there is a gap between the neutral effect of revaluation and the three times multiplier. Within those areas, the effects of the assessors' valuations will still be felt. It is important to remember that the basis of the system in Scotland is that the assessors are independent; they come to their judgments independently and, if necessary, they have to defend those judgments before the courts. There is an appeal system. Where valuations are felt to be unfair, I hope that people will make use of that appeal system, which we improved last year.

Mr. McQuarrie: I congratulate my right hon. Friend the Secretary of State on his most excellent statement to the House yesterday, which was widely welcomed in Scotland despite what we heard from the Opposition. Can my hon. Friend give any advice to highly rated commercial and domestic ratepayers, who have already received their demand notices, about whether they should withhold payment of their rates pending publication of the details of the Bill that my right hon. Friend the Secretary of State will introduce?

Mr. Ancram: The information that my right hon. Friend the Secretary of State gave yesterday is sufficient for both domestic and commercial ratepayers to calculate whether they will benefit under the scheme, and by how much, because it is related to the amount of rates that is applicable as a result of their revaluations being over the three times multiplier. As those people will know that they will receive relief for that amount, I hope that they can make their business and commercial judgments accordingly.

Mr. Robert Hughes: Will the legislation make it clear that this is not a one-off exercise? Otherwise, what the Secretary of State offered yesterday will be seen as a sop to dissipate anger, but the anger will be much greater next year when the rate increases have to be met. Will the Under-Secretary guarantee that the Bill will carry on the Secretary of State's commitment to extra relief for more than one year?

Mr. Ancram: My right hon. Friend said yesterday that he had heard what hon. Members had had to say about that matter. However, the details of the Bill must remain confidential until the Bill itself is published. That is the normal way in which things are done in the House. We hope to be able to publish the Bill shortly, and at that time the details will become apparent to the hon. Gentleman.

Glenochil Institutions (Report)

8. **Mr. Steel** asked the Secretary of State for Scotland if, following receipt of the report of his working party studying the Glenochil institutions, he will make a statement.

Mr. Younger: The report of Dr. Chiswick's working group on suicide precautions at Glenochil will be published as soon as possible after I have received it. Fatal accident inquiries into the two most recent deaths at Glenochil have been arranged to start on 28 May and 12 June respectively. I shall consider the determinations of those inquiries, as well as the findings and recommendations of the working group, carefully and as a matter of urgency. I shall inform the House of my conclusions as soon as possible thereafter.

Mr. Steel: I thank the Secretary of State for that statement. Does he accept that there is still unease that there is not a more widespread inquiry into sentencing policy in Scotland? For example, will the working party that he has set up be empowered to take evidence from former inmates or the parents of former inmates of the Glenochil institutions?

Mr. Younger: I am grateful to the right hon. Gentleman for his acceptance of what I said. I do not rule out some form of wider inquiry if we find from the report of Dr. Chiswick or from either of the fatal accident inquiries that further matters need to be investigated. I should not like to rule that out at this stage. With regard to further evidence, it is important that we should not delay Dr. Chiswick's report, or any others, by widening the working group's terms at present. I should prefer to get its results and then make any further inquiries that are necessary in the light of those results.

Mr. O'Neill: I welcome the Secretary of State's comments, which endorse what was said by his hon. Friend the Parliamentary Under-Secretary, the hon. Member for Edinburgh, South (Mr. Ancram), in the debate two weeks ago. May we take it therefore that once the sub judice limitations of the fatal accident inquiries are out of the way it will be possible for the Government to institute a wider inquiry, and that that will mark a change in the Government's attitude to wider-ranging inquiries into Glenochil and other young offenders' institutions?

Mr. Younger: I do not think that I would wholly accept what the hon. Gentleman says. It is not really the sub judice position that prevents a further inquiry at this stage—although I believe that it would do so. The point is that we need to get a response to the initial inquiries first, to find out what else—if anything—we need to know. For my part, I wish to be as open as possible about the whole matter. If further matters need to be inquired into, I shall be glad to arrange that in due course.

Mr. Dewar: I am grateful to the right hon. Gentleman for what he has said, which is helpful on the whole. The Opposition support the need for a detailed inquiry into the handling of suicide risk patients. The fatal accident

inquiries are of course, essential, and I accept that they must be dealt with first. However, there is a strong feeling on the Labour Benches that we should consider the separate but important issue of whether it is right that detention centres should have been established as the only custodial option for many young offenders. That should be high on the agenda once the immediate inquiries into these tragic deaths have been completed.

Mr. Younger: I would be very happy for the whole subject, in its widest sense, to be on the agenda, and to co-operate in any suggestions that the hon. Gentleman has for discussing the matter or inquiring into it more widely, once we have received the preliminary results. There has been considerable widening of the methods of treatment of young offenders in recent years, and I see no reason why we should not examine the position further to see whether still more improvements could be made.

SOLICITOR-GENERAL FOR SCOTLAND

Drunkenness

42. **Mr. Hirst** asked the Solicitor-General for Scotland how many people in Scotland were charged with the offence of being drunk and incapable in the most recent 12-month period for which figures are available.

The Solicitor-General for Scotland (Mr. Peter Fraser): Provisional figures for 1984—the most recent 12-month period for which figures are available—reveal that 6,581 persons were proceeded against for the offence of being drunk and incapable.

Mr. Hirst: I am grateful to my hon. and learned Friend for his reply. Does he agree that it would be more appropriate to treat a drunk in a detoxification centre than in a police court? If so, will he place on record the fact that he accepts that the DHSS resettlement unit at Bishopbriggs is fulfilling a vital role in treating chronic drunks in the west of Scotland?

The Solicitor-General for Scotland: I can make no particular comment on the unit at Bishopbriggs, although I know that my hon. Friend has taken a special interest in its work. However, there has been a great improvement in Grampian region and in Aberdeen city, where we have had a dreadful problem of people being drunk and incapable. They are now being referred to the detoxification centre, which is very often a much more appropriate way of dealing with the problem.

Mr. Maxton: Will the Solicitor-General for Scotland give us the figures for those in the west of Scotland who, instead of being charged with being drunk and disorderly and other drunkenness offences, have been taken to a detoxification unit? If the answer is none, when are the Government going to fulfill the pledge to decriminalise drunkenness that they made five years ago in the criminal justice legislation?

The Solicitor-General for Scotland: I commend the hon. Gentleman for repeating the points that he made in a recent debate during proceedings on the Law Reform (Miscellaneous Provisions) (Scotland) Bill. Strictly speaking, this is not a matter for me, but I have already made it clear that, generally speaking, if we can take people who are simply drunk and incapable out of the courts and use detoxification instead, that is something to be desired.

Mr. Johnston: The search for a designated place is being actively pursued in Inverness. In view of what the Solicitor-General for Scotland has said about detoxification centres, can he assure us that there will be financial support from the Government for such an objective?

The Solicitor-General for Scotland: Although, with my responsibilities, I take a great interest in the handling of such matters, they are, strictly speaking, a matter for my right hon. Friend the Secretary of State for Scotland. I refer the hon. Gentleman to what my hon. Friend the Member for Argyll and Bute (Mr. MacKay) said during an interesting debate on the matter during the Report stage of the Law Reform (Miscellaneous Provisions) (Scotland) Bill.

Mr. Fairbairn: Can my hon. and learned Friend give the House a breakdown of the figure of 6,500? Are there 65 people who are charged a hundred times each, or 6,500 people who are only charged once?

The Solicitor-General for Scotland: No, I cannot, but the point implicit in my hon. and learned Friend's question is one that I appreciate. Often, unhappily, those convicted of being drunk and incapable are repeatedly taken before the courts for the same offence.

Coal Industry Dispute

43. **Mr. Canavan** asked the Solicitor-General for Scotland how many people were *(a)* arrested, *(b)* charged and *(c)* prosecuted as a result of incidents arising from the miners' strike; and, of those charged, how many the procurators fiscal have decided definitely not to prosecute.

The Solicitor-General for Scotland: As at 8 May 1985, 1,504 persons had been arrested; 1,483 persons had been charged by the police and criminal proceedings had been instituted by procurators fiscal against 1,004 persons as a result of incidents related to the miners' strike. Procurators fiscal decided not to take criminal proceedings against 450 persons reported as a result of such incidents.

Mr. Canavan: Does the hon. and learned Gentleman agree with the principle that no one should be punished twice for the same offence? If so, will he appeal to Albert Wheeler to stop his witch hunt and to reinstate all sacked miners, given that the loss of a man's livelihood is in most cases a much more severe punishment than that meted out by the courts?

The Solicitor-General for Scotland: It is an essential principle of the criminal law in Scotland that no one should be subject to any double jeopardy. I have attempted to answer this question on at least three occasions. The hon. Gentleman must appreciate that how the National Coal Board deals with matters such as industrial misconduct following criminal conviction is entirely a matter for the NCB. The hon. Gentleman would be very surprised if I sought in any way to interfere in that.

Mr. Eadie: The hon. and learned Gentleman, who is accountable to this House, surely cannot sidestep a question such as this—even the question of legality—given that he is a member of the Government. He must be aware that double jeopardy is involved in these cases, because a man is not only found guilty of the offence but loses his job. Is the hon. and learned Gentleman aware that although the strike ended months ago, the number of victimised miners is increasing—initially it was slightly more than 200, and now it is more than 300?

The Solicitor-General for Scotland: Industrial misconduct and possible dismissal arising from it is not a matter for me. If the NCB or any other employer has acted in breach of the law in dismissing these persons, a clearly defined remedy is available through the industrial tribunals. Miners who feel that they have been unfairly dismissed have the opportunity to take advantage of that. I am responsible for criminal convictions arising out of criminal offences. The hon. Gentleman will particularly appreciate that it would be quite wrong for me to seek to interfere with any decisions taken by the NCB in relation to employment and industrial misconduct.

Mr. Bill Walker: Does my hon. and learned Friend agree that, in relation to people arrested and later charged, it is common practice among procurators fiscal not to proceed for a variety of reasons? Consequently, the figures that emerge here are not dissimilar from what one would expect in other circumstances. There is nothing unusual about an individual being dismissed for conducting himself in a manner considered to constitute industrial misconduct. It happens to bus drivers, lorry drivers and others who are found guilty in the courts of offences that affect their jobs.

The Solicitor-General for Scotland: My hon. Friend is quite right. There are a variety of reasons why, at the end of the day, procurators fiscal determine not to institute proceedings against individuals. A discretion is vested in those procurators fiscal, and on a number of occasions —not just arising out of the miner's strike, but more generally — they determine that there should be no proceedings, although prima facie, on the basis of the information available to them, there had been a breach of the law.

Mr. Dewar: Has the hon. and learned Gentleman noticed that out of the first 603 people prosecuted as a result of the miners' strike, only six were convicted of assault, five for carrying offensive weapons and 27 for vandalism—a total of 38? All the rest were charged with much more minor offences such as obstruction or breach of the peace. Does that square with the claim that all the miners who have been dismissed have been guilty of serious offences against other miners, their families or board property?

The Solicitor-General for Scotland: As the hon. Gentleman appreciates all too well, in Scotland the offence of a breach of the peace covers a very wide range of conduct, and in some circumstances a breach of the peace can be a very serious matter. On the basis of the figures that the he has advanced, and those which he has extracted from all the figures that are available, I must repeat that it is for the NCB to determine what it considers to be industrial misconduct giving rise to dismissal. As the hon. Gentleman also appreciates, if the NCB is wrong, the industrial tribunals can reach a different determination.

White Fish (By-catch Prosecutions)

24. **Mr. Wallace** asked the Solicitor-General for Scotland how many prosecutions and convictions there have been in Scotland since September 1984 for offences arising out of a white fish by-catch in excess of the permitted 18 per cent. by-catch in the Norwegian pout fishery.

The Solicitor-General for Scotland: One.

Mr. Wallace: I note that there has been only one prosecution. Will the Solicitor-General confirm that, before prosecutions are instituted, the actual by-catch which has been measured as a sample is usually much in excess of 18 per cent. and, indeed, is about 24 or 25 per cent.? Will he accept that because of that Danish boats fish for pout in waters which they previously did not fish? Will he give all support to his colleagues who, at the forthcoming meeting of the EC Council of Fisheries Ministers will try to reduce the by-catch to 10 per cent.?

The Solicitor-General for Scotland: As the hon. Member appreciates, my right hon. Friend has already given an answer on the appropriate level of by-catch. Between October 1984 and March of this year 70 boardings were made by enforcement officers; in 53 of these by-catches of under 10 per cent. were found and in 17 there were by-catches of over 10 per cent., but still under 18 per cent. There was only this one case where the by-catch exceeded 18 per cent. I hope the hon. Member will be reassured that the extent of the by-catch by Danish fishermen has not been so great as to be a cause of anxiety to fishing organisations in Scotland. If the hon. Gentleman has any other information I hope that he will make it available.

Early-day Motion 686

3.33 pm

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): On a point of order, Mr. Speaker. May I draw your attention to early-day motion 686—

[That this House condemns the reported statement of the hon. Member for Carrick, Cumnock and Doon Valley that the Falkland Islanders lacked guts and calls upon him to withdraw the statement; and further calls upon him to give up his campaign of rewriting the history of the events before, during and after the conflict which is designed to justify his attitude towards the sending of the Task Force to restore freedom, the rule of law and democracy to the islands after the unprovoked invasion by the Argentinians.]—

and also to Prime Minister's questions yesterday when comments were made based on reports in the national newspapers which were completely untrue? May I tell you and the House that at the incident concerned no water jug or glass was involved and no scuffle took place? The Secretary of State for Defence was not involved, and he will confirm that. The statement attributed to me was not correct. I said that the mothers of the disappeared are as brave as any Falklander, and I stand by that.

I have subsequently had an apology from Reuters, which issued the statement. May I now ask how I can get an apology from the hon. and learned Member for Burton (Mr. Lawrence), the Prime Minister and the hon. Member for Tayside, North (Mr. Walker) and his colleagues who put down the early-day motion, no doubt in good faith but based on an entirely untrue report?

Mr. Speaker: I have allowed the hon. Gentleman in fairness to put his point of view to the House. The hon. Members concerned will have heard what he said.

Later—

Mr. Bill Walker (Tayside, North): On a point of order, Mr. Speaker. Early-day motion 686 stands in my name. I accept unreservedly what the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) has said and I am prepared to withdraw any criticisms that are implied in the motion. However, Mr. Speaker, you will remember that yesterday——

Mr. Speaker: Order. I hope that the hon. Gentleman will not qualify his generous withdrawal.

Mr. Walker: You will remember, Mr. Speaker, that I spoke about the matter during yesterday's proceedings, again on a point of order. I said that matters had developed because of the radio broadcasts from the Falkland Islands. I listened on Radio Clyde, of which the hon. Gentleman will be aware, to the tape recordings of the radio programmes. However, I am still prepared to accept his categorical assurance that he did not say that which was contained in the broadcasts, and I withdraw unreservedly any criticisms that are implied in the motion. However, I remind the hon. Gentleman of the submarine——

Mr. Speaker: Order. I think that the hon. Gentleman has done very well.

Animal Experiments

Mr. Roland Boyes (Houghton and Washington): On a point of order, Mr. Speaker. Today the Home Office has issued a supplementary White Paper on the scientific procedures on living animals. It was issued at a press conference thereby giving the press an opportunity to question the Home Secretary. I hope that you, Mr. Speaker, will support my view that on such an important matter a representative of the Home Department should have been in the Chamber today to answer Members' questions on the paper. Many people are concerned about animal experiments. In fact, with your permission, Mr. Speaker, on Friday morning I shall present a petition signed by 500,000 people who are concerned about the outrageous and barbaric LD 50 test. I mention that only to show you the magnitude of the concern of the British people about animal experiments.

Is it within your power, Mr. Speaker, to insist that the Home Secretary or one of his junior Ministers should come before the House and allow Members of Parliament to have the same right as members of the press have had today?

Mr. Speaker: The hon. Gentleman knows that I feel strongly that this House should be the forum of the nation where we should discuss all these matters. It is not a matter for me whether statements are made to the press or elsewhere.

Mr. Gerald Kaufman (Manchester, Gorton): Further to that point of order, Mr. Speaker. Is it not a fact that a White Paper is presented to Parliament? Surely that is the purpose of a White Paper; that is what is said on a White Paper. I put it to you as protector of the interests of the House of Commons that for a White Paper to be issued and a statement then made to the press and not to Parliament is offensive to the interests of Parliament.

Mr. Speaker: That is as may be, but, unhappily, it is not a matter for me.

Questions to Ministers

Mr. John Maxton (Glasgow, Cathcart): On a point of order, Mr. Speaker. During Question Time the Secretary of State said when answering a question on the teachers' dispute that he had two observers on the management side of the teachers' negotiating machinery. That is an incorrect statement. The fact is——

Mr. Speaker: Order. The hon. Gentleman is seeking to perpetrate a practice of which I think the entire House disapproves, which is to continue Question Time. Hon. Members often feel that Question Time should continue but, in fairness to others, I cannot allow the hon. Gentleman to continue with his point of order.

Early-day Motion 692

Mr. Harry Ewing (Falkirk, East): On a point of order, Mr. Speaker. I draw your attention to early-day motion No. 692.

[That this House expresses its surprise at the non-participation of the Right honourable Member for Chesterfield in the debate on the Second Reading of the Oil and Pipelines Bill on 14th May.]

I have not contacted the hon. Member for Nottingham, East (Mr. Knowles), who tabled the motion, and I imply no criticism of any hon. Member who tables an early-day motion which is accepted by the Table Office.

My point of order turns on the acceptance of an early-day motion that seeks to criticise a right hon. Member for not seeking to take part in a debate. It is a dangerous precedent. It presupposes that if any right hon. or hon. Member seeks to participate in a debate the occupant of the Chair will automatically call him. There is a host of reasons why from time to time right hon. and hon. Members do not seek to take part in debates. If the Table Office is to accept such motions as early-day motion 692, I can assure you, Mr. Speaker, that the Order Paper will be littered with them day after day.

Mr. Speaker: The hon. Gentleman has drawn attention to a matter that is important for the entire House. The early-day motion was in order — there was nothing wrong with it — and that is why the Table Office accepted it. However, I agree with the hon. Gentleman that it is not possible for every hon. Member to take part in every debate. If hon. Members sought to do so, my job would be impossible.

Mr. Alan Williams (Swansea, West): On a point of order, Mr. Speaker. I, too, am slightly concerned about early-day motion 692. Any Member could find himself confronted with a motion on the Order Paper condemining him for not taking part in a debate even though he may have attempted to do so. The decision whether a Member takes part in a debate lies entirely within your discretion, Mr. Speaker, as it should do. I am wondering whether it was in order for the Table Office to accept the motion in the first instance.

Mr. Speaker: I have already said that it was. I think that the House has the sense of what I said to the hon. Member for Falkirk, East (Mr. Ewing). I do not think that the tabling of such motions is a very wise practice.

Mr. D. N. Campbell-Savours (Workington) *rose*——

Mr. Speaker: Order. I remind the hon. Gentleman that there is an important debate to follow.

Mr. Campbell-Savours: On a point of order, Mr. Speaker. I can put my point in one sentence. Is not early-day motion 692 a challenge to the Chair?

Mr. Speaker: I do not think so.

Handicapped Young Persons

3.39 pm

Mr. Clement Freud (Cambridgeshire, North-East): I beg to move,

That leave be given to bring in a Bill to amend the Education Act 1981 to improve provision for handicapped young people; and for connected purposes.

This is International Youth Year. It is right that Parliament should concern itself with young people in general and in particular with those young people to whom nature has given less of a deal than to others. My Bill seeks to do something for young people who have special educational needs.

The House will recall that when the admirable Warnock report became enshrined in legislation in the Education Act 1981, there was general concern about some of its details. We have now had two years of monitoring that Act. I should like to draw the attention of the House to the *Official Report* of the proceedings on Monday 13 May and Tuesday 14 May and to the replies that I received to my questions.

On Tuesday 14 May I

"asked the Secretary of State for Education and Science how many young people there are between the ages of 16 and 19 with special educational needs; and how many places are available for this group in *(a)* schools and *(b)* further education".

The reply that I received was:

"This information is not available centrally." — [*Official Report*, 14 May 1985; Vol. 79, c. *105-106*.]

On Monday 13 May I

"asked the Secretary of State for Education and Science what is the average length of time between a parent appealing to him under . . . sections (6) of the Education Act 1981 and the announcement of the result of the appeal."

The reply that I received from the Parliamentary Under-Secretary of State for Education and Science was:

"The average . . . is 17 weeks." — [*Official Report*, 13 May 1985; Vol. 79 c. *54*.]

My modest Bill seeks to improve the lot of those young people who are caught by both aspects of the Act. Let me deal, first, with the 16 to 19-year-olds, who were identified by Warnock as one of three priority areas. Local education authorities have a duty under the Education Act 1944 to provide

"full-time education suitable to the requirements of senior pupils".

The Act defines a senior pupil as one between the ages of 12 and 19.

The House must understand that a handicapped young person needs to be provided with the opportunity for further education. Some will have missed a substantial amount of schooling and taken longer to assimilate skills. Others need further education for the chance to live an independent life. The opportunity to lead that kind of life can be crucially affected by three years within or outwith education. The present loophole means that some young people — those with less caring local education authorities or with less articulate parents than others — are being denied opportunities which are rightfully theirs. I submit that it is plumb wrong that provision for handicapped people should be a lottery, as it is now, depending not on need or ability but on where one lives and how loudly one's parents can shout.

If I may turn to the appeals procedure, the 1981 Act allows parents to appeal against the statement of needs and the local education authority's proposals to meet those needs. However, the appeal tribunal is prevented by the

[Mr. Clement Freud]

Act from taking positive action. It can accept the statement or it can send it back, but it cannot change it. If the tribunal sends it back, the local education authority has no legal duty to change the proposals. I add in parentheses that parents can then go to the Secretary of State for Education and Science, but that is hardly the point.

My Bill will give to the tribunal the same legal powers as those which were given in the 1981 Act to tribunals deciding upon choice of school. It will thus bring to an end legal discrimination between the parents of handicapped children and the parents of other children.

I should like to tell the House about the case of Major Lawson, a gentleman who had two sons with learning difficulties. Under the 1981 Act, the boys were the subject of statements by Surrey local education authority. It proposed that the boys should be sent to a local school and that the local school should be awarded an extra teacher. Major Lawson appealed. The tribunal sent the case back to Surrey local education authority—a clear indication that the tribunal was not satisfied with its proposal—but Surrey declined to do anything about it. Eighteen weeks later the Secretary of State overruled that decision.

Not all children are fortunate enough to have someone like Major Lawson fighting for them. To have children with special educational needs is hard enough without having to fight bureaucracy as well.

I should like to know why it takes 18 weeks for the Secretary of State to make a decision under the 1981 Act. He said that education would be a partnership. I want to make it a genuine, not a weighted, partnership.

I believe that it is right, during International Youth Year, to improve legislation introduced during the International Year of Disabled People. I therefore wish to present the Bill.

Question put and agreed to.

Bill ordered to be brought in by Mr. Clement Freud, Mr. David Alton, Mr. John Hannam, Mr. Jack Ashley, Mr. Dafydd Wigley, Mr. Gordon Wilson, Mr. A. J. Beith, Mr. Charles Kennedy, Mr. Archy Kirkwood and Mr. Michael Hancock.

HANDICAPPED YOUNG PERSONS

Mr. Clement Freud accordingly presented a Bill to amend the Education Act 1981 to improve provision for handicapped young people; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 7 June and to be printed. [Bill 147.]

Opposition Day

[11TH ALLOTTED DAY]—*considered*

Industry and New Technologies

Mr. Speaker: I have selected the amendment in the name of the Prime Minister. In view of the number of right hon. and hon. Members who have indicated their wish to take part, I propose to apply the 10-minute rule to speeches between 7 pm and 8.50 pm.

3.46 pm

Mr. John Smith (Monklands, East): I beg to move,

That this House deplores the Government's wilful neglect of British manufacturing industry which has caused the continuous erosion of the individual base, the record high levels of unemployment and the huge and unprecedented trade deficit in manufactured goods; and calls upon the Government to put into effect a programme of industrial regeneration based on the application of new technology to modernise existing industries and to develop new products and processes, the provision of adequate investment for industry in Britain, the necessary provision of research and development and a massive expansion of education and training in order to reduce production costs and increase competitiveness at home and abroad.

Outwith the ranks of Government apologists and acolytes, there are few people in Britain today with any knowledge of our industry who take seriously the Government's claim that their economic and, in particular, industrial policies have been successful. That, of course, is the claim — everthing is improving, increasing or growing. Each week we have to listen to the Prime Minister during Prime Minister's Question Time replying with a carefully manicured set of selective statistics. She will claim that industrial output is better in 1985 than it was in 1981. Perhaps so. It should be. It was at an utterly disastrous level in 1981. The fact that that disastrous level was caused by her policies does not seem to worry her.

The Government's policy is to brass it out, and to batter the critics with selective statistics and sometimes, I understand, with slogans that cause offence to Conservative right hon. Members; to suppress criticism — although not successfully in some cases; to malign critics — that is almost always done; to claim that all public intervention of any kind would be disastrous, despite the evidence of the results of the lack of it; to claim that all spending must be inflationary; and to pretend that one can live comfortably and with a good conscience in a nation where there are nearly 4 million people unemployed, where there is a growing under class of the deeply impoverished, and where the young generation has been condemned to idleness or to a gross diminution of opportunity.

To put matters into perspective, let us remind ourselves of the statistics. Investment in manufacturing is still 25 per cent. below 1979 levels and manufacturing output has far from reached the 1979 levels. What a result of six years' so-called progress. Over those years we have seen a relentless erosion of our capacity for industrial success. Indeed, if production had increased at the levels of 1974 to 1979, it would be 6 per cent. higher than it is at present, which means that a great deal more wealth would have been available to this country.

Mr. John Harvey-Jones, together with Lord Weinstock, in giving evidence in another place the other week, fired

a broadside at the complacent Government by observing that not only did he sell 11 per cent. less of ICI's products in the United Kingdom than he sold in 1979 but that the principal reason for that was that 30 per cent. of his customers had ceased to exist since 1979. *[Interruption.]* That seems to be the cause of some merriment to the parliamentary private secretary, the hon. Member for Hertfordshire, South-West (Mr. Page). I assure him that it is a matter of deep concern to those customers who have ceased to exist since 1979.

Mr. Richard Page (Hertfordshire, South-West): Is the right hon. and learned Gentleman aware that this is his party's Supply Day and that the packed Labour Benches show the extreme interest of his hon. Friends in what he described as a severe and difficult subject?

Mr. Smith: I was not remarking on that. I was remarking on the fact that the hon. Gentleman appeared to find it amusing that 30 per cent. of ICI's customers had ceased to exist. That should be a matter for shame among Conservative Members.

Mr. Robert Atkins (South Ribble) *rose——*

Mr. Smith: I have hardly started my speech. Perhaps I may be allowed to develop my case before being interrupted.

In our motion, we draw attention to the catastrophic position in trade and manufactured goods. In 1984, the trade deficit in manufactured goods on current account was £4 billion. That was not some blip in the figures or flash in the pan. In 1983, the deficit was £2·5 billion, and it seems from the figures for the first quarter of 1985 that we are heading for an annual deficit of well over £4 billion.

We see not a word about that from the Government in their rather silly amendment to our motion. However, it throws a searchlight of truth on the Government's selective statistics. We are losing out in the competition with other industrial countries. Not only are we now in deficit where once we were in continuous surplus, but the size of the deficit is alarming.

When he replies, I hope that the Secretary of State will explain precisely what the Government plan to do about this worrying trade deficit. What is their view of it? We have never heard one expressed. They may not wish to discuss it, but here, in the House of Commons, where they are accountable, they must discuss it. The truth is that it reveals a serious decline in the capacity, competitiveness and effectiveness of British Industry.

These problems have, at the least, been sharply accentuated, if not caused — indeed, we believe that many of them have been so caused — by Government policies, or the lack of them, towards industry since 1979. They have neglected British industry with the dire consequences which we now confront. They do not believe in Britain as a manufacturing economy. The Chancellor said in February of last year:

"I am at a loss to understand the selective importance attached by the Opposition and some Tories to the manufacturing sector".

It could not have been said more clearly or plainly than that. He and his predecessors have believed that Britain could get by living on North sea oil revenues, on the expansion of service industries and on a few profitable industrial centres. That is the heresy of modern Conservatism. It is a dangerous heresy. It was corroborated by that other famous fatuity of the Chancellor when he spoke to the International Monetary Fund on 25 September of last year and said:

"Many of the jobs of the future will be in the labour-intensive service industries which are not so much low-tech as no-tech."

What a vision of the future for a Chancellor of the Exchequer to have. If he intends to staff all the fried chicken concessions from one end of the land to the other, he will have to do that by driving down the wages of young people so that they will be forced to abandon their legitimate ambitions and submit to low grade work for low grade pay.

Mrs. Elaine Kellett-Bowman (Lancaster): The right hon. and learned Gentleman is disparaging the extremely important job-creating and money-earning capacity of tourism, which is vital to the north west.

Mr. Smith: I have not yet said anything about tourism. I was talking about fried chicken. If the hon. Lady regards that as tourism, she needs to learn a little more before attempting to cross-question me on the subject. In fact, I regard tourism as an important sector. Its services, like those of banking and finance, are internationally tradeable. Many so-called service industries, however, are merely an exercise in taking in one another's washing and do little to increase our wealth, competitiveness or economic strength. The hon. Lady should have a word with her right hon. Friend the Chancellor about the dangerous fallacy of creating so-called service industries and forcing young people especially to accept low wages to work in them.

There is no better example of the Government's neglect of industry than the present situation at British Leyland. BL has put to the Government a corporate plan for the Austin Rover group, including a replacement for the A series engine which was originally designed in 1951 and requires replacement by a product in line with modern technology and performance expectations. I understand that those improvements are unlikely to take place because the Government regard the corporate plan as too ambitious. If BL cannot produce the replacement engine itself, it is supposed to take one from Honda. The Government claim that there is no problem and that they are simply having friendly discussions with BL, but last week a prominent BL executive resigned in disgust at the Government's reaction to the corporate plan and it is clear that the Government have no intention of supporting the development of the new engine.

Collaboration with Honda is one thing. Capitulation is quite another. BL is a vital, British-owned part of our manufacturing industry. There has been a magnificent fight-back by workers and management and it must not be prejudiced by a silly Government's refusal to support the sensible proposals in the corporate plan. I hope that the Government will soon remove that uncertainty. If they support the corporate plan and give BL the resources that all who work there believe that it deserves and which the Opposition certainly support, I shall be the first to congratulate the Government. If, however, they let slip another asset and tip Britain's remaining capacity to develop motor vehicle engines gratuitously into the hands of the Japanese, they will deserve the contempt of the House, the entire British people and especially of those who depend on that industry for their livelihood.

Mr. Robert Atkins: As the Member representing Leyland, I have as much interest in it as the right hon. and

[Mr. Robert Atkins]

learned Gentleman has. Will he comment on the problems faced by the truck and bus division, which is part and parcel of BL? I agree with the right hon. and learned Gentleman's comments about the difficult times that the firm has been through and the achievements of the work force in terms of productivity and facing up to the problems involved. The biggest problem for the truck and bus division, however, is the fall in exports to Third world markets caused by the recession. How does the right hon. and learned Gentleman expect the company to get out of that problem?

Mr. Smith: I was referring to the need for the Austin Rover group to update and replace the series A engine and nothing in the hon. Gentleman's comments contradicts that. If the hon. Gentleman is as interested in the future of BL as he claims, I hope that he will join the Opposition in pressing the Government to support the company and the industry properly.

There is a serious trade deficit in the motor vehicles sector. Even sadder to relate, another example is that of information technology goods. In 1984, the deficit in the information technology sector alone was £2·3 billion, following deficits of £462 million in 1982 and £800 million in 1983. The situation seems to be worsening and there is now about 54 per cent. import penetration, so the situation is desperately serious for our industry.

Information technology has the capacity to change the whole of our society, and it is of the greatest importance that we maintain our position. The trouble is that it looks as though our position is seriously deteriorating. The Ashworth report, which was prepared by the information technology economic development committee of the National Economic Development Office, told us that United Kingdom industry faces a crisis of survival. It now has such a small share of the market that it can no longer invest adequately in product development. In the graphic words of Professor Ashworth, "the so-called sunrise industry may be eclipsed before it has even risen."

This aspect is of strategic importance to the whole of British industry. If we become dependent on overseas suppliers, we shall not only lose the wealth that we could have gained if we had produced the goods ourselves but become seriously disadvantaged in other crucial respects. Inevitably, our imported equipment will lag behind the best that has been produced by the originators. The originators will be better placed to anticipate the next moves forward and to foresee more clearly and act more quickly to exploit more applications and markets. Perhaps the worst aspect of all is the fact that we shall be in the hands of others.

Lest there be any doubt about the danger, let us remember the letter that IBM sent to all those who had bought its products in the United Kingdom, reminding them of the so-called requirement to observe the law of the United States—another example of the legal imperialism to which, I am sorry to say, the United States is so wedded.

The only way in which we can protect our industry and people and safeguard our key technology is to free ourselves from such a dependence and support our industry. That would, of course, involve the Government. The Government have been involved, but only tentatively, in the support of information technology.

Mr. Edward Leigh (Gainsborough and Horncastle): The right hon. and learned Gentleman has made an interesting point about world demand. Is he aware of the statistic——

Mr. Smith: I was not talking about that.

Mr. Leigh: I think that the right hon. and learned Gentleman was talking about the market for British goods.

Mr. Smith: I was not making that point.

Mr. Leigh: In that case, I shall intervene later.

Mr. Smith: As the hon. Gentleman was asking a question on an assumption that I had not articulated, I think that I was foolish to give way to him.

The Alvey programme amounts to £350 million over five years — far too small a contribution — for precompetitive research. It is only scratching at the edge of the problem. Support for the innovation programme was brought to a shuddering halt last November when it was suddenly cut. There was a five-month moratorium before the Government finally emerged from their deliberations to announce a new programme of support for innovation. The sum of £10 million has been cut from a budget that was already too small.

The Ashworth report showed that a consensus exists in the information technology industry, comprehending management, the unions and the experts, all asking for action to be taken by the Government. The only people so far to lag behind are the Government, who have refused to support the industry in the way requested.

Mr. Phillip Oppenheim (Amber Valley): Does it come as a great shock to the right hon. and learned Gentleman to learn that there is a consensus within the industry about the need for more Government money?

Mr. Smith: It does not come as a great shock to me. If there is a need for more research and development, for more education and training and for support to be given to industry in this country on a similar level to support in other countries, I would expect an intelligent industry to ask the Government for support. I am shocked not by the request but by the Government's response—a response which this Government appear almost uniquely to give. Our competitor countries do not take that attitude. The hon. Member for Amber Valley (Mr. Oppenheim) and his colleagues would do better to back industry rather than this rather silly Government.

Mr. Ian Lloyd (Havant): Will the right hon. and learned Gentleman give way?

Mr. Smith: This is the last time I shall give way. I have given way frequently.

Mr. Lloyd: I have been following with great fascination the arguments which the right hon. and learned Gentleman has been articulating, because they closely match those that I directed at the Labour party when it was in power. That is not to say that some of his arguments do not have some validity. The right hon. and learned Gentleman seeks to pin responsibility "uniquely" on this Government. Has he read the OECD report on the semiconductor industry which points out clearly that the main difference is between, on the one hand, the United States and Japan and, on the other, the whole of western Europe? The criticism that the right hon. and learned Gentleman is applying uniquely to the British Government

applies to the whole of western Europe and all its Governments, Conservative and Socialist alike. How does the right hon. and learned Gentleman escape from that dilemma?

Mr. Smith: The hon. Gentleman should read the Ashworth report in detail. In it unfavourable comparisons were made between the support given to industry by other OECD countries and that given by the United Kingdom. It may well be true that, regrettably, the United States and Japan are well ahead of western Europe as a whole; I would not dispute that for one moment. I am prepared to compare our performance with that of Japan and the United States and our performance with that of the EEC. Even comparing Britain's performance with that of the rest of Europe, the Government have no cause to congratulate themselves. I am sure that the hon. Member for Havant (Mr. Lloyd), who has long had an interest in these matters, agrees that the importance of information technology cannot be underestimated. It is the key to the new products and processes of the future. It is as important to the renovation of traditional industries as it is to the discovery and development of new industries, some of which may at present be beyond our imagination.

The motor vehicle industry is one of the biggest users of modern electronics. The fewer cars we make, the fewer components we sell, and so on—the process goes right down the line. We lose out at every stage. The Labour party certainly rejects a superficial distinction between sunrise and sunset industries. The crucial question to ask is whether the industries can be renewed.

The leader in *The Times* today says that the Labour party is wrong to attack the Government for their neglect of the new technologies. *The Times* says that Britain is doing quite well. Its leader writer should read the Ashworth report. He certainly does not seem to have noticed the trade deficit of £2·3 billion. He said that finance was easily available to companies in the high-tech sector, but I think that that will come as a great surprise to some of those companies that have gone under recently. It will come as even more of a surprise to those who have had to sell out to United States companies to stay in existence and to the management of Acorn which developed the BBC2 microcomputer and which, because it could not find finance in this country, was recently taken over by Olivetti. Many companies in this sector have been forced into amalgamations or forced to stop business because of the lack of suitable finance.

When companies seek to expand in the information technology sector and other sectors, they run into problems because of high unemployment. They run into labour shortages — of computer technicians, scientists and other people at all levels. This is true of a much wider range of British industry than just the IT sector. We read of the difficulties faced in finding workers, even those with traditional skills, such as fitters, welders and machinists. All this is happening in the wake of the dismantling of the industrial training boards, the destruction of the apprentice training system and the closing down of the skillcentres — all of which have been the result of Government policies. The Government cannot be surprised when those aspects of British industry that can expand seek to do so and collide immediately with labour shortages. Much of the responsibility for that lies at the Government's door.

This will go on—high unemployment together with skill shortages, poor collaboration of research and development with poor Government support of it, missed opportunities and the colonising of our markets by our competitors — until we have an industrial strategy and resolve to plan our recovery and the regeneration of our industry. The present Government will not do that. They are wedded to non-intervention as a political principle and to market forces. Specifically in the crucial area of the Department of Trade and Industry, they avow a policy of withdrawing from the industrial scene.

I do not think that the Liberals or Social Democrats are likely to produce a different policy. They are as wedded to market forces as the Government. This is especially so of the Social Democratic party. I note that the hon. Member for Stockton, South (Mr. Wrigglesworth) is here. The leader of the Social Democrats is even more extreme than the Government in his addiction to market forces. So addicted is the right hon. Member for Plymouth, Devonport (Dr. Owen) that he has been tipped by a former director of the Institute of Directors as the next leader of the Conservative party.

Any recovery and adoption of industrial strategy must be planned. This will not happen accidentally or spontaneously. We argue that three crucial engines of that recovery must be at the heart of any intelligent industrial strategy: new policies for investment; new policies for education and training; and new policies for research and development.

We know that the City has failed to provide for the investment needs of British industry, especially at the high-technology, high-risk, end. It is difficult enough for investment to be made with the highest real interest rates in our history and with the most erratic movements in the exchange rate, to both of which Government folly has subjected us.

In too many cases the City and its institutions refused to provide adequate finance. Indeed, we suffer grievously from the lack of an industrial banking system. That is why the Labour party urges the creation of a national investment bank which can lend to industry on a time scale and on a basis which will secure the investment that our industry needs to re-equip, particularly in the new technologies—*[Interruption.]* I think that the objections of some Conservative Members arise from the fact that they think that the City already provides adequately for the needs of British industry and that there is no need for the state to provide an institution such as the Labour party proposes.

If that is their belief, I recommend that they listen to the words of one of their colleagues in the Cabinet. I refer to a speech of the Secretary of State for Wales to Cardiff Business Club. I quote from the *Financial Times* of 9 March 1985 what he said about the City:

"there is a prejudice, ignorance and a striking lack of awareness of what is actually happening in a fast-changing industrial world outside the narrow confines of their own experience."

He went on to say that there was a "physical chasm" between the City and Britain's industrial areas. He said:

"Among many household names in the financial world, there is at best a failure to comprehend the problem"—

that seems to be a problem here as well—

"and at worst a startling arrogance that leads them to conclude that all is well, that nothing calls for reform and that anyone with a good project can always find backing for it."

I think that the Secretary of State for Wales has played himself into the position of "Centre Forward" with that observation.

[Mr. Smith]

In research and development, the notion of Government non-involvement is particularly absurd. No one can believe that there will be any improvement in research and development in Britain unless the Government take a hand and sponsor it. It is through our universities, our polytechnics and our research institutes that we shall help the research and development that should have been going on in industry. At present it is left to market forces, and it is simply not happening. A Government who recognise that Britain needs an industrial strategy and needs to have the proper research and development which alone will find the new products and processes need to sponsor it directly and make sure that it happens.

We have magnificent inventors and scientists. Very often the innovative breakthrough in technology is made here, but for some reason the brilliant idea and the successful product are too infrequently connected. It is just not happening. Do we sit back and let it not happen, or do we set to work to make it happen?

The only way in which we shall get research and development on the scale that modern British industry needs will be for the Government to take upon themselves the responsibility to make sure that it happens. That will mean the commitment of resources and investment by the Government. I do not know why Conservative Members find that difficult to understand. It is so commonplace that it would not merit comment in Japan or in our competitor countries in Europe. They would not regard it as a startling statement to make. It is so obvious that they would wonder why it needs to be articulated.

We need a massive expansion of education and training. It was always true to say that our future depended on the skills of our people. In an age of information technology, it is even more profoundly true. Education is now a crucial part of an intelligent industrial policy. In the destruction of our apprenticeship system and the whole apparatus of industrial training, to which the Secretary of State for Trade and Industry committed himself when he was Secretary of State for Employment, the Government have done of their greatest disservices out of many to the British people. Education and training simply cannot be left to the erratic play of market forces.

The programme for investment, education and training, and research and development, will need resources and investment. Is there any alternative to what the Opposition are proposing? It is not as if the Government have not had resources in recent years. Since 1979 they have had what the previous Labour Government did not have—North sea oil revenues, now running at more than £13 billion each year. Only a fraction of that huge windfall of North sea oil revenues has been spent on industrial investment, in research and development, and in education and training. With proper investment, would not our industrial prospects have been transformed?

The money was handed to the Government on a plate when they took office. What have they done with it? They have spent every penny piece of it on paying for the cost of extra unemployment created since they came to office. That is the contrast between the Opposition and the Government. Investment must be made in the crucial areas to which I referred.

Unemployment, which is costing about £19 billion in benefits, lost income tax and other taxes, is the expensive option. Apart from the fact that it is the road to misery for millions of our people, and a denial of opportunity to a whole generation, it is such a misshapen use of resources that it is almost obscene.

Therefore, we ask the House to support our motion, which draws attention to the neglect under which British industry has languished under this Government, manifested so clearly by the disastrous trade figures of recent months and years. But we do more than that: we point the way forward to a sensible policy for the 1990s. Our fear is that Britain will enter the 1990s with an industry based on an obsolescent technology and with an unskilled work force, just at the time when North sea oil is running out, and that we shall be exposed to the full force of international competition, without the masking effect which North sea oil has had over our trade statistics. That would plainly be a disaster. The decisions have to be taken fairly soon if they are to have any effect in avoiding that catastrophe in the 1990s.

That is why the Labour party has embarked on a jobs and industry campaign to put the issues at the centre of political debate, not only in this House but throughout the country. We hope to start a national debate, and that our views will find increasing favour with the electorate. I believe that they will.

The Government deserve the censure of the House for the neglect to which they have subjected British industry. But their true reckoning will not be in the debate here today; it will be at the next general election, when, because of their record, they will be replaced.

4.18 pm

The Minister for Information Technology (Mr. Geoffrey Pattie): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'welcomes the recent substantial increase in manufacturing output, the sharp rise in exports, the major gains in the competitiveness of British industry, and the improved optimism of independent bodies such as the Confederation of British Industry; congratulates the Government on the measures it has taken to assist the recovery of British industry through its support for innovation programme, support for investment, support for exports, business and technical advisory services, assistance with education and training and in particular today's Export for Jobs seminar and the commencement of Local Enterprise Week, as well as its policies to improve the economic climate in which business operates; and regrets the Opposition's willingness to support every single strike no matter what the cost, its reactionary and damaging policies in favour of increased taxation, further nationalisation, and greater state intervention, its policies of deplorable fiscal irresponsibility, incompatible with the restraint of inflation and enhancement of competitiveness, and its eagerness to seek partisan gain at the expense of British industry and jobs.'.

An hon. Member: Speech.

Mr. Pattie: I did wonder, after hearing the length of the motion moved by the right hon. and learned Member for Monklands, East (Mr. Smith), whether he would sit down after reading it, which would have enabled me to do the same after reading the amendment, thereby giving more time for our respective Back Benchers to contribute.

The Opposition have chosen a manufacturing topic, and the right hon. and learned Gentleman was somewhat slighting in his reference to the service industries, which are extremely important. The House is aware that services in all advanced economies are taking a larger and larger share of the total national output as living standards improve and a larger share of consumers' income is spent

on services rather than physical assets. That trend will undoubtedly continue. For example, in the United States the service sector is now three times the size of the manufacturing sector.

There was a series of significant inaccuracies in the right hon. and learned Gentleman's speech. Early in his speech he said that the unemployment figure was nearly 4 million—in fact, it is 3·2 million—[HON. MEMBERS: "It is more."] I do not believe that 3·2 million is nearly 4 million, but the mathematics of the right hon. and learned Gentleman may be at variance with mine.

Mr. Alan Williams (Swansea, West): Does the Minister recognise that when the Government took office they excluded people from the register and allowed people not to register but still obtain benefits in order to massage the figures? The real figure includes the best part of 800,000 above that admitted by the Government. It is in fact over 4 million.

Mr. Pattie: I reject that. We are talking about the actual figures for unemployment. Opposition Members are fond of making comparisons with other nations. They might be interested to know that if Germany included the people on training schemes or conscripted into the armed forces, its unemployment figure would be about 5 million.

The right hon. and learned Member for Monklands, East was wrong when he spoke about support for the innovation programme. He said that when my right hon. Friend announced the lifting of the moratorium at the end of March, the budget had been cut by £10 million. It was not. The 1985-86 budget for research and development is £297 million; the 1984-85 budget is £283 million. That is an increase, not a decrease. However, once again the right hon. and learned Gentleman's maths may be at variance with mine.

Mr. John Smith: If I am wrong, it is because I quoted from a Department of Trade and Industry press notice which said that funds allocated for the programme in 1984-85 were £308 million, and for 1985-86, £298 million. The Minister can work out for himself that that is a reduction of £10 million. If he is wrong, will he tell his press office to stop misinforming people?

Mr. Pattie: The right hon. and learned Gentleman was talking about research and development. We are quoting two sets of figures, both of which may be right. We spoke at length about British Leyland—I say that my figures are right and he says that his figures are right——

Mr. Alan Williams: Which figures are right?

Mr. Pattie: If the right hon. and learned Gentleman got his figures from a press handout from my Department, they must be right.

I was talking about the main theme of the right hon. and learned Gentleman's speech, which was research and development. I may have misheard him because he spoke at such speed. He spoke about British Leyland as though the Government had given it no support at all. He waxed lyrical about the Government wasting a great national asset. He ignored the fact that since they took office in 1979 the Government have pumped £1·34 billion into that company. I agree with him about the great efforts made by the work force and management together. However, he tried to create a wrong impression.

The right hon. and learned Gentleman spoke about the information technology trade deficit—

Mr. Barry Sheerman (Huddersfield): What about the new engine for Leyland?

Mr. Pattie: My right hon. Friend the Secretary of State will make a statement about that.

The right hon. and learned Gentleman was selective in his figures for the information technology trade deficit. He went back to 1980 and mentioned a figure of £384 million, which was correct. In 1981 the deficit increased, as it did in 1982, and in 1983 it increased again to £2·149 billion. The figure for 1984 was 2·259 billion. It is a marginal increase, and certainly not the increase predicted by Professor Ashworth. Of course, it is a larger figure than we want, and I am not suggesting that such a deficit is desirable. I am trying to get the flavour of the right hon. and learned Gentleman's remarks. The Ashworth report has been proved to be wrong. It forecast that by now we would be heading for a £3 billion to £4 billion trade deficit, but it has actually levelled out.

Mr. Stuart Randall (Kingston upon Hull, West): Why has the House not had an opportunity fully to debate that report?

Mr. Pattie: That is not a matter for me. The hon. Gentleman will have to raise it through the usual channels.

Mr. Randall: We did, but our request was turned down.

Mr. Pattie: The hon. Gentleman knows that that is not a matter for me. He will have to raise it with his Chief Whip, who is carefully listening to the debate. He is a man of enormous influence in the House.

I used my best shorthand to try to take down what the right hon. and learned Gentleman said—that the notion of Government non-involvement in research and development was absurd. We are often pointed towards Japan and the United States, yet in Japan 74 per cent. of all research and development is carried out by private industry, not by the Government. So, at one moment we are told that all research and development must be done by the Government, and then we are told that it must all be done by industry.

Mr. John Smith: I am concerned not about the precise size of the information technology trade deficit—I accept the Minister's figures—but about the fact that, even on the Minister's information, there is a deficit in excess of £2 billion that appears to be persistent, regular and likely to be maintained, even if the figure does not rise. What do the Government say about that and about the £4 billion trade deficit in manufactured goods? What do they propose to do about it?

Mr. Pattie: The right hon. and learned Gentleman has brought me back to the figures, which I do not mind. The reason for the levelling off of the deficit has been a tremendous increase in our exports, from £4·024 billion in 1983 to £5·530 billion in 1984. When the deficit occurred, the campaign to promote awareness of information technology had been extremely successful. My predecessor initiated that campaign in 1982 and many companies decided that they would have to invest in information technology products to improve their manufacturing processes, and, therefore, their competitiveness. In all too many cases they discovered that the necessary products were not available in the United Kingdom, so they had to import them.

[Mr. Pattie]

Much as I deplore a trade deficit in information technology or anything else, if the price of avoiding such a deficit is that our manufacturing industry does not modernise itself, I would rather that it went out and acquired the necessary equipment from wherever it was available, so that Britain's capacity in the information technology industry improved.

The increase in our exports that I have mentioned—and I will not weary the House with the figures again—means that in our view we have turned that particular corner. However, at the time when manufacturing industry became aware of the need to modernise by using equipment of this sort, it had to go out and get it from wheresoever it could.

Where we part company with the Opposition is over the conclusions that are reached about how to improve industrial performance. We do not believe that the answer lies in bringing everything under state control, either through outright nationalisation or through the encroaching tentacles of a national investment bank, about which we have heard yet again. The suggestion is that we must have a national investment bank because we obviously have an investment gap, yet, if one looks at the investment gap which is computed on the bases of gross domestic fixed capital formation, in 1981 the figure was £38·675 billion, in 1982, £40·645 billion and in 1983, £42·348 billion, which does not seem to indicate that there is any form of investment gap. What we are seeing is the doctrinal obsession of the Opposition in saying, "Right, we had better have a national investment bank." We have tried it all before—it does not work.

We do not believe that the answer lies in pumping taxpayers' money willy-nilly into industry. There is ample evidence that such policies do not work, and simply hurt the efficient. We do not believe that the answer lies in preventing overseas investment, building some kind of wall round the United Kingdom, in restricting dividends or in denigrating profit. We do not believe that protection is the answer. I would have thought that even a casual analysis of the economic performance of the world's protected economies clearly demonstrated the inevitable links between protection, lack of competition, lack of incentives, inefficiency and low growth. We certainly do not believe in taxing industry through such ingenious devices as the national insurance surcharge to restore its international competitiveness.

It is instructive to look at industry's historical development. The development of manufacturing industry is particularly well documented. Manufacturing's decline is not a recent development, as right hon. and hon. Opposition Members would have us believe. There has been a relative decline over many decades. It is not so much that manufacturing's share of total output has been falling, since that is common to many industrialised countries. There has been a very long decline in manufacturing's productivity relative to our competitors. Our share of main manufacturing countries' world exports of manufactures has declined steadily from 20 per cent. in 1955, to 15 per cent. in 1963, to 9 per cent. in 1979 and to 8 per cent. now. Slowly but surely this relative decline has turned into absolute decline.

I will again have to disillusion right hon. and hon. Opposition Members by telling them that the absolute decline did not coincide with the election of this Government in 1979. The absolute decline started in the early 1970s. The volume of manufacturing output fell 4 per cent. between its cyclical peaks in 1973 and 1978. With lower productivity than our competitors, a falling share of world trade and continual balance of payments crises, our manufacturing growth rate was only a shadow of what was achieved by other developed countries. It is to reverse this long-term decline in industrial economic performance that the Government policies are tailored.

Mr. Nigel Forman (Carshalton and Wallington): I have listened carefully to what my hon. Friend has said about the long run decline in manufacturing. Is he about to make the point, in relation to the classification of industrial activity, that what has also happened recently is that a number of activities which previously would have been classified as manufacturing are now classified as service activities and that is partly responsible for the relationship between these two sectors?

Mr. Pattie: I am grateful to my hon. Friend. That is an important point, and he is exactly right, as always.

The analysis of our industrial decline reveals shortcomings in both price competitiveness and in a host of other factors such as quality, design, reliability and delivery, which it has become fashionable to call non-price factors. The heart of our strategy to restore industry's price competitiveness has been the reduction of inflation. That remains the heart of our strategy. Through a policy of sound money and responsible control of public expenditure, we have created a climate in which business clearly prosper and in which enterprise can flourish.

Mr. Sheerman: If the Minister is so right in that analysis, what does he say to the people living in west Yorkshire who woke up yesterday morning to find that the Philips factory—a main manufacturer of tumble dryers and washing machines, and one of the biggest producers in the country—had closed with the loss of 600 jobs? When does this fine theory about reintroducing enterprise into the country work through to real jobs in real industries?

Mr. Pattie: Obviously I sympathise with the local news that the hon. Gentleman has, because of the personal difficulties that it raises for the individuals concerned. However, I would say to him that the decision is obviously taken in the light of the competitiveness of the company, and it is precisely the factors that I have been describing that take quite a while to turn round. The point that I have been making—I hope clearly—is that nothing new has begun since 1979 in terms of this decline.

As the memory of Labour's hyperinflation fades, so the lessons of its consequences are being forgotten. But let there be no doubt that the benefits of this policy are indispensable to industrial recovery and renewed competitiveness. It is a lesson we have learnt from bitter experience as British companies have been priced out of both domestic and overseas markets by high inflation. Perpetual devaluation of the exchange rate proved to be no answer. Low inflation is the best service that we can give industry in its efforts to increase output and jobs. And yet,

as memories fade, we are once again hearing the old calls to pump money into the economy. Are our memories so short?

"Higher inflation followed by higher unemployment. That is the history of the last twenty years."

Those are not my words, but those of the right hon. Member for Cardiff, South and Penarth (Mr. Callaghan).

"Inflation is the mother and father of increased unemployment."

Not my words, but those of the right hon. Gentleman's predecessor, Lord Wilson of Rievaulx.

"We believe that unless we keep inflation under control, all other economic objectives will fail."

Not my words, but those of the righ hon. Member for Birmingham, Sparkbrook (Mr. Hattersley).

We have achieved considerable success in the fight against inflation, but more still needs to be done. Our inflation rate is still well ahead of several of our major competitors. In the 12 months to March, prices rose by 2·5 per cent. in West Germany, by 3·7 per cent. in the United States and by only 1·6 per cent. in Japan. In particular, if industry is to continue to recover competitiveness, the rise in earnings must continue to abate. With average earnings in recent years rising by 3 per cent. a year in real terms, much of the benefit of the recovery has been taken by those in employment. Although, by historical standards, industry's unit cost increases have been moderate in recent years, they have still been well ahead of our main competitors, the United States, Germany and Japan, where unit costs have actually been falling.

There has been much discussion recently about the relationship between real wages and employment. I believe that the arguments are now well understood, but I will make one point in relation to experience in the United States which I know that right hon. and hon. Opposition Members are fond of quoting—at least, fond of quoting those bits which are selectively appealing. Between 1970 and 1980 real earnings per hour in the United States fell while employment rose by 25 per cent. Conversely, in Europe real wages continued their substantial upward rise over this period with a marked increase in unemployment. There can be no clearer lesson than that.

Responsible control of public expenditure has also allowed room to remove——

Mr. John Smith: Before the Minister leaves the question of incomes and earnings, as I think he described it, presumably the lesson that he is trying to teach people is that they should not ask for wage increases. He must be aware, as I think all hon. Members are, that the largest increase in remuneration in recent years has been in top management in industrial companies, who have voted themselves huge increases in salaries and often large capital appreciation through share option schemes. Does he have the same strictures for them as he has for the industrial worker?

Mr. Pattie: Some of the more spectacular examples have been geared to the performance of the company. If a company has performed well, that seems to be a fair response by the person with executive responsibility.

Mr. Ian Wrigglesworth (Stockton, South): The Minister has criticised the general level of pay increases. If they are leading to an increase in inflation, a loss of jobs and a lack of competitiveness, what do the Government propose to do?

Mr. Pattie: The Government certainly do not intend to introduce an incomes policy, as proposed in the alliance amendment. We have been down the incomes policy road before. We have a policy for our employees in the sector that we can control. We shall continue to urge manufacturing industry in the private sector to keep wage increases within close limits. The consequences of not doing that are there for all to see.

Responsible control of public expenditure has also allowed room to remove or reduce other previously imposed Government costs on industry, such as the national insurance surcharge, which was costing private industry about £3 billion a year. That was introduced by the Labour Government.

When the House listens to the demands for changes in economic strategy by the Opposition parties it would do well to remember the sort of taxes that destroy industry and jobs and that are necessary to finance their pet programmes. The measures that we have taken to create conditions conducive to business and enterprise go far beyond the control of inflation. Industry cannot get on with the job if burdened with unnecessary Government regulations and controls.

Since coming to office we have abolished price controls, factory building controls, dividend controls, hire purchase controls and foreign exchange controls. We have introduced a wide range of measures over the past six years to encourage entrepreneurship, risk-taking and self-employment. Many of those measures have remedied tax disincentives to enterprise and hence to employment generation; and yet those are precisely the measures which the Opposition so mistakenly dismiss as tax benefits to the rich.

Nothing could be further from the truth. The evidence is plain to see. In 1983 the net increase in the number of firms starting up over those going out of business was over 42,000—the highest figure on record and double the level for 1982. Altogether, in the four years from 1980, the net increase in new businesses was 112,000, which means that net starts were averaging over 500 a week during this period. The numbers of self-employed are at record levels.

Industry now is much more capable of competing on price; but while that is an essential prerequisite for improved performance, the so-called non-price factors are more intractable. Unfortunately, the Government cannot legislate for improvements in performance. Much of the task must lie in industry's own hands. It is firms, the producers, which must adopt efficient production methods and working practices. It is firms which must research markets to discover customers' requirements. It is firms which must design products to customers' specifications and adapt to change, and it is firms which must adopt the new technologies.

However, the Government accept that they have a vital role to play in the transformation that is needed to regain international competitiveness. One area vital to future competitiveness is research and development and innovation. Science and technology is central to wealth and job creation. I stress that innovation and adoption of the new technologies are as essential in the traditional as in the more modern high technology industries.

Mr. Laurie Pavitt (Brent, South): Will the Minister consider the innovation in my constituency? A famous food firm, Heinz, which makes baked beans, has had to

[Mr. Laurie Pavitt]

bring machinery from Switzerland because of the rundown in high-grade technology equipment production in Britain. The material that the firm requires for innovation cannot be found here. Surely public investment would have cut the need for tremendous import charges and perhaps prevented the 600 redundancies in an area where unemployment has quadrupled in the past five years.

Mr. Pattie: That is yet another tragic example for the people involved of what happens as a result of inadequate investment. The hon. Gentleman makes a false analysis because public investment is not involved. The hon. Gentleman suggests that Government money can force companies to produce certain products. There is no evidence of that.

I stress again that innovation and adoption of the new technologies are as essential in the traditional industries as they are in the more modern and high technology industries. Innovative exploitation of science and technology provide the driving force for internationally competitive products.

Technology is now an essential ingredient of improved product performance, quality and reliability. We cannot afford to stand still because we can be sure that our competitors will not. Yet industry has not devoted sufficient resources to this vital area.

I am glad to say that I believe we are now making progress. The revival in profitability has brought with it increased industrial interest in R and D and innovation. An arousal of interest has been fostered by the Department of Trade and Industry's assistance to innovation and the adoption of new technologies. This is an area where the Government have been very active, to match the speed of progress in the new technologies themselves. Since 1978 we have more than doubled in real terms our financial assistance for innovation to over £300 million a year.

Under the last Labour Administration, the maximum scientific and technological assistance provided by the Department of Industry in any one year was £139 million in 1980 prices. This is less than that for any year under the present Government, and less than half that of £294 million at 1980 prices for 1984-85.

One of the main aims of the Department has been the promotion of innovation. We have done this by increasing awareness, and by encouraging and assisting where it is appropriate to do so. Our record has been impressive. Since 1979 we have quadrupled expenditure in support of industrial R and D, innovation and technology transfer.

We keep our policies under review to ensure efficient use of funds and value for money. Since the launch of the support for innovation programme the Department has offered nearly £400 million to more than 3,100 projects. The number of applications dealt with by the Department under this Administration grew rapidly. In the last year of the Labour Government the Department handled some 400 applications for this form of assistance. By 1981-82 the number had more than doubled. In 1982-83 it reached 1,500 and in 1983-84 2,500—I am talking of actual cases of people receiving assistance.

There are many elements of our support for innovation promotion. Following my review of the Department's general industrial support for R and D which was occasioned by the very rapid growth of applications, there will be some changes of emphasis in the direction of assistance. The House will be aware of some of them. A larger proportion of assistance will be devoted to advisory services, to encouraging best practice, to improving the supply of key skills and to collaborative research. Support in these areas should help to improve the capacity of a wide range of companies to exploit technological opportunities.

Correspondingly, a smaller proportion of assistance will be devoted to near-market project support, which can now be more readily financed by industry with the increase in profits and liquidity in the past few years. Our aim will be to concentrate project support on innovative projects which represent a significant advance for the industry or sector concerned, taking into account the degree of innovation, the degree of technical and commercial risk involved, the potential for market exploitation, and any wider industrial benefits. Within these general arrangements for project support we will continue to emphasise certain key technologies and their application, such as microelectronics, fibre optics and computer software.

The Department's assistance to encourage the application in industry of microelectronics has achieved substantial success. In 1977 only 5 per cent. of manufacturing firms were using, or planning to use, microelectronics in their products or processes. By 1981 that figure had risen to 30 per cent. and by last year it had reached 50 per cent.

Another area where we have achieved considerable success is advanced manufacturing technology. Success in manufacturing results from the transformation of good design into high quality products through efficient manufacture. The three elements are inseparable and mutually dependent. Yet for too long production has been the poor relation of manufacturing industry. In many firms production strategy was rarely considered important enough to merit board room consideration.

Dr. Jeremy Bray (Motherwell, South): If the Government's policies in the promotion of research and development in manufacturing industry have been so successful, will the Minister explain why actual expenditure at 1975 prices fell from £1,512 million in 1978 to £1,465 million in 1983?

Mr. Pattie: Is the hon. Gentleman talking about all research and development?

Dr. Bray: I am talking about intramural research and development expenditure in the whole of manufacturing industry, financed from whatever source, including private as well as Government finance.

Mr. Pattie: According to the figures that I have, taking 1975 as the base year, expenditure was £1,340 million in that year. In 1983 it was £1,564 million and in 1981 it was £1,661 million. We reckon, on the basis of the high increase — [HON. MEMBERS: "But there has been a reduction."] Indeed — I have just given the figures. However, judging by the applications that we have had for the SFI programme, the 1984 figures will be up on those for 1983.

Our support for advanced manufacturing technology began with the robot support programme, launched in 1981. That was followed by CADCAM — computer-aided design and manufacture. Later we expanded to embrace computer-aided production management and

flexible manufacturing systems. Through all those programmes we have already laid a firm foundation of user experience.

To date there have been over 200 consultancy, development and installation projects under the robot support scheme. I was at the robot exhibition in Birmingham yesterday, and met representatives of a company called Unimation which, with Government assistance, has seen its work force grow by 30 per cent. and production space increase by 500 per cent. In the past 12 months, more than 300 robot technicians have been trained at that company's facility. It has also sold over 500 of a product called the Puma 560 robot, which has been developed with Government assistance. It is worth noting that 98 per cent. of the product is of United Kingdom origin.

Over 250 companies have been assisted in the development and installation of robots in a wide range of industries from aviation to pharmaceuticals. Under the CADCAM programme about 9,000 companies have made use of the wide range of facilities and services that have been offered. Under the flexible manufacturing systems scheme assistance has been offered for 114 planning studies and 43 installation projects, representing an industrial investment of more than £111 million.

The Government's help to industry, to enable it to keep abreast of the very rapid changes in technology, is very wide ranging. Design is a key factor influencing the market success of our manufacturing and service industries. We have been acting vigorously and creatively ever since the Prime Minister's influential seminar on design in January 1982.

With the help of the Design Council we ran a countrywide series of seminars in 1983 with 1,500 senior people from industry. We set up a funded consultancy scheme, which is producing excellent results for 2,500 small and medium-sized firms that have used it: 1,000 firms are expected to receive consultancies this year. We are assisting a number of bodies in the educational and training aspects of design.

In addition to the schemes that I have just mentioned, my Department has been active in encouraging biotechnology, fibre optics and optoelectronics in industry; in the development of software products and telecommunications products; in collaborative research under the Alvey programme on VLSI—very large-scale integrated circuits — software engineering, intelligent knowledge-based systems, man-machine interface and infrastructure and communications.

Mr. Spencer Batiste (Elmet): Does my hon. Friend agree that if our computer and software industry is to continue to build upon the successes that it has already achieved, it is important that when the details of the British COCOM licence are established in June there should be as few restrictions as possible on our software industry, and as little red tape as possible to prohibit commercial activities?

Mr. Pattie: I agree with my hon. Friend. That must be the aim.

The Government are providing £200 million over five years to this major initiative to keep Britain at the forefront of information technology. It is highly encouraging that a programme only two years old has now approved 100 projects involving 50 companies, 40 academic bodies and five research institutions. I am confident that we can all expect substantial and exciting results from that enormous collaborative effort. There is also a wide range of advisory and consultancy services covering quality assurance, design, manufacturing efficiency, small firms and technical assistance.

One point needs particular emphasis. If we are to compete with the United States and Japan, our approach to the new technologies and innovation must not be purely national. The new technologies need the potential of a community market of 270 million people—soon to be 320 million. That is why we have taken the lead in pressing for practical measures towards an integrated market for the new technologies, as well as for more familiar goods and services. I am glad to say that the support that we have given to developing standards through the Community for telecommunications and information technology is beginning to bear real fruit. The first step to liberalise public procurement in telecommunications has been taken. The Community is on the point of coming to grips with developing standards for advanced manufacturing technology. The Government can, have, and will continue to make a contribution to creating a community framework in which enterprise can flourish.

But it is industry itself that must exploit these opportunities. The ESPRIT programme, partly funded from the Community budget, shows how co-operation can work in practice. There are encouraging examples of industry initiatives — the links between Plessey and Elettronica, and between Racal and Selenia, for instance. There is also the arrangement between Bull, Siemens and International Computers Ltd., and between Plessey, Siemens, Alcatel and Italtel. The spread of such industry-led collaboration can only be to our advantage. Support for the new technologies and their adoption across industry is not, however, sufficient in itself. The new technologies emphasise the crucial importance to industry of a highly qualified and skilled work force. In the information technology sector—the fastest growing industrial sector worldwide—there has been concern that shortages of skilled manpower were leading to a lower growth rate for the United Kingdom industry compared with our competitors. We therefore set up a committee last year, under the chairmanship of my hon. Friend the Parliamentary Under-Secretary of State, to study the situation as a matter of urgency and to propose action to deal with identified problems. This IT skills shortages committee includes representatives from industry and the education sector as well as from Government Departments.

The committee's first report, published in July last year and focusing on shortages of graduates, and its second, issued in January and dealing with technicians, both stressed the importance of forging a partnership between industry and the education system. Only industry is in a position to define its skills requirements and to explain them to those who provide education and training; they in turn should respond flexibly and rapidly to industry's needs.

Industry has already committed itself to contributing finance, teaching manpower and equipment to carry forward that concept. In addition, it has set up the IT skills agency under the auspices of the CBI education foundation to co-ordinate industry's contributions to the partnership. That is a welcome and imaginative response by industry to solving the problems of IT skills shortages.

[Mr. Pattie]

For their part, the Government have responded to the requests from industry for more graduates in engineering and technology. The Government are making £43 million available over the next three years to provide additional places for engineering and technology students in higher industrial institutions. Several Departments, including my own, the Department of Trade and Industry, are contributing to the cost. That follows on from earlier moves, such as the information technology initiative taken in 1982, which is adding 5,000 extra places in IT-related higher education, and the £14 million engineering and technology programme in Scotland announced in November 1984.

In 1978 the Department estimated that each year in the United Kingdom there were only about 2,500 short course places available for updating engineers in microelectronics techniques. Studies suggested that that would be insufficient to meet the needs of industry if it were to adopt the technology as fast as the Government hoped. Skill shortage was likely seriously to inhibit take-up of the technology. Consequently grants for developing training courses became an integral part of the microelectronics applications programme. They go to colleges, universities, polytechnics and firms to develop courses on microelectronics for industrial engineers and managers. More than 30,000 such course places are now available annually compared with 2,500 short course places when the Labour Government were in office.

Therefore, the Government have a coherent and well developed policy for industry, manufacturing and the new technologies. It is not a policy to preserve every firm——

Mr. Paddy Ashdown (Yeovil): I have listened to the Minister's speech with care, hoping to detect some spark of a realisation of the country's position. The hon. Gentleman has made careful use of figures. May I present him with four more? Has not output in manufacturing industry fallen by nearly a tenth since 1979? Has not output in production industry, despite the oil surge, fallen by nearly a twentieth? Has not investment in manufacturing fallen by nearly a third? Is not the non-oil trade deficit now at a level of nearly £12 billion? In the face of such figures, how can the Minister be so complacent?

Mr. Pattie: If he catches your eye, Mr. Deputy Speaker, the hon. Gentleman will no doubt develop the points that he has just made in what was virtually a speech. No doubt he too will welcome my right hon. Friend's reply to the debate.

Our policy is to create the conditions in which manufacturing and industry as a whole can flourish, to encourage and assist it to adapt and to be competitive, and to allow it to use its resources and strengths unhindered by Government restrictions wherever possible.

The policy is clearly working, because since early 1981, the trough of the world recession, the economy in the United Kingdom has grown steadily for four years. Total output is now at an all-time peak, not just in money terms but in real terms. It is some 4 per cent. above its previous peak in 1979.

Total fixed investment and total business investment are at real peak levels. Employment is responding, with over 600,000 more people employed now than in the spring of 1983, and buoyant growth is continuing. All the forecasters predict continued growth throughout 1985 of up to 4 per cent., following the end of the miners' strike. We are expected to have the highest growth rate in Europe this year for the second time in three years. But for the miners' strike, it would have been three out of three.

Encouragingly, growth is widely based, with manufacturing industry sharing fully in the recovery. Since the first quarter of 1981, the trough of the manufacturing recession, manufacturing output has grown by some 10·5 per cent. As with total output, manufacturing is entering its fifth year of successive sustained growth. Manufacturing investment is rising strongly again—up 13 per cent. last year.

There is, as the Labour party keeps telling us—and it is right—some way to go before we achieve the volume of output of the previous cyclical peak in 1979. That is a point that the hon. Member for Yeovil (Mr. Ashdown) has continually in mind in his interventions. But there are no signs, despite the doomsters' prophecies of last year, that the upturn in manufacturing is petering out. Although some hon. Gentlemen may discount it on the radio, and say that it is merely a flash in the pan, the latest CBI industrial trends survey is even more optimistic than the many buoyant surveys over recent years.

The survey shows a significant improvement in business confidence and expectations of future output growth that are better than at any time in the last two years. Most encouragingly, the steep long-term downward trend in manufacturing employment seems to have ended, with employment expected to be broadly stable over coming months.

Export confidence and orders are particularly strong. Indeed, one very encouraging aspect of the recovery in manufacturing has been the improvement in export performance. Since the end of 1983 manufactured exports have been rising strongly, and by the end of 1984 they were surging ahead. This surge has continued in the first quarter of this year. Export volumes of manufactures, excluding erratic items, are up 14 per cent. compared with the same period a year ago. We are now exporting more manufactured goods in real terms than ever before in our history. Export volumes are running at over 10 per cent. above their previous peak level.

As in all recoveries, some sectors within manufacturing have done better than others. Not all have grown; nor would we expect them to in a dynamic and rapidly changing market place. However, the growth of some manufacturing sectors has been dramatic. Output of office machinery, including electronic data processing equipment, has risen by a remarkable 170 per cent. since the first quarter of 1981, the trough of the manufacturing recession. Electronic consumer goods output has grown by 53 per cent., electronic industrial goods by 30 per cent. and electrical consumer goods by 22 per cent.

Rapid growth has not been confined to the so-called high-tech industries. The established industries have also participated, particularly chemicals. Agricultural chemicals output is up 27 per cent. on the first quarter of 1981, plastic products by 35 per cent., pharmaceutical and consumer chemicals by 21 per cent. and industrial chemicals by 24 per cent. All those sectors are now producing at record real levels of output.

We accept that much remains to be done. We must not slacken our efforts and jeopardise the substantial progress that has been achieved over the past four years. These achievements have laid the foundations for a competitive

manufacturing and industrial sector. Productivity in manufacturing has risen by an average 6·5 per cent. a year for the past four years, well above the rates of our main industrial competitors, and there has been a much-needed rise in profitability. Profits of industrial and commercial companies rose by over 20 per cent. in 1984 and the real rate of return is expected to have been around 7 per cent. in 1984 for non-North sea industrial and commercial companies.

The opportunities are now there to be grasped. The rewards of success will be high both for industry itself and for the nation. It is very heartening to see industry responding to the challenge and the opportunities. For our part, I can assure the House that the Government will continue with their policies to facilitate and encourage a dynamic, adaptive and efficient manufacturing and industrial sector. I urge the House to support our amendment.

5.6 pm

Mr. Tony Benn (Chesterfield): I do not need to repeat the points made by my right hon. and learned Friend the Member for Monklands East (Mr. Smith) in chronicling what has happened to British industry in the six years since the Government came to office. The Minister sounded like a managing director in a difficult year. I congratulate his officials on writing the brief, though not the hon. Gentleman on reading it. At no point did he touch on the major tragedy that has occurred in Britain as a result of the destruction of so much of our manufacturing industry.

Two hon. Members intervened to say a word about individual closures such as we could all cite. The Minister said, "That is tragic, but . . ." The truth is that whole areas of the country have been laid desolate. Anyone who sees what has happened in Liverpool is reminded of Beirut. We should remember the destruction of industry, the high unemployment and the hopelessness of young people. In the mining areas, if the closures go ahead, there will be the same desolation in south Wales and in the north-east. The Minister failed to allude, except in passing, to what has happened to basic industries, such as those which other countries have invested in and developed, or to the human tragedy.

The police are now being asked to prepare themselves by increasing their numbers and improving their equipment to deal with the social disaffection that inevitably follows the implications and implementation of the Government's policies. I wonder how many people who are unemployed or face other problems, reading the Minister's speech, will feel that they are living in the same country as the hon. Gentleman.

People are now realising—this explains some of the changes in the Conservative party, to which I shall refer —that the Government are not pursuing an economic policy. I do not believe that the Government are monetarist. I do not believe that they are Thatcherite. I do not believe that the Government are wilful—despite the words of our motion — or incompetent. They are following a deliberate policy of hammering those whom, broadly speaking, the Labour party, of which I am proud to be a member, seeks to represent.

The Government are hammering young people. Young working-class unemployed people are being put through a youth training scheme that is an absolute fraud. The scheme provides free labour for the employers. We are told that the Government cannot intervene in industry, but the Government give thousands of young people to employers, without charging them a penny, and call it training. Many of the young people receive no proper training at all. They are not protected for health and safety purposes. They are substitutes for adult labour.

Mr. Robert Atkins *rose—*

Mr. Benn: I shall not give way to the hon. Gentleman. Experience shows that his interventions are not related to the argument.

The youth training scheme involves giving free labour to employers; it is designed to get wages down and to get people accustomed to low wages. In many cases it replaces apprenticeships, does not come under the protection of the trade union movement and is a substitute for adult labour.

That low wage policy was enshrined in the Budget. The Chancellor said to employers, "If you pay low wages, you will pay lower national insurance." Just the other day I met someone on a train who works in a hairdresser's shop. She has suffered a cut in wages since the Budget, because the employer said, "By cutting your wages, I shall be able to pay less national insurance." That girl could not find another job because of high unemployment in the area in which she lives. The abolition of the wages councils and the ending of shopping restrictions, which we shall discuss on Monday, are designed to create a low wage economy, and that means mass unemployment.

Mr. Leigh *rose——*

Mr. Benn: I shall not give way as I want to be brief. When I have made my point, other hon. Members can follow it up.

The Secretary of State for Trade and Industry is famous for his phrase, "On yer bike." He got it wrong, because he meant, "On yer knees." His intention was to create mass unemployment, which is the real economic policy that the Government are following. Unemployment keeps real wages down, and, when assisted by Government measures, lowers real wages. If one lowers real wages, one boosts profits, and the employers do not necessarily plough such profits back into the industries in which they are made.

I asked the Library to undertake a corner shop economics calculation to determine the export of capital per head of population. That shows that £1,097 of capital per head has been exported since the Government came to power. Therefore, if people tighten their belts in response to Government pleas and employers make larger profits, such profits are exported to places where wages are lower.

Unemployment not only boosts profits and lowers wages; it also undermines the strength of trade unions. It is a marvellous form of import control, because a person out of work does not buy Japanese videos, French cars or American tobacco, and all this has nothing whatever to do with the argument advanced by the Cabinet.

Viscount Cranborne (Dorset, South) *rose——*

Mr. Benn: I am seeking to keep within the 10-minute limitation on speeches. I shall be able to do so only if there are no interventions.

If full employment were to return, the Government's whole strategy would be undermined because the unions would be stronger, wages and conditions would be improved and there would be a demand that the dole money saved should be channelled into health and education.

[Mr. Benn]

When people read this debate in *Hansard*, I suspect that they will perceive my comments to be more relevant than those of the Minister. If the Government continue to pursue their present policy—I think that I share this view with certain Conservative Members—we shall see the destruction of the Tory party at the next election. We were told that Conservative policy would result in a strengthened economy—coming phoenix like out of the ashes—but the one that is now pursued will create such a powerful public reaction that the Government will never be re-elected. Lest anyone be in any doubt, I need only say that the Government's prospects have changed sharply since the end of the miners' strike, and that their brutality towards the miners has resulted in a powerful counter-reaction.

The second alternative which is occasionally put forward by the right hon. Member for Old Bexley and Sidcup (Mr. Heath) and the Centre Forward group is to return to the policies of the last 40 years. That is advocated by Mr. Peter Jenkins in *The Sunday Times*, who I was told was paid a transfer fee of £115,000 to join that newspaper. The idea is to go back to what were essentially SDP-type policies, which were followed by the previous Conservative Government as well as the Labour Government of which I was a member. It is argued that that will solve the problem.

Incomes policy is at the heart of that approach. We now have an incomes policy which is known as unemployment, yet the Liberal party and others favour an incomes policy as an alternative to monetarism. Having served in Cabinet for 11 years, I know what incomes policy means—centralised wage bargaining in the hands of Ministers.

Mr. Wrigglesworth: No.

Mr. Benn: Of course it does. I do not think that the hon. Gentleman has ever been involved in ministerial discussions, where one talks about who will get an increase and the use of Government sanctions if there is disagreement. An incomes policy runs absolutely counter to everything that the alliance says about not having statism. It is the most statist policy that one can have. If, in addition, we adopted the European monetary system, under which we would join a federal Europe, we would lose control of our currency. Therefore, if we were to adopt the proposals advanced by the Liberal party, we would have the most authoritarian form of central Government control possible.

I can understand why some Conservative Members want to follow that policy. They believe—I think that they are right—that the present Prime Minister will be the first woman but the last Conservative Prime Minister this century. They think that the party can be salvaged by returning to the patrician ingredient of certain noble politicians who became Prime Minister. They also think that prospects can be improved by returning to the absolutely rigid, bureaucratic centralism of the previous Conservative leader. I must be candid and admit that much of it was followed through by the Wilson Government.

Neither of those policies can work. The policies of earlier years contributed to the decline that we have witnessed. The policies pursued by the present Government have catapulted that decline into such acute decay that, when the oil runs out, this country will be faced with mass unemployment and mass emigration, with nothing but a little bit of tourism to keep us going. That will not worry business, because by then it will have invested its money in other countries where it can achieve a sufficient return, whether or not there is manufacturing in Britain.

My mind goes back to the period which confronted us after the war. I am one of the five Back-Bench survivors of the Attlee Government, and I vividly remember the task assumed by Mr. Attlee when he came to power in 1945. At that time our industry had been neglected because we concentrated on the war, but at least there were 3 million or 4 million service men ready to be demobilised so that those industries could work again.

The damage that the present Prime Minister has done to British industry is far greater than that achieved by the German bombers, because our industry is now gone. There is no industry. Equipment has been sold abroad, much of it with Government money. Industry will not exist. Instead of 3 million or 4 million service men waiting to be demobilised, we shall have 4 million demoralised unemployed, many without a skill because of the cuts in the education and training provision which is so necessary for high technology industry.

The policies supported by the alliance, which began in 1940 under Churchill and ended in 1979, are not adequate. Nor is the alternative economic strategy which was initially advocated by me in 1974. I have little doubt that the electorate will reject the present Government, but the Prime Minister may be hard to move, even with the help of her former colleagues.

We shall have to plan much more carefully. We shall have to ensure that the export of capital stops. We will have to plan our trade to prevent industries from being destroyed as we rebuild them.

We will have to assume far greater responsibility for the banking and financial institutions—if the Prime Minister has not nationalised them before we get there, as Mussolini did when faced with the collapse of the financial institutions in Italy in the 1920s. Anyone who thinks that the world banking structure is altogether safe may be living in a dream world. It is normal to laugh at people who carry out their function to warn that what will be required is a radical policy and more than just a little reflation, a little more public expenditure, a little adjustment to the PSBR or appeals for higher productivity.

The country has been ruined by this Government, and it will have to be rebuilt by another Government using methods of planning comparable to those that are necessary to win a war. These arguments are penetrating to the public and will be understood. I do not think that the Government are following an economic policy. It is a political policy for the destruction of working people, their services, their jobs, their unions and their ballot box. The country will not be saved by a lot of consensus politicians trying to revitalise the policies which were tried by honest men and women but which failed.

We will have to rebuild. It will require an effort of will, a sense of purpose and instruments for planning and greater democratic involvement than we have yet contemplated in this Chamber. That is the point that I want to make in the debate.

5.21 pm

Mr. James Prior (Waveney): I am glad that the right hon. Member for Chesterfield (Mr. Benn) made that speech. It has made me feel much more comfortable sitting

on these Benches. The people who feel uncomfortable because of the right hon. Gentleman's speech are those on the Opposition Benches.

One of the sad things for the right hon. Gentleman is that there was a time when he could fill the Chamber when he made a speech. Now he is isolated and neglected even by his former friends. That gives some idea of how utterly barmy his views have become. There is no other word that one could use because he is so far removed from the politics of the present, let alone the industrial circumstances of today, as to make himself rather a sad character. He, like me, does not speak often in the House. When he speaks, he thinks he has to bring in everything. We have listened to the whole range of political and industrial matters in a quarter of an hour. He does his party and his own record an enourmous disservice by the sort of speech he has just made.

Mr. Benn: Can the right hon. Gentleman tell me from his own long experience how to be influential with his own leader?

Mr. Prior: I did not catch all that the right hon. Gentleman said, but I cannot believe that he will be influential—I hope he will not be—with his leader with the sort of views that he has put forward today, although I fear he may be.

I want to describe briefly what it is like when one moves from Government to the Back Benches and perhaps from Government to industry, and what Goverment begins to look like from the point of view of someone who has moved into industry.

Mr. Dennis Skinner (Bolsover): The right hon. Gentleman has four jobs already.

Mr. Prior: A few years ago I made the great mistake of saying that the hon. Member for Bolsover (Mr. Skinner) was the Brian Clough of the House of Commons. I now know what an insult that was to Brian Clough. I have been longing to tell the hon. Gentleman that.

Manufacturing industry is absolutely vital to the future of this country. I do not believe that we can have a prosperous service industry unless we have a strong manufacturing industry behind it. That is a very important lesson that we have to take on board.

We have not measured up yet to the problems of international trade and the enormous competition there is now in overseas markets, particularly for major capital projects. Such projects can be won only by large British companies which will use as subcontractors the small and medium-sized companies which help to make up the British economy. When a large British company gets a major contract, about 30 per cent. of the work will go to that company and 70 per cent. will go to a range of smaller companies. We need large British companies of an international scale if we are to compete with large companies elsewhere.

We look upon ICI as a large company, but in terms of the chemical industry there are four or five world companies that are larger than ICI. My own company, GEC, in which I declare my interest, is regarded here as a very large electrical company, but there are six or seven electrical companies throughout the world that are far bigger. General Electric in the United States is twice as big, as is Siemens.

Many companies with which we have to compete in overseas markets are bigger than British companies. Therefore, the important lesson for us all to learn is not so much that we need to make certain that there is competition within companies in Britain but that we must compete with international companies which are far stronger than most British companies.

If we are to do that successfully in the great world markets, we must compete on equal terms. I went on the Young mission to China. One of the messages from that visit was that France, Japan and other countries are granting long-term cheap credit. The French were commonly reputed to be giving 30-year credit at 3 per cent. We know what the Japanese have been doing all round the world. Many other countries have been doing the same. If we cannot compete with those countries, we are not in a position to do business.

The Secretary of State must run trade policy and must be our champion on trade policy. That means that we have to take a different attitude towards aid and soft credit, aid and trade provision in particular and bilateral aid.

In 1983 our bilateral aid was $850 million. In France, one of our main competitors, the comparable figure was $3,145 million. Again, our ATP budget has been about £66 million but we have only once in the last five years come up to our budget.

One of the best ways that we can help manufacturing industry and, therefore, our overall level of employment and prosperity is by ensuring that we get a fair share of overseas contracts. There again from my experience in government I think that the Treasury have far too much control over the Export Credits Guarantee Department and over ATP. The Secretary of State for Trade and Industry has nothing like enough control.

Much nonsense has been circulated. The Byatt report contained the shibboleth that there was no follow-through business when a great contract was obtained. That is utter nonsense. It has been refuted by an unpublished NEDO report, which I hope will be published shortly. The NEDO report makes it plain that there is a great follow-through from the obtaining of large contracts overseas. If we obtain a contract for an airport, a railway, a signalling system or a telecommunications system, we are likely to be called upon to provide spares and there will be further work for many years to come.

I do not say that manufacturing industry will employ much more labour, but it will employ much less unless we get things right. If we provide it with the right conditions, manufacturing industry will create prosperity for service industry, where growth in employment is probable and where it must come.

Mr. David Crouch (Canterbury): As I think the House knows, I, too, have an interest in the chemical industry. Contractors are attempting to secure contracts to build large chemical plants abroad. On average, these contracts are worth £50 million to £100 million. The contractors are being required by ECGD to pay premiums for tender-to-contract cover which are almost prohibitive. Sometimes a contractor will have four or five tenders out at one time and will have put down about £500,000, which will be lost if the company does not obtain the contracts. This is an example of Government intervention being unhelpful rather than helpful.

Mr. Prior: I agree with my hon. Friend. My right hon. Friend the Secretary of State is listening carefully to the views that are being expressed by his right hon. and hon.

[Mr. Prior]

Friends. A fresh assessment must be made of ATP and our bilateral aid. We need mixed credit and soft loans. We do not need to give 100 per cent. grants. A much smaller grant and a greater spread of the money would achieve a great deal more.

I urge my right hon. Friend to bully the Treasury and the ODA so that he gets his way and they do not get theirs. Over the years, the Treasury has been allowed to obfuscate what we wish to do, and that should be stopped. The Secretary of State should take charge and the Treasury should not be allowed to examine every individual contract in the way that it has been doing in recent years. I hope that some of the frustrations that have built up over the past few years can be removed. There is nothing more frustrating when a company goes to enormous efforts to win a large contract and finds that the problems of getting ECGD cover, or ATP, have delayed the decision so long that the contract goes elsewhere although it could have come to the United Kingdom.

The provision of the appropriate machinery to assist companies to win large contracts is much more important than research and development. The Opposition are wrong to concentrate their attack on the need for greater investment in research and development. There is no real shortage of research and development effort. We are short of the money to market and to sell our goods. That is much more important than R and D.

Dr. Bray: Will the right hon. Gentleman explain why his own company, GEC, has doubled its research and development expenditure over the past four years?

Mr. Prior: That is our money. We put a vast amount of money into research and development, but it is our money. We research and develop the goods that we think we shall be able to sell. That is a decision that should be left to the company. It is much more important that the Government should help with the selling of goods in overseas markets where we meet intense competition rather than on the research and development side, where we can manage matters for ourselves to a much greater extent.

Viscount Cranborne: I have lived and worked abroad and I have had the experience of working for a foreign company. Most of what my right hon. Friend has said about the lack of support from the ECGD and the other Government agencies is true, but does he accept that time and again good British investment and good British products are frustrated by poor salesmanship? We often see 40 Japanese selling over three years while one British agent is working part time in selling a large product. Is it not true that British industry could put much more energy into its sales efforts in supplementing any soft loans that might be available?

Mr. Prior: I do not doubt that that is right. I am not defending British industry and all that it does. There is a great deal wrong with British industry and there is a great deal that needs to be put right. British industry is constantly trying to improve, and there have been remarkable improvements in the past few years. However, many of the goods that we sell abroad still do not come up to standard. There are shoddy goods that are not delivered on time or are not of the right design. I acknowledge that we have a great deal more to do. I do not believe that it is lack of research and development that holds Britain back. The greatest problem lies in the large infrastructure capital goods market overseas.

The Secretary of State for Trade and Industry (Mr. Norman Tebbit): My right hon. Friend will understand that I do not want to pick a quarrel with him on what he has said, but I think that he should take into account the fact that in 1979-80 the ECGD had a cash inflow of £50 million and that last year there was a cash outflow of about £470 million. It is clear that ECGD and the taxpayer are carrying a heavy load. I emphasise that they are cash flows one way and the other, but they are very considerable sums of money.

Mr. Prior: I am not as critical of ECGD as I am of the Government over ATP and on bilateral aid. I think that the ECGD needs to respond more quickly. I was more critical of the Byatt report and the attitude of the Treasury towards the ECGD, but I was concentrating my fire elsewhere.

I want to turn to purchasing policy, whether it be public purchasing policy or that of large industry in Britain, whether it be nationalised or a private monopoly. I believe we shall not have a great export market unless we have a strong home base. I am worried that not enough account is being taken by some of our large consumer industries at home of the need to help British manufacturing industry in what the overseas markets require.

My firm has a great interest in the telecommunications industry. The automatic exclusion of 20 per cent. of the home market by British Telecom—this has been given to Ericsson—will result in a loss to GEC and Plessey of about 3,000 direct jobs and a further 2,000 to subcontractors. The effect of giving 20 per cent. to Ericsson will be to create a few hundred extra jobs in this country, but it will do nothing to help technology because all of the research and development and all of the training will be carried out in Sweden. This makes it much more difficult for Britain to sell its exports because it will be said, "Your own telecommunications industry is not buying your products." We shall have less ability in research and development for new systems because we shall not have the necessary money, and reduced ability, especially in information technology, which is at the core of British industry.

The answer must be for the Government to do all that they can, by means of their purchasing policy and the influence that they can bring to bear upon others, to ensure that large consumers in Britain buy British goods and give support to British industry wherever they can. That applies also to competition. The breaking down of trade barriers and our membership of the European Community is bound to lead to greater competition between companies throughout the world. There will then be less room for the kind of competition between companies in this country that we thought was necessary until a few years ago.

Mr. Phillip Oppenheim: My right hon. Friend has drawn to the attention of the House the fact that British Telecom proposes to buy 20 per cent. of its digital exchanges from Ericsson. Jobs will be created in Britain through the assembly of those exchanges, but I suspect that they will be few in number. Is not the situation made worse by the fact that the Swedish PTT totally refuses to countenance the purchase of any British equipment to the

extent that last year the Swedes exported £22·9 million worth of telecommunications equipment to Britain, while we in return were able to export only a derisory amount?

Mr. Prior: My hon. Friend helps me with my point. These matters need to be considered very carefully. We can do certain things to help ourselves without extra finance being involved.

One can argue about the base year which ought to be adopted for the output of manufacturing industry. Should one take 1973, 1979 or 1981 and work out from that how well or how badly one has been doing? Although Britain's manufacturing performance has improved remarkably during the past few years, it faces enormous problems. I should not want the Government to think that their efforts during the last three or four years or that the growth in manufacturing output during that period will carry Britain through when North sea oil begins to run out. We have to use this period to ensure that British industry becomes as competitive as possible. That is why I urge my right hon. Friend the Secretary of State for Trade and Industry to fight very hard in Cabinet for a change in the bilateral aid policy, in the aid and trade provision, and in the attitude of the Treasury. The "crawling over" of these figures that goes on time and time again delays decisions and frustrates so much of British industry.

Vast numbers of British industrialists want to support the Government. They believe that the Government's industrial relations policy has resulted in the tightening up of manufacturing production generally. They want to continue to support the Government. They believe, as I do, that the time has come to look again at some of our overseas trade policies.

When the Prime Minister was in Indonesia during her tour of the far east, which she regarded as a market into which Britain ought to be getting in a big way, she found that we were almost totally excluded from Indonesia because we are unable to match the soft credit and other packages which other countries are able to supply to that market. Yet it, together with China, is one of the most important markets that we ought to be developing during the next few years.

Contrary to what has been said, when she goes overseas the Prime Minister does a remarkably good job by sticking up for British industry and getting orders for Britain. However, she would be the first to agree that, if Britain is to win orders, our policy on bilateral aid and ATP, and to a certain extent the way that it is manipulated within Government, has to change. I have not suggested a figure to my right hon. Friend the Secretary of State for Trade and Industry. That would be silly. To suggest figures would immediately give to our opponents and competitors abroad the chance to "up" their figures as well. All I want to do is to ensure that Britain has a fair chance to obtain orders. The rest is up to industry.

5.46 pm

Mr. Ian Wrigglesworth (Stockton, South): I am pleased to follow the right hon. Member for Waveney (Mr. Prior) because, not for the first time, I agree with much that he said about the rather narrow policy area with which he dealt. However, I would point out to the right hon. Gentleman, to his right hon. Friend the Member for Cambridgeshire, South-East (Mr. Pym) and to their colleagues in the newly formed Centre Forward group that if they wish changes to be made to Government policy they must understand, as I am sure they do, that Governments take notice only of votes—either votes in the ballot box or votes in this House. I believe that there are sufficient right hon. and hon. Members belonging to the Conservative party to join with some of those on the Opposition Benches who strongly disagree with many of the policies to which the right hon. Gentleman addressed his remarks to bring about the change in Government policy that the right hon. Member and his right hon. and hon. Friends seek to effect. If they are prepared to follow up their speeches with their votes, that could be so.

I am also pleased to follow the right hon. Member for Chesterfield (Mr. Benn). It is a pity that the right hon. Gentleman has not learnt, as all hon. Members need to learn, a little more humility from his experience in Government, politics and industry than he demonstrated in his speech. One of the lessons that he might have learned from the period 1939 to 1945, which he praised as a very successful period for this country, was that we then had a sense of direction and purpose which has not existed for other than the very shortest periods since the war years. That, rather than the other factors to which he referred, led to this country's success during that period. Some of the alliance members believe that that kind of success will never again be achieved in the industrial and manufacturing sectors and by the economy of this country until there is a broader degree of agreement and consensus between the parties instead of absurd and exaggerated arguments being waged over the declining body of British manufacturing industry. We have witnessed such exaggerated arguments in this debate.

It is just as absurd to suggest, as it was suggested by the Opposition Front Bench spokesman, the right hon. and learned Member for Monklands, East (Mr. Smith), that the Government are doing nothing to help industry and are leaving everything to market forces as it is to suggest, as the Minister for Information Technology suggested in his opening speech, that everything should be left alone and there should be no Government intervention. As was acknowledged by the Minister in the second part of his speech, the reality is that this Government, like every other Government, are involved in industry.

In the second part of his speech the Minister catalogued the way in which the Government are intervening in the market, helping industry and associating with it in the many ways which he outlined. My criticism is not that the Government are not intervening in industry, because they are, but that they are not intervening in the right way and are providing insufficient resources to help to prevent the decline in manufacturing industry, which is the subject of this debate.

There are many matters, with which I cannot deal this evening, that the Government might consider doing, not only by means of the revenue from North Sea oil, which amounts to about £12 billion or £13 billion, but by means of the enormous revenue that we now learn the Government will receive from the sale of British Gas. What will the Government do with the £6 billion to £8 billion that they will receive from the sale of British Gas? Perhaps they will listen to the Society of Motor Manufacturers and Traders and remove the tax on the automotive industry with part of it. If the tax on the car industry were removed, there would be a good return for British industry. The tax is regularly criticised by the

[Mr. Ian Wrigglesworth]

motor industry because it puts it at a disadvantage when compared to other countries. In any country the motor industry is a generator of jobs and wealth.

The revenues received from North sea oil and the sale of public assets, such as British Gas, could be ploughed back into many sectors of industry to provide the seed corn and investment for the creation of future wealth.

After six years, the Government's policies are failing. The decline in the contribution of the manufacturing industries to the economy has accelerated dramatically. I take no pleasure in recording that fact. There has been a structural shift away from manufacturing towards services in all the developing countries, but the scale of the shift in the United Kingdom was not inevitable and should not have been so great.

Twenty five years ago, 38 per cent. of our work force was employed in manufacturing. Today, the figure is 27 per cent., which represents 5·5 million jobs. There are 3 million fewer jobs. Under this Government, 1·76 million jobs in manufacturing have been lost. At 20·9 per cent., the contribution of United Kingdom manufacturing to the GDP is lower than that of any country other than the United States. That is a bad state of affairs.

The Minister pointed out that the manufacturing sector has been in terrible decline since the early 1970s. Between 1979 and 1984, however, manufacturing investment fell by 30 per cent. in real terms. Despite the past year's recovery to which Ministers have referred, manufacturing output is still 10 per cent. below the 1979 level.

This country, which was once the workshop of the world, fell in 1982 into deficit on manufactured goods for the first time since the Napoleonic wars. In 1984, the deficit was nearly £4 billion. That was a major contribution to last year's horrendous non-oil deficit of £11·4 billion. The contraction in manufacturing was pointed out graphically by the right hon. Member for Chesham and Amersham (Sir I. Gilmour) in his article in *The Observer* in which he said:

"Net investment in manufacturing has on balance been negative since 1979; in other words the measured stock of plant at the disposal of manufacturing industry is actually lower than it was six years ago."

Those of us with constituencies in the north, Scotland and Wales can see that. We can see the open spaces where the factories used to be and the empty buildings standing around as the tombstones of our industrial past.

The sharp contraction in our manufacturing base owed much to the unprecedented 50 per cent. loss of competitiveness between 1979 and 1981. It was the result of a deliberate policy of allowing sterling to appreciate against all major currencies, and the inflation stoked up in the Government's first year of office as a consequence of the naive monetarist belief that pay increases could not affect the level of inflation. Caught by that cruel vice, manufacturers had no choice but to embark upon a savage round of closures and labour shake-outs to stay in business. Many, of course, went out of business during that period. Our manufacturing competitiveness has still not returned to the level of 1976 and 1979.

The Government have made much of the contribution of the service industries to the so-called economic recovery. All the employment growth that has taken place since the trough of early 1983 has been in the service industries — financial services, distribution, leisure services — and in self employment. The "improved optimism" of the CBI survey mentioned in the Government amendment is based on the interpretation that manufacturing employment will stop falling. That belief may not be unreasonable. It is borne out by my chamber of commerce's survey of local manufacturing firms. However, much of that optimism will melt away when the results of the Government's tightening of monetary policy since February this year feed through and the brief export recovery that we have seen is aborted by the appreciation of sterling.

The net increase of some 480,000 jobs between March 1983 and September 1984, about which we have heard so much from Ministers and Conservative spokesmen, includes 318,000 part-time jobs for ladies. Welcome, though those opportunities are to many, such as married women, who left the unemployment register during the recession, they mask the fact that during that period full-time employment fell by 162,000.

It is ironic that the Government's anxiety to massage the figures in 1983 by changing the basis of the register now results in the fact that the return of many unregistered unemployed to work means that the latest figures for the registered unemployed are still rising, despite the increase in employment, because the people becoming employed are not on the register. The Government's excuse, that the labour force is still increasing, takes no account of the fact that over the past 10 years the United Kingdom has had a lower working age population growth rate than almost all the major industrialised countries. It was Keynes, I think, who remarked that we should remember that for every pair of hands there is a mouth. The increase in the working population provides the opportunity for increased consumption and increased production. Increased population provides us with an opportunity for economic growth and not for the stagnation that we have seen in recent years.

The manufacturing sector, as an engine of wealth creation, remains crucial to the economy. Half the value added in all our exports of goods and services comes from manufacturers and one third of the remainder comes from the service industries interdependent upon manufacturing exports — transport, shipping, finance and insurance — and nearly two thirds of exports of goods and services are derived from manufacturing.

As the director general of the CBI said recently in his speech to that other Conservative splinter group — Conservative Action to Revive Employment:

"if anyone thought services could replace manufacturing in our exports, they must remember that if they did our service earnings would have to be three times as big as they are today."

That is an inconceivable change, and I do not believe that anyone would seriously suggest that it could happen.

As the right hon. Member for Cambridgeshire, South-East said, the Government have no industrial strategy. They have now entered their seventh lean year and there are few prospects of any fat years ahead. The Government are relying on the increases in the special employment measures contained in the Budget to contrive a reduction in the employment figures before an election in 1987 or shortly after.

The Government ridicule people, such as Lord Weinstock of GEC and the chairman of ICI, John Harvey-Jones, and suggest that they are out of their tiny Chinese minds when they call for a clear exchange rate policy and are sceptical of the suggestion that services can fill the gap

left by the decline in manufacturing. It is a pity that that type of attack is directed towards the leaders of some of our more successful industries, which contribute to so many parts of the country and so much to the national economy.

This year's public expenditure White Paper revealed the extent to which the Government have savaged spending on jobs and industry. In the five years up to 1987-88 they will have cut the budget of the Department of Trade and Industry by half in real terms. Spending on regional development grants, which has already been halved in three years, will fall by a further 43 per cent. in cash terms over the next three years. The only advantage of the Government's scorched earth policies is that they make it possible to embark on an entirely new strategy of constructive intervention, working, as we should like to see, with the grain of the market.

For industry, this depends on getting the right framework of macroeconomic policy. We have debated that issue on previous occasions and we shall, no doubt, debate it on many future occasions. We have in our budget proposals a modest fiscal expansion of £4 billion, which would cut unemployment initially by 0·5 million and in 1987 by 900,000 below the forecast levels, and cut increased borrowing by £1·9 billion. Unlike any other packages on offer, our policy has a credible anti-inflation element in the form of a firm monetary policy, within the framework of the European monetary system, helping to stabilise the crazy interest rate and exchange rate see-saw that has taken place since the winter.

In February the Chancellor rejected the advice of his chief economic adviser and the enthusiastic support of the CBI and industrialists, as well as the technical opinion of the governor of the Bank of England, and spurned the opportunity to join the exchange rate mechanism of the EMS at a competitive rate against the Deutschmark and a basket of European currencies.

Mr. Tebbit: Is the hon. Gentleman in a position to say whether the two industrialists he named—I will not ask him about any other—Lord Weinstock and Mr. Harvey-Jones, are enthusiastic advocates of the alliance policy of taxing away pay rises which are judged to be excessive? It would be interesting to know whether those two gentlemen support that policy.

Mr. Wrigglesworth: They, like many other industrialists, on looking at the policy that my colleagues and I have proposed, will realise that a decentralised incomes policy of that sort is better than not having the growth in the economy that would help their companies to grow more rapidly than they have done in recent years.

The difference between ourselves and Conservatives or Socialists is that we in the alliance are at last prepared to confront the problem, which is more than can be said of Ministers. All that we get from them, as we got from the Minister earlier, is sheer exhortation, with complaints about the level of income increases and the effect that that is having on our competitiveness, inflation and the economy generally.

From the Government we get nothing but exhortation and from the Labour Benches we get only a refusal to face up to the consequences of pay increases. At least from the alliance there is a recognition of the problem that confronts the country, and we put forward solutions for dealing with it.

Mr. Prior: Many people have quoted in defence of their cases words that Lord Weinstock is reputed to have used. As he is the managing director of GEC, perhaps I should remind the hon. Gentleman that it would be wise for people to wait to read the evidence, when it is published. I have read it and I assure him that it does not necessarily conform to what the hon. Gentleman said, to what my right hon. Friend the Member for Cambridgeshire, South-East (Mr. Pym) has said or to what was said by the right hon. and learned Member for Monklands, East (Mr. Smith).

Mr. Wrigglesworth: The remarks of the managing director of GEC were widely published when they were made before the Select Committee. The right hon. Gentleman should not believe that I and other hon. Members have not read them with great care and did not draw the obvious conclusion, that he was being most critical of the policies of the Government. I appreciate that from my contacts with industrialists, because his remarks bore out what I have found is the feeling among those in a broad spectrum of British industry about Government policies in recent years.

I move from the general macroeconomic issues to the question of the high technology industries and innovation. We must acknowledge the findings of a number of investigations that have been made. The Ashworth report last autumn showed that Britain's growth rate in information technology, at 12 per cent. between 1970 and 1982, was slower than that of any of our main competitors. In Japan it was 23 per cent.; in France, 19 per cent.; in the US, 18 per cent.; and in West Germany, 15 per cent.

It also showed that our share of world output in information technology fell from 9 to 5 per cent. and that our balance of trade had deteriorated from parity to almost £1 billion, with import penetration accounting for more than half of the market.

In biotechnology, the British Technology Group could find few British backers for its Agricultural Genetics Corporation, and Celltech has had to go into partnership with an American company, Air Products, to develop its new product.

While the application of microelectronics grew in the United Kingdom by 60 per cent. between 1981 and 1983, only 10 per cent. of those companies were using microchips as part of their product ranges. Recent published studies by the Policy Studies Institute and PA Technology show that we lag behind competitors such as West Germany and the United States. About 19 per cent. of the firms in the PA survey reported a high impact of information products at 16 per cent. of processes. That compared with 44 and 38 per cent. in West Germany, and 42 and 34 per cent. in the United States. That is a clear indication of the way in which we are falling behind.

The PSI survey showed that Britain's continuing failure to innovate owed most to inadequate training and a shortage of professional engineers, which the Information Technology Committee, under the chairmanship of the Parliamentary Under-Secretary, estimated at 1,500 now and at over 5,000 by 1988.

It is estimated that employers are spending £2·5 billion on training — on average less than 1 per cent. of turnover — and are failing to fill the gap left by the collapse of apprenticeships in recent years, down from 100,000 in 1979 to 40,000 in 1983, coupled with the abolition of most of the industrial training boards.

[Mr. Wrigglesworth]

We believe that there is need for a considerable increase in investment in education and training. As I have said from these Benches before, one way in which we could help to co-ordinate and improve training in Britain far more than we are doing now is to bring together the training side of the Department of Employment and the education and training side of the Department of Education and Science, and have a department of education and training.

Many people are getting increasingly worried about the enormous growth of the MSC and all the work that it is doing, and about the way in which it fits in with the work of the further education colleges and other training institutions which are run by the local education authorities, basically under the auspices of the Department of Education and Science.

I hope that the Government will consider bringing those two much closer together, getting a better use of the resources and turning the YTS, which we fully support, into much more of a training module that will help the young people taking part in it to go on to further qualifications. It is not as good as it should be. It should contain a bigger training component, and it is important that the scheme be developed with more resources. We on these Benches would like to see various types of action being taken in those areas. There is need for a larger general programme to upgrade and extend maths and science teaching in the schools. The Secretary of State for Education and Science is doing a number of good things in that connection, but we need to do more, more rapidly, with more resources being applied. We need crash programmes to provide more people qualified in electronics and more teachers qualified to teach maths, science and technical subjects. This must be a matter of the highest priority. I am not saying that the Government are not aware of this or that the Secretary of State is not doing anything. He is, but the Government must give a higher priority to, and put more resources into, this whole sphere.

The science budget should be increased by £50 million to restore the recent cuts that have been made. It is appalling that, in this period of our history, that budget should have been cut. The Minister did not say that the £43 million that was being injected in this area was being taken out of existing budgets, so that it did not represent an increase in real expenditure.

We also believe that there should be an increase in expenditure in support of innovation. The Minister explained how much the Government were doing, but more needs to be done. Expenditure on this aspect was frozen by the Government at £185 million, with a complete moratorium imposed on applications, as the right hon. and learned Member for Monklands, East pointed out. I know how much that has hit many firms because one such company is in my constituency. I hope that the Minister will pursue that case following this debate.

The Minister recently wrote to that company — it makes industrial robots — congratulating it on what it had achieved. At the same time, his hon. Friend had almost brought the company to the verge of bankruptcy by the moratorium and by withdrawing support for a flexible manufacturing system on which the firm was embarking. I hope that the Minister will investigate that case. I am certainly willing to send him the correspondence. The effect of that moratorium was extremely damaging for firms in the very area in which this country needs to expand as rapidly as possible. More money, not less, is therefore required.

We also need a far more effective programme than the Alvey programme. It is staggering that only £40 million has been taken up from a budget of £350 million. It might meet the Government's prejudices if the programme became rather more market oriented, along the lines of the German microperipheral support programme, which relies far more on decisions on products and marketing for the small, high-tech companies involved. I hope that the Minister will also consider that.

The right hon. Member for Waveney tends to write off the need for more money for research and development. I know that his company and many others spend a great deal on this, but many sectors of industry spend nothing like as much as they should. That being so, in addition to giving grants the Government might consider working with the grain of the market and using the tax system as a carrot to encourage firms to invest more in research and development.

We propose also that the Government should introduce an industrial credit scheme. The capital markets in the City have many excellent features but for a very long time the City has lacked a market in fixed, long-term bonds. Efforts have been made to try to get such a market off the ground but they have never worked. Press reports in the past 24 hours have shown that American operators are now moving into this area of the London market to try to create a real market in stock of that kind, but I do not believe that that will be enough. Firms need a means to avoid the high rates of interest that they now have to pay on such loans.

An industrial credit scheme — rather like a domestic ECGD — would help to direct investment towards research and development and other development programmes on which companies wish to embark by providing a fixed rate of interest over a period, supported by the Government. We believe that that, together with small firms investment companies, would be of enormous benefit in helping companies to increase their investment. It would also be a highly cost-effective way of working through the market and the banking system to provide a subsidy on interest rates for approved schemes. For instance, a subsidy of £100 million per annum over five years would allow £1 billion to be made available in loans at 10 per cent. below market rates, or £2 billion in loans at 5 per cent. below market rates. That would be of enormous benefit to companies and I hope that the Government will consider it most seriously together with the proposal for small firms investment companies which we, the CBI and other organisations have suggested.

I have covered the major areas in which we want action to be taken. If my hon. Friend the Member for Yeovil (Mr. Ashdown) catches your eye later in the debate, Mr. Deputy Speaker, he will expand on some of the other areas which are covered by our amendment and in which he has taken a close interest. I hope that the Government will recognise far more than they have so far that there is a desperate need for action in the whole area of manufacturing industry and high technology. If the Government do not move quickly, the boat will have gone and we shall be left high and dry if North sea oil runs out and we do not have the manufactures that we need on which to base our service industries to create wealth and jobs for the future.

6.14 pm

Mr. Ian Lloyd (Havant): The hon. Member for Stockton, South (Mr. Wrigglesworth) invariably engages our interest. I followed his speech today with interest and agreed with some of it. So often on these occasions, however, we each have our own template that we apply to the British economy—and probably our own version of the economy that we apply to the template—and then comment on the parts that do not fit. My right hon. Friend the Member for Waveney (Mr. Prior) did very much the same. The common feature is the attempt to wash the problems with money. It is always a beguiling and plausible argument. Many problems can be washed with money, sometimes successfully and sometimes not.

At present there is a cornucopia in the North sea. The latest manifestation concerns the proceeds from British Gas, but hon. Members on both sides seem to think that that money can be spent twice. I have never been persuaded that that is so. Unless one hypothecates it—an argument that the Treasury has rightly resisted for a very long time—the money goes to the Treasury and reduces the Government's requirement in terms of borrowing or taxation to meet their total commitments, but that money cannot be spent twice. If we hypothecate it, allocating some or all of the North sea revenues to these very desirable projects or even adding £2 billion to ECGD, either the money must be found elsewhere in the system or other projects have to be abandoned or curtailed. I have never heard a satisfactory explanation of how that can be avoided, so I am not persuaded.

If those who use that argument could say where they proposed to take the money from or what they intended to curtail—or, more significantly, how they proposed to increase GNP by X per cent. and to spend that real increase when it became available—I should have infinitely more sympathy with the argument for increased research and development, more support for the semi-conductor industries, of which I approve, or more assistance for overseas companies. In that context, we could learn a great deal from the extraordinarily interesting example recently written up in the greatest detail in a fascinating OECD report on the way in which the great Japanese trading companies operate.

I take issue with the claim of the right hon. and learned Member for Monklands, East (Mr. Smith) that the Government do not believe in Britain as a manufacturing economy. We are having difficulty in this debate about the definition of the term "manufacturing." In the United States, the total employed in what is defined there as manufacturing—their definition is not dissimilar to ours—has, I believe, declined from about 26 per cent. to about 11 per cent. in the past 10 years and is still declining. So far as I have observed, however, that decline has not been associated with any decline in the real wealth or economic performance of the United States.

The number of people employed in the United States service sector has risen to such an extent that nearly 60 per cent. of the employed population is now employed in that sector. The right hon. and learned Member for Monklands, East implied that the British Government were trying to force people into service industries so as to create a low-wage economy. That is poppycock. Those employed in the service sector in the United States are among the most prosperous people on earth. We should consider that example if we, too, want to prosper.

The facts are obvious. One does not need to get into a space shuttle, as a United States senator recently did, to grasp those facts. One has only to consider modern manufacturing technology in those areas of the world where it is at its most successful and prosperous. Some are in the United Kingdom, some in other parts of western Europe, many in the United States and, regrettably, a very large number in Japan. The very small segment of the employed population whom we used to describe as employed in the manufacturing sector, because we recognised that they were doing something with their hands—standing at a lathe and handling products—has decreased in the most outstanding cases to less than 1 per cent. of the total work force, but it is supported by a vast tail of extremely skilful, sophisticated people supplying services which that sector requires to compete and to achieve its legitimate and important industrial objectives. We would be unwise to lose sight of that essential fact.

As I have argued before in the Chamber and will argue again—not least because some months ago in Japan I witnessed the many changes that have occurred over almost five years—there is no escape from this direction of movement. It will happen in Britain, western Europe and throughout the developed world. If it does not, many of the difficulties that we fear will come to pass. There will be serious unemployment and loss of wealth and capacity. Our relative position will continue to decline.

Another point on which I take issue with the right hon. and learned Member for Monklands, East concerns IBM. I declare an interest, because of the large IBM plant in my constituency. The right hon. and learned Gentleman said that we must consider and help only our industry. I do not want to delve too much into the merits and demerits of this case, but I must point our that, in the information technology sector alone, IBM is the largest single contributor to our balance of payments. It employs 12,000 or more British citizens. How can we define information technology firms as "ours" or "theirs"? The old definition is obsolete. We cannot look intelligently at this aspect if we look through our spectacles in terms of what is inside or outside a national frontier.

From where does ICL derive its semiconductors, much of its software and, recently, some of the most interesting developments in advanced computer technology? The answer is Japan — and good luck to ICL. That is probably the right policy. ICL is still, however, "our" company. I hope that it will make an even larger contribution to our information technology balance of payments.

A much more fundamental point concerns what our strategy should be. The Opposition are fond of the word "strategy." I am not so fond of it, because in many cases the results of strategies adopted by Governments have been singularly uninteresting and unsuccessful and, in some cases, disastrous. If we look at "strategy" in this context, we must recognise that we have no alternative but to go for restructuring. Total world semiconductor output is $29 billion, including $2 billion from western Europe as a whole, $18 billion from the United States and $8 billion from Japan.

Dr. Bray: I am sure that the hon. Gentleman would not wish to mislead the House in referring to contributions by companies to our balance of payments. IBM claims that its exports equal its imports. Therefore, it makes a net nil

[Dr. Bray]

contribution to our balance of payments. That is a great deal better than other American companies in the United Kingdom which have much higher imports than exports.

Mr. Lloyd: I am sure that the hon. Gentleman could make a very effective point on this, but I still say that Britain would be substantially poorer, our information technology as technology would be less and our economic performance would be substantially reduced if, as a result of what is said here today, IBM said, "No more investment in Britain. We shall wind our business down and take it out of Britain. They do not regard us as their company any longer."

Mr. John Smith: The hon. Member for Havant (Mr. Lloyd) appears to have been directed by a point in my speech. My point about IBM had nothing to do with investment. I raised the problem of companies like IBM sending letters to all the people who had bought their products, reminding them of some sort of obligation to observe United States law. I pointed out that when we are dependent on companies such as IBM, that is not a sound strategic position. I hope that the companies concerned defy the invitation contained in the letters. That was all I said about IBM. Perhaps the hon. Gentleman will accept that and tell us what he thinks about the problem that I have raised.

Mr. Lloyd: I am glad to accept that invitation. I appreciate the dilemma of the right hon. and learned Gentleman, the Government and IBM. IBM must follow the dicates and sense of its Government. That Government pretend and say that they have at the centre of their policies the interests of the defence of the West as a whole. These are severe and serious paradoxes, to which I do not pretend to have the solutions. I would not say that tomorrow the United States Government must abandon this policy and let all technology flow without restraint into the Soviet Union. Equally, the imposition of severe commercial constraints outside the jurisdiction of the United States Government raises considerable problems which we should address more seriously.

The most offensive part of the Opposition's motion was the reference to "wilful neglect". I find that hard to accept. Of course, it can be argued that there has been neglect. I would have been less concerned if the motion had referred to "mistaken", "misjudged" or "serious" neglect. I do not believe that either the Labour Government or the Conservative Government have shown "wilful neglect" in solving those problems. They are often much larger and more complex than people realise. All Governments make mistakes, but I believe that we have made fewer mistakes throughout the 20 years during which I have been arguing in the House that we should have a larger, more prosperous and more successful information technology industry.

If our information technology industry is insufficient, what is the reason? Why has Europe as a whole—not just the United Kingdom — failed to surf on this enormous industrial surge which can be seen on an examination of almost all the statistics? The answer—I do not claim any originality for this—is that we do not have a Silicon valley or a Tskupa science city, which are two ways of building an information technology industry. Both those ways have been highly successful; our way has been less successful. We must learn where we can and adapt the successful lessons to our circumstances. Above all, we must adapt them in our strategy. We must choose where we shall be excellent and successful. The Government, the private sector and everyone else involved must do everything in their power to achieve that objective.

Two perspectives are missing — technological and entrepreneurial. The Government have been doing everything in their power to give a positive stimulus to the creation of an entrepreneurial culture, and I support that entirely. I shall give one example showing where we have failed and others have succeeded.

Recently, I attended a conference in France at which a presentation was made by a four-year-old American company. I shall give its name because I should like hon. Members to know what it is doing. The company is called Birdview Satellites. In 1981, the company had a turnover of about $700,000. This year it expects a turnover of about $100 million. That is what the company has done in only four years. That company has discovered that there is an extremely important and interesting market for the supply of domestic satellite receivers to the private individual in the United States. Nearly 1 million have now been supplied, and the company has been supplying about 10 per cent. of that total. The company expects to grow bigger. It is extremely successful commercially.

Why have we not done the same? We have not done so because our whole regulatory framework and attitude is one of fear. We are terrified of what may happen if someone can tune in a television receiver and get a direct signal from a satellite. The United States Government had exactly the same fear and probably went through the same arguments, but eight months ago they gave the green light, with the result that the company is now employing 800 people. It is making things which have never before been listed in the manufacturing handbooks. In my judgment, it will soon be a very substantial company. It has not happened here because we lack the technological imagination at all levels of our society and the entrepreneurial attitudes which follow that imagination.

We have done partially what we set out to do. One is reminded of the examiner's report, "Could do better." All Governments could do better. I do not think that any Government have an exemption in this context. The technology that we have to apply is undoubtedly all-pervasive and is sweeping into every aspect of our society. There is no point in any of us being under the illusion that by opening up the taps and the hoses of public expenditure we can go back to the days of 1972 or 1968, and that the old factories will be filled with old chaps doing the old things. That has gone, and it will never happen again. We have only one road before us—and that is forward. We can take it only if we support adventurous, skilful, but essentially carefully chosen, policies. That is the main point that I want to make.

We shall fail completely if we divert too large a proportion of our resources to attempts to maintain old industries in old places. With new information technology, new computer-aided design and manufacture, some firms in some industries may be helped to survive. If we know that, through information technology, the standardised technologies have migrated to the Third world — and they have been encouraged and assisted to migrate by some of the Japanese trading companies to which I referred earlier—all we shall be doing is pouring good money after bad. We shall be wasting our national resources on

an unforgivable scale if we continue to subsidise industries which we know perfectly well cannot ever recover. We must help them and the communities which were employed in them in every possible way to change direction and to move forward. If we do that, we shall regain our national prosperity.

6.33 pm

Dr. John Marek (Wrexham): The hon. Member for Havant (Mr. Lloyd) took exception to the use in the Opposition's motion of the term

"wilful neglect of British manufacturing industry".

I am happy to see the word "wilful" in the motion because I think it is rightly there. The Opposition see the Government as having one idol before them — the market—so that everything the market wants must be right. From that point of view, the Government wish to disengage themselves from interfering in industry and from helping industry in any way. That is why the word "wilful" appears in the motion.

Mr. Tony Baldry (Banbury): The hon. Gentleman must understand that the Conservative party has always been an interventionist party. If we had simply left it to the market place, there would not be a motor car industry, a shipbuilding or a ship repairing industry in Britain today.

Dr. Marek: I am afraid that there is not much of a motor car industry today, and there is not much of a shipbuilding industry either, so I cannot agree with the hon. Gentleman.

It may well be that the real Conservative party is an interventionist party. Unfortunately, it has been hi-jacked, and the present Conservative party is a completely different creature. Therefore, I stand by what I said—that the word "wilful" is in the motion because the present Conservative party believes that anything the market wants is right. The market wants to have freedom to go abroad for its investment, or to stay here it can get enough profits.

The Government have in many ways got rid of all the possibilities that Governments used to have in developing vital industries in Britain. In addition, the Government have been proclaiming that there has been a recovery, that there is record investment in manufacturing, a record growth of exports, that employment is at an all-time high, and that unemployment is about to fall. The Government have put their case cleverly because it disguises the truth about what is happening to the nation.

The Government forget that 1979, 1980 and 1981 were three disastrous years for the industrial areas. Industry was decimated. It is no wonder that after the disastrous record of 1981 and 1982 the Government can point to some sort of recovery or increase in investment. It comes as no surprise that productivity has increased after the horrors that the British people had to endure in the first three years of the Government's first Adminstration. There is some recovery, but in many ways it has not yet brought us back to where we were in 1979, certainly in manufacturing. The hon. Member for Yeovil (Mr. Ashdown) said that manufacturing output was about 10 per cent. below the 1979 figure. He said that investment in the United Kingdom is 33 per cent. below what it was in 1975. My figure is 25 per cent., but I will not argue about it.

We have seen a series of disasters. The money supply figures for April were awful. As a result, we shall see high interest rates continuing. No doubt the "month-on" figures will show that inflation will drop towards the end of this year and early next year, but City economists are now expecting inflation to rise after that.

Mr. Baldry: The hon. Gentleman is carping about what he regards as a series of disasters. Does he include the announcement yesterday from his constituency that Sony is to double its employment, with the expectation of adding several hundred more employees in the next two or three years?

Dr. Marek: It is not Sony but Sharp. Naturally, I am very pleased about the announcement, but it should be recognised that it has happened because the Wrexham borough council went to Japan and got the contract by talking to Sharp. I have had a detailed account of how the contract was obtained. Wrexham borough council used ratepayers' money to secure industrial development. The Welsh Office does not "disregard" that money and it is liable to grant holdbacks. Wrexham borough council, against the desires of the Government and Conservative Members, went out and obtained a deal so that microwave equipment will be made in Wrexham instead of West Germany or France — countries which understand manufacturing and the business of getting investment.

The Government are following a disastrous policy of lowering the industrial base of this country. Unemployment is increasing, and there are no signs of it decreasing. The underlying trend is still high. It is telling that the Minister argued with my right hon. and learned Friend the Member for Monklands, East (Mr. Smith) whether the unemployment figure was 3·2 million or 3·8 million. It is a sorry state when the figure is over 1·5 million — its level when the Labour Government left office. It is now at an all-time high. The Government claim the figure to be 3·2 million, but in reality it is well over 4 million. Many of the jobs that they include in the figures are part time and low paid. The figures when the Labour Government were in office related to head-of-household jobs—people who worked to support their families.

It is true that Sharp will provide 190 jobs in Wrexham — indeed, I hope that eventually the figure will be higher. But three or four weeks ago Courtaulds announced that 510 jobs would disappear from Wrexham. The workers were not told about that, yet the chairman put his name to an article saying that companies should always tell their workers their plans and not spring surprises upon them. The Courtaulds action is an example of something that I do not regard as good company practice. Without any warning, it has taken away 510 head-of-household jobs. They are well-paid and skilled jobs. We do not know why Courtaulds is doing this, but we suspect that it will transfer the work to its factories in Barcelona and Russia. The other Courtaulds factory to be closed at Greenfields will transfer its production to Grimsby. However, it is common gossip that the Grimsby factory will also close and the production transferred to India.

If I am carping, so be it. I and my hon. Friends are indignant about this matter. It is time that the Government faced their responsibilities and took action. Instead, they say, "Let us see how it goes. We have £40 million for this and a few million for that. We will rejig the figures. Just trust us and everything will be fine." I do not believe that. Many Conservative Members now recognise that and are making the same criticisms about Government policy that the Opposition continually make.

[Dr. Marek]

The Building Employers Confederation said in its June publication:

"While a further modest growth in building industry output this year is indicated by responses to the current Building Employers Confederation State of Trade Enquiry, enquiries for new work remain flat and less than one-third of firms questioned are working at full capacity."

Similar items have appeared in its previous bulletins during the two years that I have been a Member of Parliament. Not one article has suggested that the building industry can look forward to an upturn in new building and employment.

When Conservative Members make ritual noises about not wanting unemployment and pretend that they are sorry about it, they say, "We are going through a bad patch. Do not blame us; there is a world recession. We are trying to do our best." I question their sincerity when they troop through the Lobbies day after day supporting Government policies that lead to high unemployment.

Mr. Michael J. Martin (Glasgow, Springburn): They shed crocodile tears.

Dr. Marek: Precisely. Conservative Members do not place a high priority on reducing unemployment.

I find it frightening that last year, for the first time, there was a trade deficit in our manufactured goods, and as an exporting nation that is a danger to our survival. I could never support a Government who pursued policies that resulted in a deficit in our manufactured goods.

There is also a growing deficit on the non-oil trade account. The hon. Member for Yeovil mentioned a figure of £12 billion. It is true that non-oil exports have risen by 1 or 2 per cent. since 1979—something upon which the Government seize—but, unfortunately, non-oil imports have also risen, and not by 1 or 2 per cent. but by more than 4 per cent. Surely that worries the Government. They tell us the same old story of exports being at record levels, and say that industry needs to be left alone to produce the goods and make the profits. They should be worried that non-oil imports are exceeding non-oil exports by a factor of four to one. Perhaps the Minister will tell us whether he is worried about that. It certainly worries the Labour party.

Mr. John Maples (Lewisham, West): Of course Conservative Members are worried about the deficit in manufactured trade. Will the hon. Gentleman explain the Labour party's policy of leaving the EEC, with which most of our manufactured trade takes place? How can such a policy help to increase our manufactured exports?

Dr. Marek: I do not want to delve too much into that aspect of Labour party policy—*[Interruption.]* I did not support Britain's entry into the EEC, yet I have always believed that we should follow the treaty to the last letter. But as the other EEC countries do not adopt that view, we only harm ourselves if we pursue that attitude. I regret that I have reached a view that we should take a sceptical attitude to many of the EEC regulations.

Hon. Members have mentioned Japan, and I agree that it is a world leader in the way that it organises its industry. I have no connection with Japan and, indeed, have never visited it, but I have spoken to people who have been there. They say that Japan organises its main manufacturing industries in an efficient manner with new high technology. I understand that one can walk about factories in Japan without seeing any workers other than one or two controllers. All the work is done by robots. However, the Japanese Government ensure that their people are employed. For example, one might use a bank card in the high-technology system outside a bank, but inside there are armies of clerks looking after one's affairs. There are many people in the service industries.

That is the difference between the attitude of the Japanese Government and the attitude of the British Government. We need investment and the most modern high technology for our manufacturing industry, and we cannot survive without it. But we must consider the people that technology displaces. The Government have thrown them on the dole queue and told them that they have no future. Young people, after two years on a youth training scheme, are trained only for a life on the dole. That must be changed. I recognise, as hon. Members have said, that we are changing over to more jobs in the service industry because all the developed countries have been doing this.

As an example, let us take the railway system. Instead of trying to cut down on the services available on platforms and in the trains, if the Government said that people should be employed to provide a decent service, and a degree of comfort, those engaged in the industry could take a pride in running an efficient railway system. If the Government took that view and at the same time insisted on having the highest technology and the most modern system of production in our manufacturing base, we would have much more of a one-country feeling and more unity of purpose with a sense of going somewhere as a developed country. I am sorry to say that at present that unity of purpose does not exist.

I do not believe that the people of Japan are more inventive than the people of this country. The people of this country are second to none in their inventiveness, creativity and ability to do front-line research and in enabling technologies so that front-line research can be put into action. Not much thought is given to this by the Government. It seems that the only thing that the Government can crow about is the fact that small companies are mushrooming and bringing forward new technology, but big companies have to be looked after as well in terms of research and development.

The Government have an interventionist role to play to make sure that the creativity of the people of this country can be put to good use, but this is the problem that the Government fail to recognise.

Let us take universities as an example. Since 1979 universities have been worried about whether they will retain the same numbers of people in their departments and whether the students will be forthcoming. This must have an affect on teachers in their researches and in their teaching. Indeed, I know that this is happening in universities, because I was at a university until 1983. Almost any university teacher in the country, when asked, will speak of the lack of morale. People wake up in the morning wondering whether there will be some new announcement by the chancellor or the principal that another 20 or 30 jobs must be cut because of the Government's plans to cut 5 per cent. for the next five years. This cannot be the way to run a country or to ensure that we become a developed nation again.

To give one example, I quote from an article in this week's *Economist* entitled "The Thin Way to Faster Chips" on the subject of low dimensional structures. The

stage has now been reached where the chip is so small that problems arise if one wants to make it any smaller. We must now consider whether there is a future in molecular electronics as opposed to the current well-known standard microchips. The article says:

"The British Government is so impressed by the potential of low dimensional structures technology that it is considering spending up to £20 million on a five-year research programme to co-ordinate the work of universities and private companies. One spur for this initiative is the British contingent's dismal performance at a conference on low dimensional structures held in Oxford in late 1983 when few of the research papers came from British universities."

That sums up the present state of our technology. Everybody is worried about whether there will be enough money and whether their research, teaching or company job will exist in three or four years. They do not have the time to spend on such matters as low dimensional structures technology which may be of crucial importance in five, 10 or 15 years. Make no mistake about it—countries like West Germany, France and Japan do not follow these lines. If there is a possibility of technological advance, the money is provided, and there are no half measures about it.

I should like the Government to do an about-turn. The Government should realise that they have an interventionist role to play in regard to industry and technology.

Although the right hon. Member for Waveney (Mr. Prior) spoke about something slightly different from me, I agree with what he said about support for industries from the Export Credits Guarantee Department and better bilateral aid. Again, we can learn from the French, the Germans and the Japanese, but I am sad to say that we seem not to be learning.

The Government must get rid of their obsession with medium-term financial strategy and grocer shop economics. There are important questions to be considered about fifth generation computers and enabling technologies, and we still have time to take some action. I hope that the Government will realise the error of their ways. If they do not do anything about it, the next Government will.

Mr. Deputy Speaker (Mr. Ernest Armstrong): I should tell the House that the 10-minute rule will apply from 7 o'clock.

6.55 pm

Sir David Price (Eastleigh): I shall endeavour to put up the productivity of speeches and be rather briefer than other hon. Members.

I have listened to some of the speeches of Opposition Members, in particular that of the right hon. and learned Member for Monklands, East (Mr. Smith). I can tell the right hon. and learned Gentleman—I do not know whether he will be pleased or disappointed — that manufacturing industry in my constituency is doing very much better than the Opposition's motion or the right hon. and learned Member's speech would suggest.

I suggest that there are two reasons for that. The first lies in the fact that we have nurtured and encouraged new high-tech industries. In addition, in our older industries we have been applying high tech to the traditional products and to older methods of production. I know that some of my hon. Friends in the aspirant part of the Administration, Parliamentary Secretaries, who have visited my constituency, have seen evidence of this.

I have a personal reason for intervening in the debate. I am fundamentally an industrial animal. I came into the House 30 years ago from industry. I still retain a modest working connection with industry. Indeed, I find this helps me to keep closer to economic reality. I still feel more at home on the shop floor than on the Floor of the House.

British industry is doing better than the Opposition make out, but it is not doing well enough. I believe that we have a long way to go before we can with confidence face the future in the knowledge that we have a sound enough base to deal with the challenges of the future, particularly those that my hon. Friend the Member for Havant (Mr. Lloyd) pointed out, and upon which we can build a freer, more responsible and more prosperous society.

What is wrong with British industry? As a Back-Bencher, I will not detain the House on a detailed answer to that question; it would be beyond my proper station in the House to endeavour to do so. I shall content myself, therefore, in proof of this proposition, with a short quotation from a discussion paper produced by the CBI in which it identifies three significant problems:

"The structure of UK production and trade is very down-market in relation to UK cost levels and, hence, is highly vulnerable to competition from low-cost producers. Despite success in improving productivity, UK costs are rising relative to those of competitors. We are still losing market shares (both in goods and services)."

In support of this analysis by the CBI, I should like to draw to the attention of the House the amount of foreign machinery that is used in our factories today. I am sure that hon. Members, when they visit factories, observe the type of machinery that is being used and, above all, look at the nameplate showing where the machinery was made. It is depressing that so much of it is foreign made.

My own professional institution, the Institution of Industrial Managers, recently conducted a survey of the machine tools used in many of the factories in which its 23,000 members work. It found that a depressing number of machine tools were foreign made. When it asked why members were using a foreign machine, it received answers which gave the clue to the basic structural weakness in British industry and in our society. The first question was:

"Is it because the type required is not made in the UK?"

A total of 93 per cent. of the managers using foreign machines gave that as the first reason. The second question was about foreign machine tools having more advanced technology. A total of 78 per cent. said that that was the reason. A total of 57 per cent. said that foreign machine tools were more reliable, and 57 per cent. said that they were cheaper, but cheapness was not the principal reason. The principal reasons were non-availability of machines with the level of modern technology required and the fact that foreign machines were more advanced technically. These reasons are telling. They have nothing to do with whether machines were cheaper or whether delivery was better.

The answer to our industrial weaknesses does not lie principally in the manner in which this Government, or any other Government, manage the macro-economy, although obviously economic management matters. I believe that the answer is to be found in our anti-industrial culture, in our prevailing social values, and, above all, in the low esteem which we place on engineering. In short, we place engineers too low in the pecking order and reward them too poorly.

[Sir David Price]

We have suffered far too long from the unholy alliance of the aristocratic Right and the intellectual Left in the proposition that industry is a dirty business and is not for us. Of course, the need for industry is reluctantly accepted as an intellectual proposition by the alliance, but it is emotionally, culturally and socially scorned.

Mr. Tebbit: I agree with what my hon. Friend has said about the intellectual arrogance of the aristrocratic Right and the political Left, but when they are combined in the same person in an arrogant and extreme Left aristocrat it is worst of all.

Mr. Benn: The Japanese, with a national income of much more than twice ours, spent 1 per cent. of their national income on defence when we spent 6 per cent. It is no wonder that the world's shops and showrooms are crammed with Japanese cameras and videos and that all we can sell are missiles to the dictators whom the Secretary of State loves so much.

Sir David Price: I disagree profoundly with the right hon. Member for Chesterfield (Mr. Benn). He is talking about the difference between 1 per cent. and 6 per cent. and I am talking about the cultural attitudes of the United Kingdom towards its engineers and those who get their hands dirty in industry.

I shall illustrate my point from Government. The Treasury is the greatest of the economic Departments. I am told that it is staffed by the cream of the intellectual elite of our Civil Service. Who in the Treasury has managed a factory? Who in the Treasury has supervised a building site, built a bridge, designed an aeroplane, or won a contract in Japan or Texas? In the world of wealth creation, the Treasury is an economic eunuch, as are many in the media who criticise and lecture us about industry.

The House may think that I exaggerate, so I shall quote from a much under-studied and under-read report by Monty Finniston and his colleagues called "Engineering our Future". It states:

"It is internationally acknowledged that Britain is a country rich in inventiveness and creative talent. Yet, with some eminent exceptions, these inventive talents have not been harnessed effectively by manufacturing industry because, compared with Continental Europe and the large part of the world which has followed its lead, there have been neither the cultural nor the pecuniary rewards in this country to attract sufficient of the brightest national talents into engineering in industry. Great prestige is attached to science, medicine and the creative arts, so that to be associated with their activities is to share in that esteem, but there is no cultural equivalent in Britain, and hence no basis for according similar esteem to the European concepts conveyed in German by 'Technik'—the synthesis of knowledge from many disciplines to devise technical and economic solutions to practical problems."

Over the 30 years that I have sat in the House I have become aware that Britain lacks that "Technik". We do not respect our engineers. What happened to the Fulton report about engineers and scientists in the Civil Service? How many such people have become permanent secretaries?

Until we give the engineer and the industrial manager a proper place in our society we shall not realise the full potential of our people and of our economy. I say to the House, "Come back Telford; come back Watt; come back Brunel. All is forgiven." If any hon. Members thinks that I am preaching a purely materialistic culture which lacks spiritual values, I remind him of the wise saying of Dr. Samuel Johnson:

"that words are the daughters of earth and that things are the sons of heaven."

I remind the House that, to be caring and compassionate, it is not necessary to be inefficient.

7.8 pm

Mr. Stuart Randall (Kingston upon Hull, West): I am sorry that the hon. Member for Havant (Mr. Lloyd) is no longer in the Chamber, because his speech contained many interesting comments with which I agree. In particular, I agreed when he said that the Government had neglected the information technology industry. He said that the neglect was not wilful. I think that he was wrong.

One reason for the neglect is that the Government have not accepted the remarkable change in the industry. Many of the statistics used by the Minister, comparing this Government with the last Labour Government, were invalid because we are now on the vertical part of the graph and the rate of change is remarkable.

Mr. Hayward: The hon. Member for Kingston upon Hull, West (Mr. Randall) is not being fair to my hon. Friend the Member for Havant (Mr. Lloyd), because he said that Government had neglected the industry in certain circumstances. He did not relate his comments specifically to the present Government.

Mr. Randall: The hon. Member for Havant implied that he was talking about this Government, because he referred to the NEDO report in which strong comments are made about the Government's role in the information technology industry. The report says that the information technology industry is in crisis, so one cannot be other than alarmed about what is happening in that crucial industry.

I was particularly disturbed when, in February, having asked the Leader of the House during business questions whether the Government would be prepared to put aside some time to discuss that report, I drew a blank. That shows the Government's lack of interest, and their complacency towards the industry.

The industry is important. We must draw important conclusions from the current balance of payments situation. The industry has gone rapidly into a balance of payments deficit. The reason is that there is so much import content in many of the products that we sell, and our own industry has not been able to respond to the intense competition from many of the foreign-owned multinationals.

However, the industry is growing fast. The figures in the NEDO report show that in 1983 world demand for IT products was about $50 billion, going up to about $150 billion by the early 1990s. By any measure, that is a rapid rate of growth. The problem for the United Kingdom industry is that it is not getting its fair share of the cake. What is happening in the British IT industry is reflected in the national economic situation. We know that the Government have devastated British industry. The facts are there. Only a fool would argue against that. What the Government have not done for IT is part and parcel of the economic and industrial disaster that has been wrought in this country. Our information technology industry is dying before it has had the opportunity even to blossom.

What have the Government done? I shall be positive about it. They had their 1982 IT programme. The Parliamentary Under-Secretary was influential in that programme. One must accept that the Government were successful in improving awareness in this country of what

information technology is about. The decisions made by the Government on ICL were accepted as being basically good for the country. Otherwise, I am sure that ICL would have gone to the wall. Such things must be encouraged.

The Government have a broad range of schemes. The Minister touched on them during his speech. There is the support for innovation programme, the microelectronics application programme, and all the others. People in the industry tell me that that there is a wide range of schemes, but it is too wide. It is baffling for the small firms. The complexity of applications turns away many small companies, and results in an automatic "No." I hope that the Minister will take up that matter, because I believe that there is a genuine requirement for simplification of many of the present schemes.

Mr. Pattie: The hon. Gentleman will be aware that my hon. Friend the Parliamentary Under-Secretary with responsibility for small firms, the hon. Member for Rossendale and Darwen (Mr. Trippier), repackaged about 64 schemes into four separate schemes to meet that very point.

Mr. Randall: I am glad to hear that. My point was the result of discussions that I had with people with knowledge of the industry.

I should like to refer to the 21 pilot projects. The Parliamentary Under-Secretary and I debated that subject in an Adjournment debate that I introduced just before Christmas. The projects are good stuff, but the scale is too modest. Because the rate of change is so rapid, because international competition is so fierce and because the United States and particularly Japan are consolidating their positions, it is tinkering with the matter. We must think about it on a far grander scale.

We have Alvey, which is to be encouraged. However, there are administrative problems and unknowns about the final outcome and how we convert it into a real product that will enhance the industry and create jobs. Similar things can be said about ESPRIT.

What should the Government do about information technology? I feel that the Government should play a much stronger role as a customer rather than a sponsor. There should be a coherent and powerful procurement policy in the public sector. I should like to see all Government Departments, including the Department of Health and Social Security, the Department of the Environment and the Ministry of Defence, take up the use of information technology to a far greater extent. I go further and say that we should have a really big scheme, with the objective of creating the best public administration systems in the world. I get tired of our always having to match the competition. We now have the opportunity to go ahead and do more.

If I were a Minister, I would bring in the permanent secretaries and say, "Draw up plans that will totally transform your Departments." That would be important for the country and good for public administration. It would also be good for the morale of the Civil Service, which is very low at the moment because of all the cuts that have been taking place for a long time. We must think far bigger. I would adopt the Kennedy style. He said that the Americans would have a man on the moon in the 1970s. I would say that we shall have the best public administration systems in the world by a certain date.

If we did what I am suggesting, there would be a marked improvement on the demand side of the industry. Many of the policies are on the supply side — for example, restructuring and research. That must go on, but much needs to be done on the demand side. If any Conservative Member is prepared to tell me that if the next Labour Government were to do that it would be an irresponsible use of public money, I shall sit down and give way. Of course it would not. It would be eminently sensible. I hope that when the Labour party forms a Government in two years' time, it will do just that.

Mr. Baldry: Will the hon. Gentleman give way?

Mr. Randall: I shall not give way, because I am running out of time.

In the short term, there would be a boost to the IT industry as a result of such a policy. The industry would then be able to respond to large projects. It would be able to deliver on time and with far better quality products. That is what happens in the United States. Public money goes into such projects there. I could quote numerous examples of the way in which the Americans have done that, but I do not have the time. That is what we should do. Even our local authorities have a role to play. For example, the Greater London council——

Mr. Deputy Speaker (Mr. Harold Walker): Order. The hon. Member has exhausted his 10 minutes.

7.18 pm

Mr. David Evennett (Erith and Crayford): I am pleased to be able to take part in the debate and to support the amendment in the name of the Prime Minister, as well as what was said by my hon. Friend the Minister for Information Technology.

I was amazed by the speech of the right hon. and learned Member for Monklands, East (Mr. Smith). Its content was pure, red-blooded Socialism. If his policies were carried out, they would have a devastating effect on our industry. I was disappointed by the comments made by the alternative Opposition — the alliance. The constructive comments in the debate have come from Conservative Benches, which is encouraging.

My constituency of Erith and Crayford has suffered a major change, with the decline of the heavy manufacturing industries and the development of the new technological industries. We must accept such a change. It brings less employment, but it is exciting in many ways because it represents the future. It is the future that we should discuss, not the past and the solutions that come from the past. We have seen them too often.

I remind Opposition Members that historically our industry and our entrepreneurial spirit made our country wealthy — not Governments, politicians or more and more money pumped in by the taxpayer, but the initiative and entrepreneurial spirit of the industrialists. That is what we must generate today. That is what we must recover. I was impressed by the fact that my hon. Friend the Minister not only listed the Government's efforts to encourage industry but described how they are trying to instil a new spirit into industry in connection with the new technology. *[Interruption.]* Hon. Gentlemen may laugh. They are not, like us, interested in creating more wealth for the country.

I totally support what my hon. Friend the Member for Eastleigh (Sir D. Price) said about the lack of status accorded to scientists and engineers in the past. I hope that that regrettable attitude will change within the next few years.

[Mr. David Evennett]

Education and training are vital. I was disappointed that the hon. Member for Stockton, South (Mr. Wrigglesworth) did not develop that theme. It is vital that we should consider education, training and cost. Those are major factors in meeting the demands of the new, high-technology products. We need good, educated workers trained to produce and utilise the new equipment. I believe that the Government have shown that they are willing to play their role in that area, and, indeed, that they have done so successfully. Without the necessary skills, we would be unable to compete in the production of modern technology or to make the best use of its many and varied applications.

A wide range of skills is required. We need to train people in basic keyboard skills so that they can operate computers. We also need graduate scientists, technologists and engineers to carry out innovative research and to develop commercially viable end products. We must create products that people are willing to buy on the world markets and at home.

Much is being done to encourage the learning of such skills in schools. Many pupils are learning to operate micro-computers, many of which are provided with funds from the Department of Trade and Industry. Further changes in tuition in mathematics, sciences and craft subjects mean that pupils receive an education that is better fitted to the needs of modern society. In addition, schemes such as the technical and vocational education initiative ensure that pupils are well prepared and able to compete in a rapidly changing world. Beyond school, the Government are encouraging more students to take degrees in technological subjects to meet the needs of the sunrise industries.

We have heard too often of the shortage of skilled people in industry. That shortage is regrettable. It must and will be made good.

As well as the educational initiative in the schools, universities and polytechnics, there is a need to encourage training to meet the changing needs of industry. The Government have made clear their wish to see the training provided by the Manpower Services Commission made more relevant and adaptable to the needs of industry. That positive move is to be welcomed. It is especially important to retrain those employed in dying industries. We must accept the fact that some industries are dying. The Opposition, when in government, wanted to pump more and more money into dying industries. That is why, in the past 20 years, we have not been able to release resources for the dynamic new industries.

Dr. Norman A. Godman (Greenock and Port Glasgow) *rose*——

Mr. Evennett: I am sorry, but time is short.

We must retrain manpower from the dying industries to take up the challenge of the new industries. That is the only way in which we can create more jobs.

The Government have some role to play, but it is distressing to be told that only the Government have a role. That is what the Opposition Front Bench tells us all too often. When Opposition spokesmen say, "The Government must do such-and-such", they are talking about taxpayers' money. Employers have a major role to play. They must take more responsibility for training. Many of them are keen to do so. They must make use of the facilities offered by the Government and build upon them.

One of the strengths of many of our overseas competitors is the extent to which they are involved in training and retraining employees within the firms. Employees, too, and the unions that represent them have a crucial role to play. They must be willing to move away from outmoded and wasteful training methods. Mention has been made of the trade apprenticeships, which seem to me to be more concerned with the time served than the skill and confidence gained. That is not acceptable.

If greater training is to be provided by employers, those receiving that training must adopt a more realistic attitude to the costs and other burdens that such training imposes on the employer, and must therefore be willing to accept a lower rate of pay during training. They will benefit in the long term.

The cost of training cannot be ignored any more than any other cost in industry. Ultimately, costs determine the price at which the goods can be sold on the market. If the customer will not pay the price, there will be no industry and no goods for sale. We are competing in international markets where products are keenly priced. Unless our costs are kept as low as possible, we will not succeed in capturing an increased share of the world market.

Despite recent improvements, our costs, especially labour costs, do not compare favourably with those of our competitors. That is worrying. The Opposition will not accept the fact that trainees should be paid at a lower rate. When inflation was running riot, it was acceptable for workers to want higher wages; they did not know what next year would bring. As my hon. Friend the Minister said, memories are short. In the 1970s, inflation ran riot. Nowadays it is under control and we need realistic wage settlements. We should congratulate the Government on their efforts. For the first time in 20 years of decay, we are looking to the future and the new industries. That is to be applauded and not criticised. We could all, of course, make many suggestions about slight improvements, but the basic principle is what we are discussing today. We are looking for an improvement across the board in our economic performance. We therefore need more investment in the new industries, much retraining, and changes in education.

The Opposition claim that industry cannot rely on the Government. They are completely wrong, as usual. This is in fact the only possible Government to which the country could look to encourage our industries and our future. The Opposition would look backwards to the dying industries.

Industrial success demands a sound economy. We are on the right course. We would like to see a few alterations, and we will discuss them at length in future in debates on particular subjects. However, to a greater extent than for many years, we are looking forward, and that is a great improvement.

7.27 pm

Mr. Paddy Ashdown (Yeovil): My hon. Friend the Member for Stockton, South (Mr. Wrigglesworth) has outlined the attitude of the alliance to the present situation and said what it would seek to do about it.

I should like to concentrate on a single topic that was raised, towards the end of his speech, by the hon. Member for Erith and Crayford (Mr. Evennett). He talked about the

importance of a free trade system for our technologies. As has been said, the new technology industries are fundamental to our future. A fair system of trade to allow our high technology industries to operate normally and to export effectively is therefore crucial.

However, our high technology industries are now being severely inhibited from exporting effectively, not because of the laws of this country, but because of constraints placed upon them by our principal ally, the United States. I shall show how the United States has sought and continues to seek to impose United States laws on British firms operating in Britain in a way that not only prevents them from trading effectively, but effectively undermines the sovereignty of Parliament.

I have spoken before in the House about the now infamous IBM letter of 22 December 1983 which required purchasers of certain IBM machines to ask the permission of the United States Government before moving those machines, even within the United Kingdom. I asked the Government to intervene in the matter to protect British firms and British sovereignty, but they have done nothing —or at least nothing effective.

The IBM letter still stands unrescinded, and it remains operative. But, worse than that, other American firms have now joined IBM in similar actions. A more recent letter which was sent to United Kingdom firms by Texas Instruments has come to light. It states:

"We seek an assurance from you, our customer . . . that your Company will not, without prior authorisation, export technical data to any destination or country which is prohibited under the laws of the USA."

That includes countries, such as Austria, Sweden, Switzerland and Spain, with which the United Kingdom has perfectly ordinary trading relationships. The letter goes on to define technical data in terms which make it clear that software is included, and even data—to quote the company's coy phrase—of "an intangible nature". That relates to data held in people's heads. In other words, anyone with such information in his head must presumably ask the permission of the United States Government before travelling from Britain to one of the nations prohibited under United States law. Similar letters have been sent by other United States suppliers, including General Instruments and Microelectronics.

The high technology industry is international. Almost every high technology item manufactured in Britain and elsewhere contains components made in other countries. Indeed, it is calculated that non-United States manufactured high technology goods are 60 to 80 per cent. dependent on United States-produced components. In effect, therefore, as many as 60 per cent. — perhaps more — of British manufacturers must seek a licence from the United States before exporting their goods to many destinations.

I should make it clear that these conditions are placed on British firms, not as part of their contractual requirements with their United States suppliers. That at least would be understandable, if difficult to enforce. No such contractual terms have ever been required. Therefore, these are impositions placed directly on United Kingdom firms by the United States Government bypassing the United Kingdom Government. Is that not an infringement of our sovereignty?

What are the Government doing to protect United Kingdom firms and industry from such action? The Government have gone through the ritual motions of protest, but none of the Secretary of State's wringing of hands has had any effect, as I shall seek to show.

I accept the need to place restraints and controls upon the export of items, especially high-tech items, which, if they fell into the hands of an enemy or potential enemy, could prejudice security. But surely it is for the United Kingdom to decide on such controls, not for the United States to impose them unilaterally on British firms over the head of our own Government.

It is apparent that the United States Government are prepared not only to impose the writ of their own law on British industry, but to back up what they see as infringements with heavy sanctions — again directly imposed on British firms in Britain for infringements of United States law, not British law.

The most famous recent example relates to the Leeds-based company of Systime, until recently a wholly-owned British firm. Systime fell under suspicion of being involved in trading from Britain with countries of which the United States disapproved — Iraq and Pakistan — although they are nations with which Britain has perfectly normal trading relationships. The company was subsequently threatened by the United States Department of Commerce—without an opportunity to put its case—with total denial of all supplies of components from the United States. In effect, that would have meant the death of Systime. Systime agreed to negotiate terms with the United States Government, believing, as a result of talks at the highest level with the Department of Trade and Industry, that our Government either would not or could not effectively come to its aid. It is a matter of public record that the company has now agreed to pay the United States Government a "fine" of $400,000, and it is likely that it will have to accept terms and conditions which will include giving details of all United Kingdom customers to the United States on a regular basis.

I repeat that at the time those sanctions were imposed Systime was a wholly-owned United Kingdom company, operating in and from the United Kingdom. It had broken no United Kingdom law. In the absence of effective action by the Department of Trade and Industry, it had no option but to accept the United States fine and conditions or to go out of business.

I have several questions for the Minister. Why in this matter has the Minister abrogated the sovereignty of Parliament to the United States? Is this an appropriate way for an ally to act? How can he pretend to be interested in encouraging exports from high-tech industry when he will not act to stop the imposition of restraints on those imports by other, more powerful, nations?

Unhappily, Systime is not an isolated case. Even ICL, Britain's foremost computer company, has been similarly affected. It has been fined $15,000, and its exports have also been made subject to United States control. Here again, it was exporting to a nation with which Britain has normal trading relationships, but of which the United States Government disapproved.

United States export licences are now often required by British firms exporting British manufactured goods to EEC countries. In some cases, those goods contain as little as 2 per cent. United States-made components. Such constraints on inter-EEC trade clearly infringe EEC laws. That matter is currently being investigated in Brussels. Why are the United Kingdom Government not taking similar action?

[Mr. Paddy Ashdown]

It is now clear that the United States Government are prepared to back up their investigations and action by using United States Government officials within Britain but without the British Government's permission. That much was admitted to me in a parliamentary answer on 19 December 1984, in which the Minister agreed that a United States official, Mr. Jack Lacey, had visited and investigated a British firm without any reference to, or permission from, the British Government. There have been other similar incidents.

In a speech in Palo Alto, California, in April 1984, the then director of the CIA said that the CIA had a list of 300 black-listed firms in Europe. Shortly after that speech, I telephoned the CIA in Washington, and it confirmed that British firms were included in that black list. Is that the appropriate action of an ally? How did those British firms get on that list? Perhaps the answer lies in a conversation that I had with Mr. Richard Perle earlier this year, following a television debate. I asked him how on earth the United States could use its Customs and Excise to enforce its regulations abroad. He said that in his view this was a job not wholly for Customs and Excise, but also for the intelligence services. Is that how this information on British firms reached the CIA's black list?

There is one further twist to this saga. The United States has now decided that the limitations on the export of intangible assets—the assets in people's heads—entitles its Government to place restraints on open scientific conferences. A recent open conference on optoelectronics held in the United States was summarily closed by the Pentagon. Foreign scientists, including, I believe, British ones, were excluded from meetings, and the United States scientists who were allowed to attend were required to sign control forms.

I understand that the British Computer Society has already written to the Minister expressing its deep concern over this matter, but that it has yet to receive a reply. I also understand that tomorrow it will be making a statement expressing its concern on the matter. Given the previous action that I have already mentioned, will we now see United States pressure to exercise similar action to control the movement of people, as well as hardware and software, in Britain?

The high technology industry uses a buzz word to express what it fears most. It is referred to as FUD—fear, uncertainty and doubt. The Government have allowed such a climate to prevail over high-tech exports —fear of unilateral extraterritorial action by the United States against British firms operating in Britain within British law; uncertainty about what, if any, action the Department of Trade and Industry will take to protect them; and doubt about what to do next.

The Minister can paint whatever rosy pictures he wishes about our high-tech industries. He can call on them to export until he is blue in the face; he can institute as many export for jobs seminars as he likes; but unless he and the Government are prepared to stand up for British high-tech firms which wish to export, he will find that Britain will become just another technological satellite of the United States and that the trading laws under which our industry exports are those which come not from Ashdown house but from Washington.

7.39 pm

Mr. Roger King (Birmingham, Northfield): In a week or so the eyes of the world's motor racing fans will be centred upon a world famous spot which stages the oldest motor race in the world, the Indianapolis 500. There will congregate many aspirants for the coveted prize, the richest prize in motor sport. This year 79 cars have been entered for the 33 start places. Not many Japanese cars will be found there. In fact, there will be none. Not many French, German or Italian cars will be there; again, there will be none. There will not be many American cars; in fact, there will be four. The remaining 75 entrants are all British-built racing cars.

The same happened last year. Of the 33 starters, 29 were British-built March cars. All 14 finishers were British-built. Sometimes we are our own worst enemy. We spend our time criticising ourselves instead of complimenting ourselves on some of the great attributes that we have as a country.

In formula I racing car design we are world renowned for our expertise. Our engine technology has been unsurpassed, with the Cosworth engine having powered almost all the formula I winners for nearly 15 years until it was superseded by later designs. Robin Herd, one of the chief designers of March racing cars, has just received the 1985 Duke of Edinburgh award for design for the excellent work he has done overseas. That was a well-deserved award. In the design of racing cars, surely the highest form of vehicle transportation, we are pre-eminent.

In many ordinary bread-and-butter car designs we are also pre-eminent. Lotus, Jaguar and TVR—three British manufacturers—have announced record sales. Lotus has announced substantial profits. Those are motor engineering companies with a world renowned reputation; they are building products wanted by the market not just in this country but overseas.

I cannot help but be depressed when I hear Opposition Members, and in particular the Leader of Her Majesty's Opposition, no doubt crawling around for county council and shire county votes in the recent election, telling the workers in my constituency, who have built up a good record of reliability and product quality, that 5,000 jobs are likely to go, that no more money is coming from Government and that the whole industry is likely to fall flat on its face. They were refe.ring, of course, to the so-called corporate plan of BL and principally to the future of the plant at Longbridge in my constituency.

The facts do not fit that argument. In the last three months a 10-year record has been achieved by Austin Rover. A total of 142,507 cars has been built, with a 19·3 per cent. penetration of the United Kingdom market. The Austin Montego is ahead of the Ford Sierra in sales; that has been achieved through very hard work. The new Rover 200 series built at Longbridge has also reached the top 10 and accounts for 2·2 per cent. of the United Kingdom market.

The Austin Rover group is running at 98 per cent. of capacity — an unprecedented level for any British automobile company. That means that if it wished to increase output or to start assembling Honda cars on its assembly lines it would have to take on extra workers. In regard to workers, it is useful to point out that because of the quality of the products Longbridge, far from getting rid

of people, has taken on no fewer than 1,365 new employees since the beginning of January last year, so a great deal has been achieved.

When one listens to the Opposition one would imagine that no investment had taken place at Longbridge. At the same time as Opposition Members talk about 5,000 jobs being lost, a new gearbox line has been installed to build the Honda gearbox and a new O series diesel engine line has been prepared for the diesel engine being produced in conjunction with Perkins. That is reckoned to be of an advanced nature and acceptable for today's modern motoring style.

We know about the new S series engine which powers the Maestro and the Montego, and the new O series turbo engine which powers the fastest saloon car currently available at under £10,000. Much work is being undertaken at Longbridge and no one should go around spreading doom, gloom and despondency.

When it comes to new investment in the A series replacement engine one cannot take the requirements of Austin Rover in isolation. Ford and Fiat have decided to get together to produce another generation of cars. Those are Europe's two largest manufacturers, which account for 27 per cent. of the European market. If they find it necessary to form a partnership to develop the next range of cars, surely it makes sense for Austin Rover to look beyond itself for a new generation of engines for its smaller saloon cars. It is hardly surprising, therefore, that the management has decided to review the corporate plan in line with the requirements that it envisages the market will want and what it can afford over the next few years. The partnership with Honda, which is essential for the well-being of the company, has produced good news recently. It can be developed much further so long as it is not a screwdriver job but a joint working venture.

We look forward to increased sales afforded by the entry of Austin Rover to the United States, where it is aiming to sell 20,000 cars in 1987. One must look with dismay at what is happening in Spain. This year some 90,000 Spanish cars will come to this country, yet we are allowed to send only 3,500 Austin Rover cars to Spain. The market is there. The company has just exhibited at Barcelona with one of the largest stands in the show. It could sell 20,000 cars in that market but it is not allowed to do so because of the import limitation. That is where jobs could be found. I have already mentioned that the company is operating at 98 per cent. of capacity. If it could gain access to the Spanish market that would almost inevitably lead to the creation of extra jobs.

It is not necessarily the Government but the customer who buys the product who will provide the investment. We have just heard today about the demise of the Philips washing and drying machine industry in this country. I have just bought a Philips drying machine because I believe in buying British and because it is good equipment. How many Opposition Members have bought Philips drying machines and washing machines? They prefer Candy, Zanussi and all the other foreign manufactured machines. If we want manufacturing to stay in this country, if we want products to be built in this country and if we want the investment, we must support those products by buying British, because they are the best quality and the best price and give our people the best opportunity for their future.

7.47 pm

Mr. Peter Pike (Burnley): I can claim two credentials for speaking in the debate. First, I represent the constituency of Burnley in which people depend heavily on work in the manufacturing industries. Secondly, until I was elected a Member of Parliament in 1983 I worked in manufacturing industry on the continental shift system, changing shifts every three days. I was also a shop steward in the Mullard group, part of Philips, to which the hon. Member for Birmingham, Northfield (Mr. King) has just referred.

I know how the work force was reduced in that factory from 3,500 to 1,200 during the 10 years that I worked there. New technology and new methods were introduced. Obviously it was an extremely difficult period, but that industry survived because of the great understanding between the unions and the employers. One point that should emerge from today's debate is that we should give every encouragement to management to involve the work force more in the decisions that are taken. Many of the problems in industry arise from the failure to have adequate communications with the work force. If that consultation takes place and if the work force knows what is going on, it will co-operate with change, however difficult that might be. It is better to have job security for fewer employees than to have no job security at all. The trade unions and the employers have a mutual interest in that respect.

I recognise that if we are to compete in the world's market places we must accept that new technology must be introduced into our industries. If we are to compete on equal terms, we cannot adhere to old-fashioned methods and equipment.

As I have said, I was employed by Mullard, which is part of the Philips group, before being elected to this House. The company manufactured cones that were used on the back of television tubes. As a result of co-operation between the management and the unions, we were able to make them so efficiently and so well that we could make in about six to eight months all that we needed for a year. That was all well and good while we were allowed to export the surplus cones, but suddenly the parent company in Eindhoven decided that Mullard would no longer export the cones and that the export trade would be left to the Aachen glass factory of the Philips group. As a consequence, the section of the Mullard work force producing the cones had to be made redundant. Every cone that is incorporated in a television set that is made in Britain has to be imported from the continent.

That is an example of one of the difficulties that many British industries face when they are part of a multinational group. The group's decisions are not taken in Britain's national interest, and nor are they taken in the best interests of British workers. The multinational group decides where it wants to make profit or where it wants the job to be done. The decisions of multinationals can be contrary to the best interests of Britain.

I have lived and worked in an old textile town that had to accept transformation in the early years after the second world war from textiles to new industries. I am well aware of the adaptability of the work force, especially in my part of north-east Lancashire. The area has seen the appearance of new industries. Lucas Aerospace is at the forefront in my constituency. It supplies many of the world's major aerospace companies but every company overseas with

[Mr. Peter Pike]

which it is in competition receives far more Government assistance than it receives from the British Government. There is no doubt that the management and work force at Lucas Aerospace at Burnley are first class and that they produce first-class products. However, if they are to win contracts and survive, they must be able to compete on an equal basis with their competitors from abroad. The Government should give more consideration to that factor.

There is a new industry in my constituency which has been formed by two people who went to school in Burnley. Their company, AMS, will soon move into a new factory in the Burnley enterprise zone. The company makes excellent audio equipment which is exported throughout the world. The average age of the employees is less than 23 years. Unfortunately, there is little of that sort of work in Lancashire and the regions. Most of the industries of that type are concentrated in the more prosperous south-east. The company happens to be in Burnley because the two people who run it were born and educated in the town. The company has, for the second year in succession, won a Queen's award for industry this year. That is a sign of the way in which people in a constituency such as mine are prepared to accept new types of job if they are given the opportunity to do so.

The Government have failed to capitalise on many of Britain's leads. One example is our ability to make substitute natural gas. We could gain a world market in our capability to produce the necessary equipment for the production of substitute natural gas if the Government were to instruct British Gas to initiate a programme of conversion. I accept that the need for substitute natural gas may not be with us, but it would be in the best interests of our energy policy if we were to start the conversion now. We could gain tremendous world markets if the Government were to give the go-ahead to British Gas for that project.

Britain has a lead in cable and satellite television broadcasting. The Minister who was responsible for the industry accepted that that was so when I asked a question to that effect two years ago. However, because decisions have not been taken in time, we are allowing the rest of the world to catch up with us. Ultimately we shall be overtaken and the rest of the world will enjoy the advantage and not our industries.

In my constituency the unemployment rate is slightly over 13 per cent. Most of my constituents, whether they are employers or trade unionists, believe that the Government have no policy for industry and that they are not interested in manufacturing industry. That judgment can be arrived at from the answers that Ministers have given to our questions. They suggest that a trading deficit on manufactured goods is not of great consequence. They refer to invisible exports and say that we must view the picture overall. I accept that invisible earnings are important to our financial well-being, but we are a manufacturing country. We have depended on manufacturing industries in the past and our future will similarly depend upon them. If we are to survive, we must ensure that our manufacturing industries are able to compete. If we do not recognise that, there is a danger that we shall become a satellite of other countries.

In the car manufacturing industry, for example, there is a danger that we shall end up with only an assembly industry and that the development of new cars will not be concentrated within Britain. If that is followed by a further recession in the motor trade, Britain will suffer the major blow and not the countries that are involved in development work.

I have a great fear—I know that it is shared by many of my constituents—that when North sea oil and gas are depleted, and when the Government have no more assets to dispose of, those in work will enjoy an improved standard of living and all those who are unfortunate enough not to be in work—the unemployed, the retired, the sick or the disabled—will see a fairly rapid decline in their way of life. We are already moving in that direction. When announcements are made on the future of the welfare state, I am sure that they will prove my predictions to be right. However, we have shown in the past an ability to develop new schemes. The Government should encourage both sides of industry to ensure that we go forward.

7.59 pm

Mr. Charles Wardle (Bexhill and Battle): There is a word in the Yiddish language which defies straightforward translation into English but which is relevant to the nature of the debate. The word I have in mind is "chutzpah", which, loosely, means barefaced nerve. An American authority on the Yiddish vocabulary once illustrated its meaning by the story of an armed mugger who cried "Help" while beating up a defenceless person. In moving the motion the Opposition have provided the House with a classic illustration of chutzpah when we consider the permanent damage that was sone to industry under the Labour Government.

Over the past six years a vast amount has been accomplished to restore the foundation of Britain's industrial welfare and prosperity and to create the necessary conditions for future growth. The fundamental weaknesses that were allowed to develop in the middle and late 1970s mean that it will be some time yet before all the structural changes that are taking place in industry are completed and before the transition from a predominantly traditional manufacturing base to one that is fully reliant on new technology is achieved.

In spite of the fact that this country's economic growth rate is among the highest in Europe, that productivity has improved, that company profits are increasing and that hundreds of thousands of new jobs have been created in the private sector, there is no denying that industry still has visible scars from the recession that began in 1980. One has only to travel to the west midlands to witness the effects of that recession upon the industrial landscape. But the savagery of the recession's impact there has to a very considerable extent been the result of the Labour Government's policies for industry in the latter half of the 1970s. I am not suggesting that that Government were solely to blame for what happened. Management, trade unions and previous Governments have to take their share of responsibility, too.

Not only was inflation allowed to soar in a manner that priced British goods beyond all hope of competitiveness; there was the iniquitous tax on jobs and the absurd bureaucracy of the Price Commission. Even the measures introduced by the then Chancellor at the end of 1974 in his emergency Budget—and welcomed, it has to be said, by management at the time—to provide stock relief and improved capital allowances for industry had an inflationary effect. Either that Labour Government did not

understand or did not want to face up to the problem that was eating away at British industry, which was that pay increases were far outstripping productivity so long as the inflationary spiral continued unchecked.

Hon. Members are more than familiar with the events that followed, but the effect of Labour's approach to industry in the 1970s meant that when the recession emerged at the back end of the steel strike early in 1980 a great many manufacturing companies were overloaded with stocks of finished goods, carried on their shelves at inflationary prices that simply could not match foreign prices in the competition for market share that intensified as the recession grew worse. That situation called for large cutbacks in the number of employees, in stocks and in capital equipment and the closure of many factories which it will take a great deal more time to replace.

There is little doubt that inflation made much worse what may, anyway, have been an inevitable process as this country moved towards a second industrial revolution with the advent of microchip technology. For a generation or more management had not done nearly enough to secure new markets with new products in order to replace what had been the comfortable captive markets of the old empire and commonwealth and even for a short time, immediately after the war, the virtually captive markets of Europe. Nor had management or successive Governments paid nearly sufficient attention to changing technology.

The roots of the decline go deep but inflation greatly exacerbated an already difficult situation. Therefore, in 1979 there were no soft options left. There are still no soft options. In order to give industry the best chance of recovery, there needed to be a radical reform of the structure of our economy and of our attitudes to work.

During the past six years a great deal has been done. Inflation has been brought down. Public spending is under control. It is at record levels, but it is nevertheless under control. Each year £55 billion is spent upon capital investment, £22 billion of which is investment in the public sector, on top of which another £5 billion is spent upon maintenance. Unnecessary controls have been abolished. There have been tax reforms, national insurance changes, incentives for small companies, privatisation, wider share ownership, legislation that has brought flexibility to the trade union movement and training incentives and moves that will suitably revolutionise our approach to education for the computer age that lies ahead. All of these bold and constructive measures have helped to create the climate without which industrial recovery could not have begun. It has begun and it will continue step by step, provided that the essentials of the present policy are maintained and properly understood by the public.

What else, if anything, can be done to speed up the process of industrial regeneration? I would suggest to my right hon. Friend the Secretary of State for Trade and Industry that a number of practical improvements could be made which do not involve a change in strategy and do not call for a greater injection of public money. Rather, they call for a change of approach on the part of those who participate in the industrial scene. I except for the moment the trade union movement, because changes have already taken place there. Changes are required elsewhere as well.

I turn first to the role of big companies. It is not generally recognised that the relationship between big companies and their smaller suppliers is crucial. It is a symbiotic relationship that works well in some instances in this country—for example, at Marks and Spencer and at the Ford motor company, with their various component suppliers. However, it does not work well in all other cases. One finds that it works very well in Japan. If one goes where most foreign visitors do not tread—that is, to the component suppliers of the Japanese automotive industry—one finds a very different scene from that which pertains in the big automotive factories. The small companies work to a very strict regime in which wage scales are much lower. They work to a tight schedule, with deliveries twice a day.

The same sort of pattern applies much more generally in the United States. Those conditions did not apply during the recession at British Leyland. It may be that the then chairman of British Leyland did a great deal to change attitudes among the trade union membership as to the future of that company and to change the public perception of that company. What was not achieved was any improvement in middle management, particularly in buying management. It let down many smaller companies which might otherwise have survived and come through the recession.

While I am dealing with management, it is fair to say that management has taken a terrible beating in the debate about industry during the last few years. However, it should also be recorded that the old style of management, starting with chargehand, foreman and shop manager all the way through to works manager and production director, has been swept away—and rightly so. There is good, young management in its thirties and early forties in British industry, and it should be given a chance. I suggest to my right hon. Friend the Secretary of State and to other members of the Government that they should go beyond the list of the great and good when they are looking for extra management talent. It is available. I find all too often that hon. Members, as well as those in the City and in the media, tend to be dismissive about management and that those who are dismissive about management have never employed anybody, or made anything, or made any money at all, as was pointed out by my hon. Friend the Member for Eastleigh (Sir D. Price). Therefore, British management ought to be given a chance. It ought to be brought alongside officials in Government, not in any dirigiste way, not in any corporatist way and not to replace officials but to inject a practical flavour.

There is plenty of money in the City of London for industry. There is plenty of money for the bigger companies, which can produce a sophisticated case. There is also plenty of money for the smaller companies, but I am not convinced that it always reaches them. The most practical way to reach those companies is through the high street banks. The managers of high street banks have directed a great part of their funds towards shoring up companies which have been in difficulties, and towards looking after individual banking accounts when those individuals have lost their jobs and found themselves financially stretched. Despite some of the advertisements, I believe that the banks are timid about approaching smaller companies, but small beginnings today will make the large companies of tomorrow. It is not the chap who walks into the City with a pat argument who will be successful but the chap who goes to see his bank manager in the black country and says, "All I want to do is to buy a piece of second hand machinery, carry out a finishing operation and pass it on to the next chap down the road."

[Mr. Charles Wardle]

There is a prevailing portfolio approach to investment. It is an asset cover and balance sheet approach. It has got little to do with competitive advantage and the dynamics of industry which the Americans, the Japanese, the Germans and even the Swiss demonstrate so effectively.

Finally, research and development will remain crucial. We have an excellent record. The Government have ensured a fourfold increase in research and development investment, but the gap is still huge. I hope that my right hon. Friend the Chancellor of the Exchequer and the Secretary of State for Trade and Industry will keep this in mind. It is a gap that must be bridged. These are practical aspects within the framework of existing policy which will do much to regenerate British industry and allow small beginnings to grow extensively.

8.9 pm

Mr. Michael J. Martin (Glasgow, Springburn): I owe you, Mr. Deputy Speaker, and the House an apology for not being in the Chamber throughout the debate. The reason is that today I received word that 1,200 jobs are to be lost in the British Rail Engineering Limited workshops, the only major employer left in my constituency. During the next two years the work force is to be reduced to about 460 personnel, both salaried and wage staff. It is a blow for any hon. Member to receive such news. It is harsh in any community which has suffered a great deal from redundancies, because there have been several closures in my constituency since the turn of the year. Many of the closures and redundancies are due to changing technology.

Productivity at White Horse Distillers Ltd., the whisky company in my constituency, has increased. Industrial relations were second to none and sales were on the increase, but the company was able to obtain a grant of £8 million from the EEC and it built a massive plant on the other side of Glasgow. It was then able to produce White Horse whisky there. Only a few of the jobs in the old plant were transferred to the new one.

It is difficult to accept that taxpayers' money—that is what EEC grants are—is being handed to companies to enable them to throw people aside like rusty nails. Those people were loyal to the company for many years. Some of them have worked in the company since they were boys and girls of 14 years of age. They are now being thrown on the scrap heap, not because there are no orders but because the Government are handing out money for new plants. They are putting money into multinationals without giving any thought to the social consequences.

To return to BREL, 30 years ago my constituency was famous throughout the world for its railway engineering facilities. In its heyday, Springburn had about 10,000 skilled people employed in railway engineering. Within the next two years there could be as few as 460. I fear the worst, because 460 people cannot sustain an engineering facility. If British Rail invests in new engines—I do not dispute that it should—those new engines will not need the same maintenance and repairs as the old ones. The Government cannot then bury their head in the sand and say, "That is it. The facility will have to close. We shall not put anything else in its place."

This Government, like any other, when they go to the electorate always promise jobs. Why do they start to make excuses when they get into office with the majority that they want? They are well aware of the social consequences of unemployment in a constituency such as mine. In a country as small as the United Kingdom one can get into a car in London and reach any part of the country within 24 hours. There is therefore no excuse for saying that the areas with the old industries cannot have new industries. If we can create new towns and enterprise zones in areas which only a few years previously were virgin sites, we can replace the industries which are in decline in the old communities.

If the Government forget about those old communities, they will have the problems which exist in Springburn and most urban areas—crime, drug addiction, vandalism and despair. The Tory party—the law and order party—keeps telling us that it will reduce crime. One of the ways in which it can do that is by giving young people hope for the future.

The main problem of the police in my community is vandalism. We can reduce vandalism by giving young people a worthwhile job which keeps them off the streets because they have to get out of bed early in the morning.

I have often heard the Minister say what a great thing YTS is. If our industries are declining and our young people cannot obtain work in the traditional industries and have to move away from the communities in which they were brought up, the least we can do for them is to give them a skill that they can take to another part of the country or abroad.

The building industry has three-year apprenticeships. There are four-year apprenticeships in the engineering industry. If the Government are serious about training, why do they not have YTS schemes that last for three years where an employer can take a boy or girl and give them a proper training? They would then at least have a skill.

When I was a young apprentice, a boy was sacked when he reached the age of 21 in some shipyards in Glasgow. That was not good, but at least the boy had a skill. That is all he was asking for. He had something that he could take to another part of the world. The Government are throwing away a golden opportunity by failing to examine our training schemes and by not allowing the good employers—there are many of them—to take on young people to give them the skills that they need.

Like many other hon. Members, I often go to seminars on information technology. I hear all the talk about floppy discs, megabytes and all the other jargon. In the Tea Room all Members can talk about is their computers and word processors. They are of no use to a company unless it has orders on its books. A company which employs one man and a dog does not need a computer to work out its wages bill, to order its material or to keep stock. All the fancy technology is useless unless we can obtain orders and have the industrial base that can use the technology. The only way that we can do that is by protecting our heavy industries.

The Minister should hang his head in shame, because we are frittering away our opportunities in the North sea. He knows as well as anyone that in the British sector of the North sea the ratio is about eight Scandinavian supply vessels to two British. It is the opposite in the Norwegian sector. The Norwegians look after their own. We do not protect our contractors, even in the North sea. There are small companies in my constituency employing 10 or 12 people which work for the North sea. I am told that when they get——

Mr. Deputy Speaker (Mr. Ernest Armstrong): Order. The hon. Member must conclude his speech.

Mr. Martin: Certainly, Mr. Deputy Speaker.

It is time that the Government did something to help the community and the work force in companies such as BREL in Springburn.

8.20 pm

Mr. John Maples (Lewisham, West): I hope that the hon. Member for Glasgow, Springburn (Mr. Martin) will forgive me if I do not deal with the subjects to which he referred. There are a few points on which I shall concentrate in the short time available to me.

It is worth reflecting that prosperity and wealth are largely created by what people do, be they managers, entrepreneurs, trade unionists or workers. While the Government can and should help, their job is to create an environment in which business can flourish. Unfortunately, there are many cultural and historical reasons why we do not seem to be a productive and businesslike country. There is much evidence to show that that is changing, but it will take time to do so and, in the meantime, the job of the Government is to encourage change and, as I say, create an environment in which business can flourish.

The Government have had some success in doing that, but we have some serious fundamental problems, some of which have received attention in today's debate. For example, our share of world trade continues to decline, to a level which is now very disturbing indeed. The deficit which has developed in manufacturing trade should worry us greatly. All of that has combined in a pattern of relative decline, where the British economy has consistently grown at a rate less than the growth rate experienced by most OECD countries. Whereas in 1970 our GDP per head was about 7 per cent. above the OECD average, it is now about 10 per cent. below. That is what relative decline means, but at some point there must be a serious danger of it turning into absolute decline.

Those problems of world trade and a deficit in manufactured goods are associated with manufacturing industry. It is obvious that many jobs may come in the services sector of the economy, but we need a strong manufacturing sector, because our economy cannot survive on services alone. They may provide the jobs, but they will not provide all the wealth.

Much of the expansion that has taken place in service sector employment in the last 20 years has occurred in public services. That is unlikely to be repeated. In any event, the service industries need something to service. They need a domestic manufacturing industry to service, because there is not enough for them to do simply servicing imports or tourism. They need a domestic manufacturing base. That is illustrated by the fact that in the south-east of England both manufacturing and service industries have been successful in recent years. The service industries in that area have been successful because they have had relatively successful manufacturing industries to give them work.

Above all, we need manufactured exports to take the place of oil when it runs out. What shall we use to pay for manufactured imports when we no longer have exports of oil? I think, therefore, that our future lies in having a high wage, high productivity, manufacturing economy, producing and exporting sophisticated goods and services. I shall suggest two areas in which Government policy can be not only influential but important in promoting the success of British manufacturing industry.

One is in the area of competitiveness in industrial costs. A substantial element of industrial costs is wages. Therefore, the need to keep wage rises in line with increased productivity is extremely important. The real wage argument does not demand that people's real wages should come down but that the increases in those real wages should reflect the increases in productivity that are taking place.

A substantial non-wage cost of employment is national insurance contributions paid by employers. I should have thought that there was an overwhelming case for reducing those across the board, or on a selective basis if the cost of doing so across the board was considered too high. Perhaps it could be concentrated on manufacturing.

One of the biggest cost barriers facing industry today is high interest rates. Those are largely caused by the United States deficit, although they are to some extent caused by the enormous expansion that has taken place in personal borrowing in the United Kingdom. One cannot help wondering whether we can continue a situation in which the interest rates that must be paid by British manufacturing industry are caused by two factors such as those. We should examine whether we can have some control over those factors.

The area of Government involvement in helping manufacturing industry in Britain is in the sphere of trade policy. While I am basically a free trader — if not something of a fair weather free trader — I accept that we do not live in much of a free trade world. All of the trade of the Eastern bloc and the Third world, and most of the trade of the middle eastern countries and Latin America, is managed and conducted, if not by their Governments, by Government agencies.

We also have trade practices by some of our major OECD trading partners — such as Japan, the US and France — which are far from fair in terms of free trade. Thus, the British Government must be involved, too. We need a partnership between the Government and industry to ensure that British industry beats the foreign competition. Nowhere is the role of Government in that connection more important than in trade policy.

One area in which we could be more active is in trying to reduce non-tariff barriers in the EEC. The fact that, 30 years after the Common Market came into existence, 27 forms are still needed for a lorry to go from Holland to Italy illustrates the point.

From our point of view, what may be more important are the national restrictions that are placed on the expansion of certain industries in which we happen to be particularly good, such as banking, insurance and airlines. The expansion of those into Europe is seriously restricted by national institutions. I should have thought that our net contribution to the common agricultural policy would be a small price to pay for the freedom of those successful industries to expand in the EEC.

The unfair trade practices from which we suffer are also practised by OECD countries. Many instances have been given concerning France, and we have an extraordinary arrangement with Spain under which it can export cars to this country through a 4 per cent. tariff barrier, whereas British cars exported to Spain go through a tariff barrier of about 60 per cent.

[Mr. John Maples]

The real offenders in this scenario are the Japanese. We heard at the Bonn summit of yet another warning being given—a reading of the Riot Act—to the Japanese. I hope that it was not a ritual warning and that we shall be assured that on this occasion we told the Japanese that we mean to stop putting up with their nonsense. It is absolutely unacceptable that we should continue to have manufacturing industries in this country destroyed by their managed trade practices in circumstances in which we cannot do the same to them and their national regulations prevent us from exporting to them.

An area which I should think is ripe for action is the current expansion in the City involving Japanese banks and security companies. It is well within our power and that of the Department of Trade and Industry and the Bank of England to put a stop to that quickly. That should be an extremely soft point at which to exercise leverage on the Japanese. We cannot continue to play fair in a trading world in which everyone else cheats.

Services are undoubtedly vital to the country, to our standard of living and to our future employment, but they are not enough. We also need a strong manufacturing sector, and in today's world that means Government involvement in industry, but particularly in trade. Without that, we shall not have a high paid, high productivity economy, which is the only way forward to give us the standards of living and public services that we want.

8.27 pm

Dr. Norman A. Godman (Greenock and Port Glasgow): I must at the outset apologise for my absence from the Chamber earlier in the debate. Hon. Members will agree that my absence was out of character. It was brought about by circumstances beyond my control.

I agreed with the hon. Member for Lewisham, West (Mr. Maples) when he said that the economy needed a strong manufacturing sector and a thriving services sector. We must acknowledge that manufacturing in Britain has been in decline for some decades, and nowhere has that been more clearly experienced than in Scotland.

Scotland was pre-eminent for generations in shipbuilding, marine and heavy engineering, coal mining and textiles. Indeed, the textile industry was, and still is to some extent, a major employer. Everywhere there has been decline, and I concede that, because that decline has been taking place for three or four decades, it cannot be said to have started in May 1979. The picture is complicated, and mitigated to some extent, by the growth in Scotland of the information technology industry, by growth in the services industry and by the development of the offshore oil and gas industries.

Nowhere are the opposing tendencies of growth and decline more clearly seen than in my constituency. The traditional industries of shipbuilding, ship repairing and marine engineering have been in decline for a considerable time. Similarly, the cane sugar refining industry has experienced such a dismal decline that there is now only one refinery. On the bright side, however, there is the continued expansion of IBM—a company mentioned earlier in less complimentary vein by the Liberal spokesman, the hon. Member for Yeovil (Mr. Ashdown). National Semiconductor is also in my constituency and information technology is now the biggest employer in a traditional shipbuilding and marine engineering area.

The recent announcement of some 600 redundancies by Scott Lithgow was a further dismal blow to the Greenock travel-to-work area, which has a scandalous 24 per cent. male unemployment. The Secretary of State and I have exchanged comments about Scott Lithgow on previous occasions. I fervently hope that in the very near future Scott Lithgow will win Ministry of Defence and offshore orders. I am certainly not begging for orders or pleading for social security for the company. I believe that Scott Lithgow can win orders in both areas on merit. I certainly hope to see it building conventional patrol submarines next year.

The offshore oil and gas industry has saved Scotland from almost complete economic devastation, providing scores of thousands of jobs both directly and indirectly. Even there, however, mistakes have been made both by industrial organisations and by the Government. The chairman and managing director of one of our most successful companies in this type of activity, Mr. Ian Wood, recently said:

"There is a strong belief in the United Kingdom fostered by both this and the previous Government that UK industry has done well in the development of North Sea oil. I personally believe that this is a dangerous myth.

Far too many of the successful North Sea performers are the incoming international companies who simply operate a local UK base to cater for North Sea oil. They are not building up genuine UK technology and know-how to be supplied in further expansion overseas."

Mr. Wood, one of the most successful Scottish business men in the offshore industry, went on to say:

"Any present realistic assessment of the number of UK companies who have the know-how, technology and manufacturing skills to expand into the offshore industry worldwide would provide a pitifully small number nowhere near the level of presence and influence that should have been achieved from our privileged frontier starting position."

There are thus two main areas of policy objectives for the Government in the offshore oil and gas industries—the expansion of Scottish and United Kingdom involvement in the North sea and assistance for United Kingdom companies to compete more successfully in the international offshore market.

A further complication, to which I alluded in my opening comments, is the shift from manufacturing to service industries. No economy can grow simply on an expanding service sector when manufacturing industry is in decline. Both sectors are important. Manufacturing industry must be revitalised, which will lead to continued growth in the service sector. What is needed is home-led demand for the manufacturing industries and more direct Government influence on investment. That requires the development of economic and industrial policies which have as their object a successful manufacturing industry.

8.35 pm

Mr. Phillip Oppenheim (Amber Valley): I do not agree with every aspect of Government policy on high technology, but the Government are rarely given sufficient credit for their achievements in the past few years—the great success of the micros in schools programme, the aid for innovation, the expansion of training, and initiatives such as Itech. High technology training cannot be geared up overnight. First, we must have qualified trainers, of which there was a desperate shortage. The Department of Trade and Industry has helped selected companies. The Alvey programme in the United Kingdom and the Esprit programme in Europe are not perfect, and almost every

pundit in the industry thinks that he or she could run them better. Nevertheless, a huge amount of taxpayers' money and Government effort has gone into high technology.

Much of the greatly over-publicised gloom and doom about our information technology industry is unjustified. The recent NEDO report referred to huge deficits but entirely ignored microchips, of which this country is now Europe's largest producer. The report also failed to acknowledge that many imported components, which appear in the trade figures as part of the balance of payments deficit on our high-tech trading account, are incorporated in electromechanical equipment such as machine tools and re-exported but do not reappear on the positive side of the high-tech trading account because those exports come into another sector. The much-quoted high-tech deficit is thus somewhat misleading.

Recent figures have been relatively encouraging. In 1981 our deficit in the information technology sector was £1 billion. By 1983 it had risen to £2 billion, but preliminary figures for 1984 suggest that it has stabilised at that level. Indeed, 1984 production figures for the electronic and electrical engineering sectors show an increase of 12 per cent., data processing products an increase of 39 per cent. and components production an increase of 21 per cent.

This country is not alone in having a high-tech trade deficit. The United States, supposedly a high-tech high flier, had a $6·8 billion deficit in information technology products last year. Europe has not done much better. France had a £750 million deficit last year on computers alone. It is not surprising that many western countries are running larger deficits in the information technology sector because this is the main growth sector in most western economies.

Having expressed my support for what the Government have done so far, I believe that in some areas they may change their emphasis and do a little better. All too often, inward investment strategy is not sufficiently selective and we rush headlong to create jobs in problem areas, often supporting the entry of overseas companies into our markets to compete against British firms.

Recently, Micro-Image Technology, in my constituency, which is a company owned by Laporte and has developed a good market in specialist chemicals for the microchip industry, and invested heavily in a non-development area to expand into reprocessing of scrap silicon wafers. No sooner had the company announced its investment plans than it heard that the Department of Trade and Industry was about to subsidise two American rivals to come to Scotland to compete against the company on its home market. That is somewhat ludicrous.

As international divisions of labour intensify and as it becomes difficult for any one country to have national champions for every product area, we should be trying to concentrate on areas where we can excel. Where we can excel we should not subsidise foreign competition, allowing it to come to this country. Where we cannot excel, it is to our benefit to import products as cheaply as possible—possibly incorporating them in products that are re-exported—or to encourage foreign firms to set up assembly operations in Britain.

To date, there has not been a clear direction of this sort in Department of Trade and Industry policy. We could excel in home and business computers, custom chips, some types of equipment for telecoms and certain components and software. We are unlikely to excel, because of the nature of our industry, in mainframes, commodity RAM chips, most areas of consumer electronics, computer printers, photo-copiers and typewriters.

Another problem affecting the industry is the issue of reciprocal access to overseas markets. Since the 1981 and 1984 Telecommunications Acts, our market has largely been opened to imports of foreign telecommunications equipment. Most of us agree that free trade is an excellent policy—but only if everyone follows it. Our policy has been a high risk one of opening our market, while no country, apart from the United States, has opened its market in return.

I could cite many examples, but I shall refer only to the key telephone systems sector. The overseas suppliers comprise two Ericsson systems from Sweden, NEC from Japan, AIOP from France, Panasonic from Japan, the Blick Alcatel system from France, Siemens from West Germany, DTWE from West Germany, TIE from the United States, Nitsuko from Japan and MITEL from a United States plant. The only British manufacturers in that market are Philips, GEC and Plessey, which assembles the Nitsuko system. All the cellular radio equipment on the market comes from Sweden and the United States. British Telecom recently agreed to buy Ericsson digital exchanges and Mercury is buying Northern Telecom exchanges from Canada.

The result is that in the year to February 1985, we imported £36·2 million worth of telecom equipment from Japan and £22·9 million worth from Sweden. In return, we sent just £400,000 worth to Japan and £4·1 million to Sweden—hardly "free trade" in the true sense of the term.

The answer to the problem is not nationalisation or the ludicrous dirigiste policies proposed by the Opposition. Those policies have been discredited and have failed in France. In 1982, the Socialist-Communist Government in France produced the grand plan filière électronrique aimed at creating 200,000 new jobs and a £2·75 billion trade surplus for the French IT industry. Instead, the nationalised electronics companies in France have notched up vast losses, the French deficit in IT products has increased by leaps and bounds and employment has decreased.

Grandiose schemes dreamt up by politicians and bureaucrats are not the answer. We need only look at our example of Nexos, which was dreamt up by the last Labour Government as a United Kingdom rival to IBM. In its three years of operation, it succeeded only in importing Japanese facsimile machines at way above cost through a middle man. When it went bust in 1982, £2 million worth of its facsimile machines were sold back to the same middle man for just £1. Through National Enterprise Board policies of giving cost-plus contracts to other NEB companies, Nexos ended up losing a total of £36 million of taxpayers' money — so much for grandiose schemes dreamt up by politicians and bureaucrats totally out of touch with reality, but with a hand deep in the taxpayers' pocket.

I often feel that politicians are arrogant in thinking that they succeed in creating jobs by waving a magic wand when experienced business men cannot. I especially feel that many Opposition Members are arrogant when they have no business experience, having been full-time politicians, academics or journalists.

[Mr. Phillip Oppenheim]

At the end of the day, the best way of helping high-tech industries — *[Interruption.]* Mr. Deputy Speaker, I believe that an Opposition Member wishes to intervene.

Mr. Deputy Speaker: The debate will not continue for much longer. The hon. Member should draw his remarks to a close.

Mr. Oppenheim: Yes, Mr. Deputy Speaker. At the end of the day, the best way of helping high technology is by creating a strong and flourishing economy through lowering inflation, through incentives and by encouraging venture capital. We have some way to go——

Mr. Deputy Speaker: Order. I am sorry, but the hon. Member's time has expired.

8.46 pm

Mr. Barry Sheerman (Huddersfield): I hope that I shall not keep the House long, but I wish to concentrate on education and training for the new technologies. I have heard many Conservative Members talk about improvements and the light at the end of the tunnel. I find that difficult to believe, as a Member from the west Yorkshire area and having heard only yesterday the chilling news that another large, modern factory would close in the Brighouse area. That is not in my constituency, but I have a constituency interest in it because many of my constituents work in that factory. I heard that 550 jobs have been lost at the factory of Philips, an important manufacturer of washing machines and tumble dryers. I understand that that factory will be closed because it would have been more difficult for the company to close its Italian factory. What will the Secretary of State do about that? Will he intervene to save those 550 jobs? Will he ensure that the Government make an effort, not with grandiose schemes but by encouraging Philips to stay in this country and produce appliances using high technology?

The motion refers to investment, research and development and education and training. Sadly, on all three counts, this country is in a parlous position. The more I look at the research and development failure of our industry, the more I see that this is paralleled by our failure to train and educate people in high technology.

If we are to have a proper training policy for high technology or, for that matter, any kind of technology, it is about time the Government took a lead, recognised their mistakes and returned to a system of industrial training boards — perhaps a modified system — and either a training tax or a training levy to ensure that training is provided. The Government should step in and provide training for the future if industry cannot afford to do so.

During this debate we have talked a little more sensibly than we did during the days of one of the predecessors of the present Secretary of State when we were sharply divided between the need for sunrise and sunset industries. Most of us have known that all industries are a mixture of both. The older, more established industries—such as the textiles and engineering industries in west Yorkshire —depend for their future and their order books, both at home and abroad, on investment in the latest technology. Some companies have done that, but some companies need help and incentives from the Government. Often, firms that are not in the industrial development regions lose out to foreign competitors and competitors in the industrial development regions.

I wish to concentrate on the infrastructure of training, which seems to be disappearing. The infrastructure of education and training for our engineering and textile industries is reaching such a low point that one cannot find departments in the polytechnics or technical colleges that sufficiently support local industry.

The report of the House of Lords Select Committee on Science and Technology, which was published only at the end of last year, points out the real deficiencies in education and training for the new technologies. The first paragraph of the summary of conclusions and recommendations says that

> "Technological progress in the UK is being hampered by failure to develop its human resources. The UK's competitive edge in international trade is at stake. There is no more serious challenge than the adequate provision of people properly qualified and trained to exploit new technologies as they emerge."

As the report so starkly points out, the situation that we face today is one in which our polytechnics and universities have been run down and, even more important, the morale of the people responsible for education and training in our polytechnics and universities has been reduced to an all-time low. If the Government are to do anything about the problem, they must first put money into the polytechnics and universities, so that there can be an expansion programme instead of a decline. The people who man the polytechnics and universities must be told that the Government believe in them, and that they want to give them a future and to pay them a proper rate for the job.

8.51 pm

Mr. Tony Baldry (Banbury): I commend to the hon. Member for Huddersfield (Mr. Sheerman) for bedtime reading the report by the Institute of Manpower Studies on conflicts and competition, in which he would find that the British Government spend proportionately as much on training as our competitors, West Germany, Japan and the United States. The difficulty is that we need to get British industry to spend more money on training.

To ensure a truly caring society it is necessary for us as a community to create sufficient wealth. Indeed, it was the shadow Secretary of State for Trade and Industry who, very pertinently, once said:

> "We must persuade people that job creation is the key to creating jobs in the caring industries like the hospitals. Socialists must interest themselves more in the creation of wealth and not just in the redistribution of wealth."

To create wealth we need to have a competitive trade policy, and there are three points on an agenda for action to which the Government need to address themselves. First, they must try to achieve some stability in the exchange rates. At one moment the pound is riding high; at the next it seems to be heading for a fall. Uncertainty and confusion are a nightmare for exporters. One of the most destructive aspects of high inflation rates is that it is very difficult for industrialists and business men to predict the future. A similar situation arises when there are wildly fluctuating exchange rates. Therefore, there is a desperate need for stability in exchange rates.

I urge the Government to give serious consideration to the need for us to work much more closely together in the European Community. That means the United Kingdom

joining the European monetary system so that Europe as a community can begin to acquire a more powerful and co-ordinated voice in the world economy once more.

The second point on an agenda for action is related to the first one. There is a need to keep on bludgeoning Japan into the realisation that Japan, more than any other country, is dependent on there being free trade in the world. It is nonsense if a sweet manufacturer cannot export sweets to Japan without the Japanese complaining about the colour of the sweets, or if it takes eight days to import goods into Japan—one to clear customs and the other seven to clear document control.

It is not only Japan that is involved. If countries such as the United States start to take retaliatory action against Japan, there will be a danger of Japanese automotive, mechanical and telecommunications goods being dumped in Britain. The world international community as a whole must keep on making it clear to the Japanese that their behaviour and their actions are wholly and completely unacceptable, and that in addition they actually endanger Japan's long-term prosperity as much as that of the rest of the free world.

The third point on the agenda for action was eloquently articulated by my hon. Friend the Member for Lewisham, West (Mr. Maples). In looking around the world, we can see many places in which there is free trade. Increasingly, Governments are involving themselves in their industry on a selective basis. I choose one random example from a recent report by Hawker Siddeley, which concluded that British exporters are being gazumped by foreign Governments in the international bidding for big contracts with developing countries. The report concluded that the generosity and flexibility of France, West Germany and Japan, our competitors, in offering soft loans and tied aid in support of their own exporters' tenders helped them to win world contracts.

I am not suggesting for a moment that we should allow ourselves to be sucked into a subsidy quagmire, but there is a clear need—particularly against the background of our recently losing the Bosphorus bridge contract—to consider how Governments can more selectively assess British manufacturers to win the increasingly few high prestige contracts. This is not subsidy but selective partnership between Government and industry. If we can achieve that sort of agenda for action—we can do it if we do not lose our nerve, and if we do not panic and endanger what has already been achieved—we can start to win back for Britain an increasing share of world trade.

In the past few weeks much has been made of the views of the CBI and its attitudes towards Government policy and the broad strategy that the Conservative party is following. I draw to the attention of the House—I do not think that it has had a wide enough press — a statement by Sir Terence Beckett when he spoke to a Committee of the House in the week before last. He said:

"There is profound confusion, in the national debate, between the level of unemployment, attended by the feeling this encourages that our present policies are failing, and the progress that we are actually making with those policies in improving the effectiveness of the economy. Those policies"——

by that he meant our Government's policies—

"represent the best hope we have for the future prosperity of the country, and for dealing with unemployment in the best possible way."

I believe that, providing we can with vigour turn our minds to how we can ensure a competitive trade policy not only here but throughout the rest of the world, and how we can help British industry by stabilising the exchange rate, there is no reason why the boom that we are now witnessing, with our GDP growing this year by 4 per cent., cannot be a continuing boom which will bring back the wealth that we as a society need if we are to be a truly caring society.

8.58 pm

Dr. Jeremy Bray (Motherwell, South): The Secretary of State is not, I suspect, someone who wastes a great deal of time reading his speeches in *Hansard*. But he might at least ensure that those who draft Government amendments read his press releases. The Government congratulate themselves on the recent substantial increase in manufacturing output, but it is only just over half way back to the level that they inherited in 1979. They congratulate themselves on the sharp rise in exports — which, unfortunately, has been exceeded by an even sharper rise in imports. They congratulate themselves on major gains in competitiveness, which has been caused by a fall in the pound that panicked the Chancellor into raising interest rates to exorbitant levels. As to the optimism of the CBI about business, it has not yet recovered to its level of a year ago, before the miners' strike. That is not a pleasant picture of our industrial scene.

The Minister catalogued the measures taken to stimulate research and development in British industry, but admitted that the net effect has resulted in a small fall in real terms—of £2 million from £1,566 million—in intramural research and development in industry between 1978 and 1983. He said that he thought matters would be better in 1984, but he will never know because his Department has run down the statistical service and in 1984 will not collect any returns from industry about research and development.

The right hon. Member for Waveney (Mr. Prior) rightly stressed the role of manufacturing industry as essential to our economic recovery. As chairman of a great company, he naturally observes the closing stages of negotiations of major bids. He should talk to his technical director. Even if GEC does not need the money to compete with other British firms in research and development, it has always been forward in claiming whatever money is available —quite naturally—and also in complaining that if there is not a lot of money to support research and development it is at a disadvantage compared with its overseas competitors. I hope that the right hon. Gentleman will discuss that with his very competent technical director.

The hon. Member for Havant (Mr. Lloyd) stressed the need for a properly designed industrial strategy, but he did not offer us any niches in which we could survive the rigours of this Government's policies. My hon. Friend the Member for Wrexham (Dr. Marek) described how his local authority, against all the odds, attracted to his constituency — as much in need of jobs as all our constituencies—the Japanese calculator firm Sharp.

The hon. Member for Eastleigh (Sir D. Price) has seen a loss of jobs in his constituency, although he did not mention that. However, my hon. Friend the Member for Glasgow, Springburn (Mr. Martin) dwelt on that at some length. It concerns the effect of the running down and closure of railway workshops. There is a loss of 1,200 jobs, which can be ill afforded, in Springburn and 400 jobs in Eastleigh.

With the decline of the old, there is an absence of the development of the new. My hon. Friends were right to

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say that when the Government can see years ahead the effects of technical change, they should provide support for alternative development.

My hon. Friend the Member for Kingston upon Hull, West (Mr. Randall) stressed the need for the right sort of support for the electronics industry, which, unfortunately, it is not getting.

The hon. Member for Yeovil (Mr. Ashdown) spoke with knowledge and insight of the need to protect British firms against interference from American suppliers under American law, which is a monstrous intrusion not only on our freedom of trade but on our legal independence.

My hon. Friend the Member for Burnley (Mr. Pike) spoke eloquently of the co-operation between management and workers needed in handling technical change—a co-operation that the Government have sought to whittle away by their attack upon the trade unions. He argued that new technological developments offered new industries that could bring relief to areas of high unemployment, such as his constituency.

My hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman) has a unique combination of the old and the new in his constituency. In the care that he exercises over both, we see the kind of work being done by hon. Members on both sides of the House to cushion their constituents against the appalling rigours to which the Government's policies have subjected them.

My hon. Friend the Member for Huddersfield (Mr. Sheerman) spoke of the closure of the Philips washing machine plant in his constituency, which was announced today. He made an eloquent plea for the training that is absolutely essential to industrial recovery.

The hon. Member for Banbury (Mr. Baldry) called for stability of the exchange rate, which I fear he will not find while the Government cling to their medium-term financial strategy, which specifically excludes stabilisation of the exchange rate.

We are concerned with the products that people want to buy in the shops and the showrooms, with the processes by which they are produced and, above all, with the people we need to produce them. The Government's record is catastrophic.

It is symbolic that nationally we are compulsive video viewers. We have been reduced to that — perhaps because the Government have left us so little to do—but we have not the wit to make video players for ourselves.

In 1979, we had a surplus of £2·7 billion in the balance of trade in manufactured goods. In 1985, that had turned into a deficit of £3·8 billion. The shift, some £6·5 billion, represents 13 per cent. of our imports in 1984. The decline in trade performance, measured by exports as a percentage of imports, has spread across the board.

I commend the Secretary of State to read another of his own releases, the publication "United Kingdom trade with European countries", which states:

"Crude balances can give a misleading indication of relative trading performance over time so we also give the ratio of exports to imports."

In motor vehicles, electrical and electronic and data processing equipment, exports, already only 91 per cent. of imports in 1979, had fallen to 71 per cent. of imports by 1984. Even in the strongest class of goods, chemicals, exports fell from 132 per cent. of imports in 1979 to 126 per cent. in 1984.

What is alarming is that there is a tendency for the fastest growing industries to suffer the greatest decline in their trade position. Two industries in which I have a constituency interest, steel and mining machinery, illustrate the point. In steel, despite all its difficulties, the ratio of exports to imports has increased from 106 per cent. in 1979 to 138 per cent. in 1984. Mining machinery has the unique distinction of maintaining the ratio of exports to imports at just over 700 per cent. with scarcely any imports able to compete against the thoroughly efficient firms of Anderson, Strathclyde in my constituency and Dowty. Pharmaceuticals, a growth industry, fell from 242 per cent. to 204 per cent. in the ratio of exports to imports, and active electronic components, which includes micro circuits, fell from 106 per cent. to 70 per cent.

If one reads through some of the industries in which the improvement in the ratio has been more than 10 per cent. and contrasts those with the industries in which the deterioration has been more than 10 per cent., one observes the pattern. The improvement has come in the extraction of minerals, the steel industry, leather and leather goods, food, drink and tobacco and non-ferrous metals—not exactly the most buoyant growth industries of today. The deterioration in the trade balance has come in electronic data, man-made fibres, pharmaceutical products, timber and wooden furniture, industrial electrical equipment, non-metallic minerals, instrument engineering, rubber and plastics, motor vehicles and parts, food, chemical machinery and active electronic components. It is a devastating picture.

With the increase in exports and imports of manufactures up to 1979, British industry is now highly integrated with that of other industrial countries particularly in the European Community. The flows of exports and imports are now about equal to the value added in manufacturing industry and to home consumption of manufactured goods. In other words, trade is not peripheral. Trade is as large as home production and as large as home consumption. The export market is as important as the home market. As a source of supply of goods, imports are as important as home production, so shifts in trade have a major impact on home production. The same integration that exists over the economy as a whole is also to be found in individual firms, with few major establishments today able to survive without their overseas suppliers and customers.

The 13 per cent. widening in the manufactures trade gap has been reflected in a 14 per cent. fall in manufacturing output between 1979 and 1981 with manufacturing output now still 6·8 per cent. below the 1979 peak.

If the oil wealth were used to modernise and re-equip British industry, it would be reasonable to expect a surge of investment and a flood of imported machinery, but investment in manufacturing dropped by a disastrous 35 per cent. between 1979 and 1982, and in 1984 it was still 25 per cent. below the 1979 level.

Not only has investment fallen below the replacement level needed to maintain capacity, but a fall of 14 per cent. in manufacturing output between 1979 and 1981 has knocked out swathes of existing manufacturing capacity in all our constituencies. Nothing like that has happened before in Britain since the war; nor has it happened in the past 10 years in any other industrial country.

We must consider price and technical competitiveness together. We cannot create an overall competitive industry

by a shift in the exchange rate, but we can quickly destroy it. The Government destroyed overall competitiveness and industry itself in a massive way between 1979 and 1981. Industry will take many years to recover from that destruction.

To the Chancellor none of this matters. To him manufacturing industry is a bore. He sees Britain's future as a jumbo-sized tax haven—another Channel island. When the second oil price increase knocked out the Channel islands' tomato-growing industry, the young people flocked to the tax-dodging Channel island banks which were growing explosively. The Chancellor seems to think that that can happen in Britain—in Barnsley, Greenock and Port Glasgow — with the growth in services making good the decline in manufacturing.

The Chancellor does not care about jobs. But look at the balance of payments. As one right hon. Member argued recently,

"manufacturing industry provides about 25 per cent. of our GDP and 25 per cent. of our jobs. It also provides 75 per cent. of our visible trade exports. If we were to replace the contribution by manufacturing industry to the balance of payments we would need to increase our exports of services by between £60 billion and £70 billion a year. To do that we should have to increase our share of world exports of services dramatically from under 10 per cent. today to over 50 per cent. That is really a wholly impossible task at the moment. So without manufacturing industry Britain would not survive."

That was not one of my right hon. Friends; that was the right hon. Member for Mole Valley (Mr. Baker), the Minister for Local Government, from his previous perch as Minister for Information Technology, in evidence to the Lords Select Committee on Science and Technology. Britain cannot hope to increase its share of world trade in services fast enough to earn the foreign exchange needed to bring Britain's millions back into employment.

The Thatcherite solution is to cut Britain's overheads, by cutting social security and the real wages of workers. By these means they hope to price Britain back into work as a low-wage, low tech, low growth, low skilled economy.

Mr. Randall: The Hong Kong of the west.

Dr. Bray: That is not the nature of Hong Kong—which is the place where I was born—and it would never tolerate this Government's policies.

Thatcherite Britain is condemned to a tightening vortex of high interest rates, high interest costs, low investment, low technology, low skills, low growth, high cost, deteriorating trade, a falling pound and still higher interest rates—all with the pretext of reducing inflation which obstinately bounces along among the upper rates of inflation in industrial countries. Meanwhile, such strength as this country has left in higher education, scientific research and democratic government is being recklessly whittled away.

The industrial decline of Britain has been lamented lovingly ever since the Paris exhibition of 1867, when a Britain then producing one third of the world's manufactures was prominent in scarcely a dozen out of 90 classes of manufactures exhibited. Under this Government, that long, agonising, drawn-out decline has become a near terminal collapse. What we need now is emergency resuscitation followed by policies to reverse the long-term decline.

The three engines of growth on the supply side of a serious industrial policy are education and training, investment and research and development. The Government have neglected all three. In the earlier stages of recovery, there has to be a major increase in research and development effort on specific products and processes in manufacturing industry. That is needed to ensure that our products are in demand and up to date, that our training is in relevant skills and that investment is in competitive plants and processes, not in the obsolete plant of yesteryear.

Research and development expenditure in manufacturing industry is about £4 billion a year. There has been no increase since 1978. In no industry has it kept Britain's trade performance in balance with the competition. It is unevenly distributed. Research and development expenditure in the three research-intensive industries — chemicals, the electrical and electronics industry, and aerospace — is about £2,500 per worker per annum. Much of the research and development in electronics and aerospace is for defence purposes, paid for by the Government and lacking civil application. Research and development expenditure in the rest of the manufacturing industry, with 80 per cent. of total manufacturing employment, is, compared with the £2,500 per worker in the research-intensive sector, £250 per worker. Thus there are two sectors—the research-intensive sector and the low research sector.

In aerospace, with a strong element of defence support, research and development expenditure is £4,700 per employee, and much of it is on development. In Imperial Chemical Industries, with the longest and strongest tradition of civil research and development, expenditure is £3,400 per worker per year. Motor vehicles have come up well. They are in an intermediate position, pulling up with £840 per worker. The British Steel Corporation, after the MacGregor cuts, is now down to £220 per employee. BSC is rapidly becoming a technological vassal of Japan. Textiles and paper, printing and publishing—mostly our beloved newspapers—are spending as little as £40 per worker per year. In footwear and clothing, expenditure is £17 per employee.

Mr. Baldry: Would not greater progress be made in the newspapers if the unions were more co-operative about introducing new technology? Perhaps the hon. Gentleman can have a word with Sogat.

Dr. Bray: There is some justice in what the hon. Gentleman says. However, it is a chicken and egg argument. Had there been proper consultation with workers when the technological revolution in printing began, there would be a different picture today.

With the imbalance that we have in research intensity between the two sectors of the economy, if any increase in research and development expenditure were concentrated on the research-intensive sector, the great mass of manufacturing industry would rapidly become less competitive. If, on the other hand, the research-intensive sector were denied further support, it would continue to fall victim to foreign competition, and we would lose possibly the most effective research and development in terms of potential gross domestic product per pound of additional research and development expenditure. An optimum distribution of support would lie somewhere in between.

The only principles guiding the Government's policies are that the market will provide, and that, where it does

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not, expenditure must be cut. The trouble is that there is no inherent competitive incentive in a market economy to public or private commercial organisations to undertake pre-competitive research, and the Government are starving such research of resources. Basic science and pre-competitive applied research, including research in enabling technologies and in public concerns such as health, safety and the environment, must be financed by the Government.

Sometimes pre-competitive research may be essential to the survival of an industry, but, because the benefits of the research cannot be used to strengthen one firm against its competitors, firms may not undertake that research on their own. That may be one factor lying behind the collapse of shipbuilding in this country.

Competitive research and development aimed at specific products and processes may also be neglected by firms if they have suffered from low profits and have had to concentrate simply on maintaining cash flow, if they have no confidence that profitable times will continue for long enough to enable them to reap the benefits of research, or if they always have to pitch their profit and loss accounts at maintaining a higher share price in order to frighten off the big bad takeover wolf.

All those conditions have applied in recent years and they have reached a new intensity under the present Government. United Kingdom research and development, and its fruits in manufacturing competitiveness as reflected in trade statistics, are now rapidly falling behind other industrial countries. We need to pull up rapidly and to pull ahead in research and development to make good the oil revenues that will now decline. The position is moving so fast that international comparisons at a point in time are no longer an appropriate guide to action.

Faced with the need for research and development, the inadequacies of the Government's actions make one weep. In the past, Britain has been pre-eminent in basic science, which is the necessary foundation for a healthy, advanced industrial economy, as Japan is discovering. Today, at a time of seminal growth in many branches of science, the Government's advisory board on the research councils has told the Government that their present plans will lead to a decline of 25 per cent. in the basic science budget over the next 10 years.

Already, whether measured by Nobel prizes, citations in the science journals, registration of patents or just common observation at any international scientific conference, Britain is falling behind in basic science. In the initial surge of research and development needed in manufacturing industry, the emphasis must be on fairly short-term developments and on updating products and processes. The aim should be for industry effectively to review and, where necessary, to develop and design anew all the products and processes of United Kingdom manufacturing industry.

We should not be too highfalutin about what constitutes development. The OECD Frascati definitions strike the right note in distinguishing research and development from investment and other activities by the element of novelty or innovation. What may be development in one industry may be standard practice in another. Thus, the use of computer-aided design and manfucturing systems may be standard practice in aerospace, but its introduction would be development in most general engineering.

An early step must be technological reconnaissance internationally. The purchasing and testing of competitors' products and their licensing, improvement and redesign must be seen as development and supported as such. But what do the Government do? They cut the staff of the Department of Trade and Industry engaged on such work, and make no provision for its takeover by industry. Today, a medium-sized industrial economy cannot hope to develop all its own technology. Most of it will come from abroad, embodied in plant or transferred by licensing. Likewise, modern industry cannot keep up, and will not understand, unless it has sufficient of its own technology that is fully competitive in world markets. That is why Government support for research and development in manufacturing industry is essential.

The point is often made that research and development and technological advance generally are restricted by inadequate supplies of qualified technologists and scientists. That is true. But it need not prevent an initial surge in R and D to prime the pump for more effective deployment and training of qualified manpower. Today 80,000 scientists and engineers are engaged in research and development in manufacturing industry. There are 500,000 economically active scientists and engineers with the equivalent of first degree or higher qualifications working elsewhere.

In 1982, just before the Government cuts in higher education which have not been made good by the recent restoration in engineering, 35,000 technologists, engineers and scientists obtained first degrees. Therefore, there is room for a substantial, early and major increase in research and development at the sharper end of the development of manufacturing industry. But research and development alone will not restore competitiveness. There must be investment and training as well, with proper planning within the enterprise.

My right hon. and hon. Friends rightly stress the need for national planning. The need for planning within the enterprise is equally important. Indeed, the right hon. Member for Waveney will have great fun listening to the views of the lower levels of management in GEC in relation to planning, and constrasting those with the views of his managing director. A marked change is today taking place in industry, because many of our young scientists and engineers who have graduated in the lifetime of this Government have seen no future in technology and have gone into training as accountants. Therefore, a thoroughly modern point of view is available about the methods and systems that we waffle on about in this House when applied to other people, but are so reluctant to apply to our own affairs, as are the senior managers with whom we talk who are responsible for the conduct of business as a whole.

My right hon. and hon. Friends have put forward practical proposals to make the long-term funds available for investment and to create the levels of education and training that are needed. Where are the Government's plans? They have none to measure up to the task which faces the nation.

Where will the money and jobs come from? We are talking about research and development, investment and training — the basic wealth-creating resources of the country. We are talking about a payback from fairly short-term development and technology transfer which is certainly available within five years. Research and longer

term development will need longer horizons, but only one tenth of the expenditure. Therefore, there should be no difficulty nationally in funding research and development.

For investment in manufacturing industry, the proposals of my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) for the repatriation of overseas portfolio investment will encourage manufacturing industry to make good use of the funds which will become available—and money is much better spent on training than on having to pay unemployment benefit.

Finally and most important, what of the jobs? If we succeed in our objectives of restoring and maintaining the technical and price competitiveness of manufacturing industry, there is no reason why, over the first five years, employment in manufacturing industry should not increase. There is no limit if we are fully competitive in world markets. We can increase our share of home and export markets.

However, there is a long-term shift away from employment in manufacturing, just as there has been in agriculture for many years. Provided we maintain that competitiveness, so that there is no balance of payments constraint on the expansion of public and private services and construction, there are ample demands and needs there to absorb the one in six of our people who are denied jobs as a result of the Government's policies. True, we cannot eat our cake before we have baked it. The first priority must be to get manufacturing back on its feet, once again creating the wealth that this Government have squandered with such profligacy.

9.29 pm

The Secretary of State for Trade and Industry (Mr. Norman Tebbit): I owe the House an explanation for my absence at the beginning of the debate. Some months ago I committed myself to opening a British Overseas Trade Board conference on exports and jobs, so I faced the choice between talking to 200 industrialists, engaged in the business of exports, or listening to the right hon. and learned Member for Monklands, East (Mr. Smith). Out of courtesy I must at least pretend that it was a struggle, but I doubt whether anyone in the House would believe me. I am told that the right hon. and learned gentleman said that he wanted to start a great national debate. *[Interruption.]* I took the trouble to get reports of what the right hon. and learned Gentleman said.

Mr. John Smith: Can the right hon. Gentleman believe them?

Mr. Tebbit: I will come back to the right hon. and learned Gentleman before long. He had better save his breath.

Mr. Smith: When the right hon. Gentleman speaks again I will go to a seminar.

Mr. Tebbit: Every time I speak it is a seminar for the right hon. and learned Gentleman. He said that he wanted to start a great debate about industry. I must tell him that industry stopped the debate a long time ago and got on with the business of growing, and he has not even noticed. Of course, I am sorry about the clash between the two events today. Certainly I would not accuse the Opposition of knowingly seeking to detract from the BOTB event.

Mr. Smith: I did not even know that it was on.

Mr. Tebbit: Indeed, that answers it. The right hon. and learned Gentleman is not guilty on the main charge, but we find him guilty on the lesser charge of ignorance and fecklessness. He is ignorant of what the Government are doing to assist industry and exports and to create jobs. For that he and his colleagues have a list of convictions as long as one's arm, and they are not alone in that.

The other day I was reading *The Guardian*, what I call the flabby end of the Fleet street heavies. A Mr. Keegan —I understand he is a financial journalist—was writing in *The Guardian* on Monday. He accused the Government "of raising billions and billions from selling public sector assets without pumping a penny piece back into resuscitating the declining industrial and hitech heart of Britain."
That is broadly the charge levelled against the Government in today's debate. That is not surprising. It was the charge that was made by the TUC in its document, "The Future Business". It was rehashed by Mr. Keegan and regurgitated by the right hon. and learned Member for Monklands, East, sticking to his brief as always like the lawyer he is. Mr. Keegan referred to us raising billions and billions from privatisation. Yes, we have, £5·5 billion to date.

Mr. Smith: I did not say that.

Mr. Tebbit: I know that the right hon. and learned Gentleman did not say that bit. He did not get time to rehash all of it. *The Guardian* referred to the Government raising billions
"without pumping a penny piece back into resuscitating the declining industrial and hightech heart of Britain."
Over the six years 1979-80 to 1984-85 my Department's aggregate expenditure on regional industrial assistance has been nearly £3·3 billion, on science and technology nearly £1·6 billion, on export promotion £180 million, and on other industrial support some £3 billion, including £1·4 billion for BL and £0·5 billion for Rolls-Royce. The nationalised industries' external financing limits over those years amount to another £14 billion. That is well clear of £20 billion all told. Not a penny piece, says *The Guardian*. It cannot tell the difference between a penny piece and £14 billion. Last year alone the cost of assistance to private industry was about the same as the £5·5 billion that has resulted from privatisation since 1979. It is only crass ignorance or wilful partisan bias that can cause the production of such rubbish. I believe that the hon. Member for Motherwell, South (Dr. Bray) has from time to time expressed an interest in recycling rubbish — he has certainly been at it today.

At the lower end of Fleet street we have the *Star*. On Monday 13 May, in an article about exports to China, it made a great deal of our lack of success in selling aircraft to that country. It spoke of a mere £25 million that has been paid for eight mini-airliners from Short Bros. of Belfast. That, it said, is all that we have achieved. Ignorance or political spite caused the *Star* to forget our 20 per cent. share of a $150 million order for airbuses and the $150 million order for 10 HS146s. It is that degree of distortion and ignorance that we have to combat. That being so, I turn again to the right hon. and learned Member for Monksland, East.

In the right hon. and learned Gentleman's restatement of TUC policy, presumably because the TUC thought that it had not had much coverage and asked the Opposition to give it a whirl again, the right hon. and learned Gentleman attempted to start, as he called it, the great debate. By 6

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o'clock this evening there was one Labour Back Bencher and one Labour Front Bencher in the Chamber. Even the right hon. and learned Gentleman was not present for the great debate.

Mr. Sheerman: There were only two Tories present.

Mr. Tebbit: No. There has been a good Conservative attendance throughout the debate. I accept that the Labour Whips had better things to do than to sit in the Chamber. Indeed, they were outside trying to get Labour Back Benchers to participate in the debate. They got them in one at a time. The right hon. and learned Gentleman gave the TUC document another whirl. He neither added to nor subtracted from the TUC's position.

Mr. John Smith: What document?

Mr. Tebbit: The right hon. and learned Gentleman's ignorance is even deeper than I thought. He does not know that the TUC has published the document to which I have referred.

Mr. Smith: I hesitate to engage the right hon. Gentleman at the level to which he has reduced the debate. It is a serious debate and he has great responsibility to the country and to the House. As the right hon. Gentleman did not hear my speech, let me make it plain now that from start to finish I made no reference to any TUC document. I ask him to listen to my speech next time instead of listening to unreliable reporters.

Mr. Tebbit: I have already told the right hon. and learned Gentleman of the terrible clash with which I was faced. I had to decide whether to listen to him or to help 200 British exporters to get more jobs. Incidentally, I have a photocopy of the TUC document. If the right hon. and learned Gentleman has not seen it, I shall pass it to him at the end of the debate. It is entitled "The Future Business". It seems that the right hon. and learned Gentleman has not even read it. He will get into terrible trouble when the TUC hears about that. However, I have met very few people who have read it.

I enjoyed immensely the speech of the right hon. Member for Chesterfield (Mr. Benn). I suppose that it would not be within the rules of order to make it again so that those who were not present when it was delivered could hear it. What a pity that is. I am not sure whether the right hon. and learned Gentleman enjoyed it too much. After all, the right hon. Gentleman, however much we may pull his leg, represents a substantial slice of opinion in the Labour party. It is probably a minority opinion. It is certainly a minority opinion in this House, but whether it is a minority opinion among paid-up individual members of the Labour party—a pretty select band—is another matter.

When I heard the right hon. Member for Chesterfield compare Liverpool with Beirut, I wondered at his capacity for distorting reality into Left-wing fantasy, although I enjoyed his lumping into one revisionist bundle Sir Winston Churchill, Earls Attlee, Eden and Stockton, Lord Wilson, my right hon. Friend the Member for Old Bexley and Sidcup (Mr Heath), Sir Stafford Cripps, Ernie Bevin, the right hon. Member for Leeds, East (Mr. Healey) and a cast of thousands. He continued with a splendid attack, which I enjoyed, on aristocrats, of which he is one, and on the last Labour Government, of which he was a member. The right hon. Gentleman ended with the astounding statement, "Industry has gone." And then, so was he. What a vision of the barmy Left, which is the visible manifestation of the nasty Left that is dominating the Labour party.

In a different way entirely I enjoyed the speech of my right hon. Friend the Member for Waveney (Mr. Prior). It was a very constructive and reasoned speech, even if I could not agree immediately with everything that he said.

The hon. Member for Stockton, South (Mr. Wrigglesworth), unlike the right hon. Member for Chesterfield's hysterical and paranoic view of impending disaster, had a sort of pale beige middle of the road, boring view of impending disaster, but I should like to cheer him up a little. He is really a very nice chap, I am told. He should not be so miserable, except when he considers the opinion polls and their implications for the alliance. I can cheer him up about Alvey. The hon. Member was looking only at the payments which have been made, which lag well behind the projects which have been approved. During the last two years about 100 projects have been approved and about three quarters of the total funds which have been allowed for Alvey have now been allocated. Similarly, his genteel gloom about the use of microelectronics in manufacturing industries was not well justified. We are just behind the Germans, but we are well ahead of France, and in European terms we are performing well.

My hon. Friend the Member for Havant (Mr. Lloyd) made a splendid speech. He neglected only one major aspect of his proposed strategy which damages all of us very much—the lack of a European common market. One day I hope that we shall create it.

The hon. Member for Wrexham (Dr. Marek) was somewhat misleading. I spoke this afternoon to my right hon. Friend the Secretary of State for Wales. He told me that the decision by the Sharp company of Japan to increase its operations in Wrexham was taken well before the visit by the borough council, although I am sure that that visit was not harmful to the project. I believe that there are excellent relationships between the company and the council.

Dr. Marek: There is one way to decide this matter: to ask Sharp. I hope that the Secretary of State will also ask the leader and the chief executive of Wrexham borough council. I think he will find that what I said was correct.

Mr. Tebbit: If there is any doubt about the matter, I am sure that my right hon. Friend the Secretary of State for Wales will let me know.

The hon. Member for Wrexham was also rather gloomy and dismissive about the number of new jobs which have been created during the last two years. During that period 613,000 extra jobs have been created. Many of them are, admittedly, part-time jobs, but at least 118,000 are full-time jobs. When the hon. Gentleman is making comparisons with other countries he ought to bear in mind that 65 per cent. of the population of the United Kingdom between the ages of 15 and 64 is in work, compared with 59 per cent. in Germany, 61 per cent. in France and 66 per cent. in the United States.

I enjoyed the speeches of my hon. Friends the Members for Eastleigh (Sir D. Price) and for Erith and Crayford (Mr. Evennett) and the report of what my hon. Friend the

Member for Birmingham, Northfield (Mr. King) said and his encouraging view of the great efforts being made at British Leyland.

I must tell the hon. Member for Burnley (Mr. Pike) that it is not true that Lucas has been badly treated by the Government. I cannot, of course, comment on financial support for individual companies, but for the aircraft and aerospace industry, which is vital to Lucas, the support in the past five years has been £1·28 billion.

My hon. Friend the Member for Bexhill and Battle (Mr. Wardle) made some interesting points about the relations between big and small firms. One of the purposes of the BOTB conference which I attended this afternoon was to encourage large firms to assist smaller firms in their export efforts by carrying them, so to speak, piggyback into markets where they would not previously have been. I hope that that practice will grow.

Of course I agree with my hon. Friend the Member for Lewisham, West (Mr. Maples) that we want manufacturing industry, but services will provide more and more of our jobs as they do in the United States. I agree about the need for support for exporters. It is hard work removing trade barriers, especially in the European Community. As to Japan and the Japanese banks, I hope that he will forgive me if I do not deal with how we might react to the problem of reciprocity.

The hon. Member for Greenock and Port Glasgow (Dr. Godman) was understanding of the role of the electronics industry in his constituency and his part of Scotland. I share his hopes for Scott Lithgow.

My hon. Friend the Member for Amber Valley (Mr. Oppenheim) was thoughtful and understanding. I think carefully about those whom we wish to encourage to be inward investors.

I share the desire of my hon. Friend the Member for Banbury (Mr. Baldry) for a stable exchange rate. My worry is whether we can fix the price of the dollar. That is the question that must be asked when we ask whether we can fix the price of sterling. That is a formidable undertaking. I doubt whether the Americans can fix the price of the dollar, let alone us. I share his desire to put more pressure on Japan.

The hon. Member for Motherwell, South seems to be in a bad way today. He seems to be gloomy, upset and nostalgic for those good old Labour Government days when they had a massive trade deficit. He does not talk about those days.

Mr. John Smith: Has the right hon. Gentleman heard about North sea oil?

Mr. Tebbit: Yes. I might equally ask the right hon. and learned Gentleman whether he has ever heard of manufacturing, banking or financial services, or any other aspect of our trade. The Labour Government suffered from chronic balance of payments problems, and for the past five years we have had a balance or better on our trade. [HON. MEMBERS: "It is oil".] So, it is oil. Goodness me, if it were coal Opposition Members would not be shouting in derision "It is coal", would they? What is the difference between coal and oil except that oil is more difficult to get out from the North sea and it is got out profitably by private enterprise whereas coal is easier to extract and we lose money on getting it out with a nationalised industry?

Mr. Smith: The right hon. Gentleman mentioned oil. The Tory Government did nothing to obtain North sea oil. They inherited a self-sufficiency of production in North sea oil when they took office in 1979. The Tory Government received a windfall. They have had more money than any Government have ever had and they have done nothing for it. They are now overproducing it to balance the books and it will run out earlier because of that. Will the right hon. Gentleman explain why the Government chose to spend all the money on paying for the extra unemployment that they created instead of investing it in British industry?

Mr. Tebbit: The right hon. and learned Gentleman talks as though it were he and the right hon. Member for Chesterfield, the former Secretary of State for Energy, who got out into the North sea, drilled the holes, built the platforms and got out the oil. It was private enterprise that did that. What is more, it was overwhelmingly those filthy, nasty multinationals that did it. Without them, the right hon. and learned Gentleman would have had no industry to hand over to us.

Mr. Smith: What did the Government spend the money on?

Mr. Tebbit: I promise to return to the right hon. and learned Gentleman's speech. He is a glutton for punishment tonight.

I listened carefully twice today to the speech of the hon. Member for Motherwell, South. I heard it not for the first time—nor, I fear, for the last—on BBC radio this morning. We heard it again this afternoon and, no doubt, we shall hear it when he next addresses us.

Dr. Bray: I hope that the right hon. Gentleman learnt from it.

Mr. Tebbit: I did learn from it. I learnt, for example, about the extraordinary ignorance, bias and partisanship of the Labour party—*[Interruption.]*—but not a word came from the hon. Member for Motherwell, South about the increase of 10 per cent. in manufactured exports in 1984. Does he know that our exports of manufactured goods expanded by 10 per cent. in 1984? Does he know that they expanded by 14 per cent. in the first quarter of this year compared with the first quarter of 1984? Does he know that these figures are reaching record levels?

Dr. Bray *rose*——

Mr. Tebbit: Let us see if the hon. Gentleman answers my question. Did he know about those figures but preferred not to give them?

Dr. Bray: Perhaps the right hon. Gentleman's knowledge of arithmetic extends to the point that if one has exports and one takes away imports, one gets the balance. The balance for visible trade in January was minus £76 million; in February it was minus £270 million; and in March it was £900 million. That is what the right hon. Gentleman describes as an improvement in the trade position.

Mr. Tebbit: The hon. Gentleman, the House will have noticed, did not reply to my question.

Dr. Bray *rose*——

Mr. Tebbit: No, the hon. Gentleman had his chance.

Dr. Bray *rose*——

Mr. Tebbit: No, no, no. The hon. Gentleman had his chance and I will now deal with the point that he raises. *[Interruption.]* He knows full well that we have had five

[Mr. Tebbit]

years of surplus in our trade figures. He knows full well that there is a marked seasonal pattern to the trade figures in the early part of the year. He also knows that there were a number of major erratic items in those trade figures.

Dr. Bray *rose*——

Mr. Tebbit: The hon. Gentleman knows full well that we shall be well on track for a surplus on our trade account again this year.

Dr. Bray: Look at the figures.

Mr. Tebbit: I am amazed that the hon. Member for Motherwell, South dismissed the CBI's view of the state of industry. On BBC radio this morning he said that the CBI's view was too weak to merit consideration. I say to him that, as a scientist, he should have some ability to read the trend lines on graphs and to read more than one of them. I urge him to examine the CBI report.

Dr. Bray: I urge the right hon. Gentleman to look at the figures. I hand them to him.

Mr. Tebbit: I am grateful to the hon. Gentleman.

In the CBI report he will find that the first question asks:

"Are you more or less optimistic — than you were four months ago?"

If the hon. Gentleman then takes the trend line, he will see a clear improvement. On page 5 the hon. Gentleman will see that in relation to the expected trend in volume of output in the next four months there is a level of optimism not exceeded since way back.

Dr. Bray: When we were in power.

Mr. Tebbit: It is always useful to look at the front page, too. *[Interruption.]* I will read from the hon. Gentleman's copy as he has taken the trouble to pass it to me. Page 1 states:

"Demand for manufactures continued to grow over the last few months at a rather faster rate than in the last three Quarterly Surveys. This rate is expected to continue over the next few months. Demand has also become rather less of a constraint on output . . . .

Output volume is reported to have grown faster than in the last three Surveys and its rate of growth is expected to accelerate over the next few months. The capital goods sector continued to grow rather faster than the average.

Capacity utilisation still remains broadly constant and has now remained static over the last four quarters. Given the increase in orders and output"—

[Interruption.] The hon. Member for Motherwell, South should not giggle. He should wait for the next sentence. It reads:

"Given the increase in orders and output, this must reflect rising total capacity, probably due to the increased investment.

Investment is expected to continue rising over the next twelve months, at a slightly faster rate than in the January Survey."

How can the hon. Gentleman dismiss that evidence as too weak to merit consideration? The truth is that it did not fit his TUC brief, so he did not want to talk about it.

The hon. Gentleman does not have to restrict himself to studying the views of the CBI. He can consider the views of *The Economist* and *The Times*. *The Economist* this week said:

"Between mid-1981 and the end of 1985, Britain's real gdp will have grown by about 2¾ per cent. a year. That is almost back to its average in the 1960s—making Britain the only country apart from America to have regained its earlier growth. More polemically, Britain had a slower growth rate than France in all but one of the 19 years 1964-82; by December, its growth will have been faster in each of the three years 1983-85 . . . Britain is at last winning back some foreign markets: in the 12 months to the first quarter of 1985, the volume of its no-oil exports . . . grew by 12 per cent., which was probably more than the growth in world trade."

What has the right hon. and learned Member for Monklands, East to say about that? He does not want to know because it does not fit his prejudices.

We sometimes debate curiously unreal motions, but on this occasion the divide between the Opposition motion and the Government amendment is clear. I spent the early part of this debate at a conference of some 200 industrialists and exporters. If what the right hon. and learned Member for Monklands, East and his hon. Friend the Member for Motherwell, South have said about the state of industry and Government policy is right, one wonders why those who attended that conference were so cheerful. This has been the best CBI survey in years, so who are we to believe — industry, or bitter, negative, frustrated, out-of-office politicians?

It is no use the Labour party claiming support from industry because it has no such support. One has only to consider what a Labour Government would offer to the very people whom they claim to need—the high-tech employees. The right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) wants to inflict taxation on the rich—on everyone with more than £20,000 per year. The hon. Member for Oldham, West (Mr. Meacher) wants to stop tax relief on mortgage interest. A Labour Government would drive out of the country the very people they need to regenerate British industry. Out of office, the Labour party talks about support for industry and supports every strike, however bloody-minded and irrational. In the words of the right hon. Member for Sparkbrook:

"It is an official strike and therefore it is right for the Labour Party to support it."

There is no doubt whatsoever that——

Mr. Michael Cocks (Bristol, South) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 177, Noes 274.

Division No. 209] **[10 pm**

AYES

Abse, Leo	Brown, N. *(N'c'tle-u-Tyne E)*
Archer, Rt Hon Peter	Brown, R. *(N'c'tle-u-Tyne N)*
Ashdown, Paddy	Buchan, Norman
Ashley, Rt Hon Jack	Callaghan, Rt Hon J.
Ashton, Joe	Campbell, Ian
Atkinson, N. *(Tottenham)*	Campbell-Savours, Dale
Bagier, Gordon A. T.	Canavan, Dennis
Banks, Tony *(Newham NW)*	Carlile, Alexander *(Montg'y)*
Barnett, Guy	Carter-Jones, Lewis
Barron, Kevin	Cartwright, John
Beckett, Mrs Margaret	Clark, Dr David *(S Shields)*
Beith, A. J.	Clarke, Thomas
Bell, Stuart	Clwyd, Mrs Ann
Benn, Tony	Cocks, Rt Hon M. *(Bristol S.)*
Bermingham, Gerald	Cohen, Harry
Bidwell, Sydney	Concannon, Rt Hon J. D.
Blair, Anthony	Cook, Frank *(Stockton North)*
Boothroyd, Miss Betty	Cook, Robin F. *(Livingston)*
Boyes, Roland	Corbyn, Jeremy
Bray, Dr Jeremy	Cowans, Harry
Brown, Gordon *(D'f'rmline E)*	Crowther, Stan
Brown, Hugh D. *(Provan)*	Cunliffe, Lawrence

Cunningham, Dr John
Davies, Rt Hon Denzil *(L'lli)*
Deakins, Eric
Dewar, Donald
Dixon, Donald
Dobson, Frank
Dormand, Jack
Douglas, Dick
Dubs, Alfred
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eadie, Alex
Eastham, Ken
Evans, John *(St. Helens N)*
Ewing, Harry
Field, Frank *(Birkenhead)*
Fisher, Mark
Foot, Rt Hon Michael
Forrester, John
Foulkes, George
Fraser, J. *(Norwood)*
Freeson, Rt Hon Reginald
Freud, Clement
George, Bruce
Godman, Dr Norman
Golding, John
Gould, Bryan
Gourlay, Harry
Hamilton, James *(M'well N)*
Hamilton, W. W. *(Central Fife)*
Hancock, Mr. Michael
Hardy, Peter
Harman, Ms Harriet
Harrison, Rt Hon Walter
Hattersley, Rt Hon Roy
Healey, Rt Hon Denis
Heffer, Eric S.
Home Robertson, John
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Hughes, Sean *(Knowsley S)*
Janner, Hon Greville
John, Brynmor
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kilroy-Silk, Robert
Kirkwood, Archy
Lambie, David
Lamond, James
Leadbitter, Ted
Leighton, Ronald
Lewis, Ron *(Carlisle)*
Lewis, Terence *(Worsley)*
Litherland, Robert
Lloyd, Tony *(Stretford)*
Loyden, Edward
McCartney, Hugh
McDonald, Dr Oonagh
McKay, Allen *(Penistone)*
McKelvey, William
MacKenzie, Rt Hon Gregor
Maclennan, Robert
McNamara, Kevin
McTaggart, Robert
McWilliam, John
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael
Mason, Rt Hon Roy
Maxton, John
Maynard, Miss Joan
Meacher, Michael
Meadowcroft, Michael
Mikardo, Ian
Millan, Rt Hon Bruce
Miller, Dr M. S. *(E Kilbride)*
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon A. *(W'shawe)*
Nellist, David
Oakes, Rt Hon Gordon
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Park, George
Parry, Robert
Patchett, Terry
Pavitt, Laurie
Pendry, Tom
Penhaligon, David
Pike, Peter
Powell, Raymond *(Ogmore)*
Prescott, John
Radice, Giles
Randall, Stuart
Redmond, M.
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Roberts, Ernest *(Hackney N)*
Robertson, George
Robinson, G. *(Coventry NW)*
Rooker, J. W.
Rowlands, Ted
Ryman, John
Sedgemore, Brian
Sheerman, Barry
Short, Ms Clare *(Ladywood)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, Rt Hon J. *(M'kl'ds E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Stewart, Rt Hon D. *(W Isles)*
Strang, Gavin
Thomas, Dafydd *(Merioneth)*
Thomas, Dr R. *(Carmarthen)*
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Tinn, James
Wallace, James
Wardell, Gareth *(Gower)*
Weetch, Ken
Welsh, Michael
Wigley, Dafydd
Williams, Rt Hon A.
Wilson, Gordon
Winnick, David
Wrigglesworth, Ian
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Robin Corbett.

NOES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amery, Rt Hon Julian
Amess, David
Ancram, Michael
Arnold, Tom
Ashby, David
Aspinwall, Jack
Atkins, Rt Hon Sir H.
Atkins, Robert *(South Ribble)*
Baker, Nicholas *(N Dorset)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Benyon, William
Best, Keith
Bevan, David Gilroy
Biffen, Rt Hon John
Biggs-Davison, Sir John
Blackburn, John
Blaker, Rt Hon Sir Peter
Body, Richard
Boscawen, Hon Robert
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Boyson, Dr Rhodes
Brandon-Bravo, Martin
Brinton, Tim
Brown, M. *(Brigg & Cl'thpes)*
Browne, John
Bruinvels, Peter
Bryan, Sir Paul
Buchanan-Smith, Rt Hon A.
Buck, Sir Antony
Budgen, Nick
Bulmer, Esmond
Burt, Alistair
Butcher, John
Butler, Hon Adam
Butterfill, John
Carlisle, John *(N Luton)*
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Carttiss, Michael
Cash, William
Chapman, Sydney
Chope, Christopher
Churchill, W. S.
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clegg, Sir Walter
Cockeram, Eric
Colvin, Michael
Coombs, Simon
Cope, John
Cormack, Patrick
Couchman, James
Cranborne, Viscount
Critchley, Julian
Crouch, David
Currie, Mrs Edwina
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Dover, Den
du Cann, Rt Hon Sir Edward
Dunn, Robert
Durant, Tony
Edwards, Rt Hon N. *(P'broke)*
Eggar, Tim
Emery, Sir Peter
Evennett, David
Eyre, Sir Reginald
Fairbairn, Nicholas
Fallon, Michael
Farr, Sir John
Favell, Anthony
Fenner, Mrs Peggy
Finsberg, Sir Geoffrey
Fookes, Miss Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Marcus
Franks, Cecil
Fraser, Peter *(Angus East)*
Freeman, Roger
Fry, Peter
Gale, Roger
Galley, Roy
Gardiner, George *(Reigate)*
Garel-Jones, Tristan
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gower, Sir Raymond
Grant, Sir Anthony
Greenway, Harry
Gregory, Conal
Griffiths, Peter *(Portsm'th N)*
Hamilton, Hon A. *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth
Harris, David
Harvey, Robert
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hawkins, Sir Paul *(SW N'folk)*
Hawksley, Warren
Hayes, J.
Hayhoe, Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Henderson, Barry
Hickmet, Richard
Hicks, Robert
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Hordern, Peter
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Howell, Ralph *(N Norfolk)*
Hunt, David *(Wirral)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jackson, Robert
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(W Herts)*
Joseph, Rt Hon Sir Keith
Kellett-Bowman, Mrs Elaine
Kershaw, Sir Anthony
Key, Robert
King, Roger *(B'ham N'field)*
King, Rt Hon Tom
Knight, Gregory *(Derby N)*
Knight, Mrs Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Norman
Lang, Ian
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lilley, Peter
Lloyd, Ian *(Havant)*
Lord, Michael
Luce, Richard
Lyell, Nicholas
McCrindle, Robert
McCurley, Mrs Anna
Macfarlane, Neil

MacKay, Andrew *(Berkshire)*
MacKay, John *(Argyll & Bute)*
Maclean, David John
McNair-Wilson, P. *(New F'st)*
McQuarrie, Albert
Madel, David
Major, John
Malins, Humfrey
Malone, Gerald
Maples, John
Marland, Paul
Marlow, Antony
Marshall, Michael *(Arundel)*
Mates, Michael
Mather, Carol
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Meyer, Sir Anthony
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Mills, Sir Peter *(West Devon)*
Miscampbell, Norman
Mitchell, David *(NW Hants)*
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, John
Morris, M. *(N'hampton, S)*
Moynihan, Hon C.
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Newton, Tony
Nicholls, Patrick
Normanton, Tom
Norris, Steven
Oppenheim, Phillip
Osborn, Sir John
Ottaway, Richard
Page, Richard *(Herts SW)*
Parkinson, Rt Hon Cecil
Parris, Matthew
Patten, Christopher *(Bath)*
Pattie, Geoffrey
Pawsey, James
Pollock, Alexander
Portillo, Michael
Powell, Rt Hon J. E. *(S Down)*
Powell, William *(Corby)*
Powley, John
Price, Sir David
Prior, Rt Hon James
Proctor, K. Harvey
Raffan, Keith
Rathbone, Tim
Rhodes James, Robert
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Rifkind, Malcolm
Robinson, Mark *(N'port W)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rowe, Andrew
Ryder, Richard
Sackville, Hon Thomas
Sainsbury, Hon Timothy
St. John-Stevas, Rt Hon N.
Scott, Nicholas
Shaw, Giles *(Pudsey)*
Smith, Sir Dudley *(Warwick)*
Speed, Keith
Stanbrook, Ivor
Stevens, Martin *(Fulham)*
Stewart, Andrew *(Sherwood)*
Stokes, John
Taylor, John *(Solihull)*
Tebbit, Rt Hon Norman
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Trotter, Neville
Viggers, Peter
Walden, George
Walker, Bill *(T'side N)*
Wall, Sir Patrick
Wardle, C. *(Bexhill)*
Watts, John
Wiggin, Jerry
Wilkinson, John
Yeo, Tim

Tellers for the Noes:
Mr. Michael Neubert and
Mr. Peter Lloyd.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 33 (Questions on amendments)*:—

The House divided: Ayes 272, Noes 178.

Division No. 210] **[10.15 pm**

AYES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amery, Rt Hon Julian
Amess, David
Ancram, Michael
Arnold, Tom
Ashby, David
Aspinwall, Jack
Atkins, Rt Hon Sir H.
Atkins, Robert *(South Ribble)*
Baker, Nicholas *(N Dorset)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Benyon, William
Best, Keith
Bevan, David Gilroy
Biffen, Rt Hon John
Biggs-Davison, Sir John
Blackburn, John
Blaker, Rt Hon Sir Peter
Body, Richard
Boscawen, Hon Robert
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Boyson, Dr Rhodes
Brandon-Bravo, Martin
Brinton, Tim
Brown, M. *(Brigg & Cl'thpes)*
Browne, John
Bruinvels, Peter
Bryan, Sir Paul
Buchanan-Smith, Rt Hon A.
Buck, Sir Antony
Budgen, Nick
Bulmer, Esmond
Burt, Alistair
Butcher, John
Butler, Hon Adam
Butterfill, John
Carlisle, John *(N Luton)*
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Carttiss, Michael
Cash, William
Chapman, Sydney
Chope, Christopher
Churchill, W. S.
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clegg, Sir Walter
Cockeram, Eric
Colvin, Michael
Coombs, Simon
Cope, John
Cormack, Patrick
Couchman, James
Cranborne, Viscount
Critchley, Julian
Crouch, David
Currie, Mrs Edwina
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Dover, Den
du Cann, Rt Hon Sir Edward
Dunn, Robert
Edwards, Rt Hon N. *(P'broke)*
Eggar, Tim
Emery, Sir Peter
Evennett, David
Eyre, Sir Reginald
Fairbairn, Nicholas
Fallon, Michael
Farr, Sir John
Favell, Anthony
Fenner, Mrs Peggy
Finsberg, Sir Geoffrey
Fookes, Miss Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Marcus
Franks, Cecil
Fraser, Peter *(Angus East)*
Freeman, Roger
Fry, Peter
Gale, Roger
Galley, Roy
Gardiner, George *(Reigate)*
Garel-Jones, Tristan
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gower, Sir Raymond
Grant, Sir Anthony
Greenway, Harry
Gregory, Conal
Griffiths, Peter *(Portsm'th N)*
Hamilton, Hon A. *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth
Harris, David
Harvey, Robert
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hawkins, Sir Paul *(SW N'folk)*
Hawksley, Warren
Hayes, J.
Hayhoe, Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Henderson, Barry
Hickmet, Richard
Hicks, Robert
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Hordern, Peter
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Howell, Ralph *(N Norfolk)*
Hunt, David *(Wirral)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jackson, Robert
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(W Herts)*
Joseph, Rt Hon Sir Keith
Kellett-Bowman, Mrs Elaine
Kershaw, Sir Anthony
Key, Robert
King, Roger *(B'ham N'field)*
King, Rt Hon Tom
Knight, Gregory *(Derby N)*
Knight, Mrs Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Norman
Lang, Ian
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lilley, Peter
Lloyd, Ian *(Havant)*
Lord, Michael
Luce, Richard
Lyell, Nicholas
McCrindle, Robert
McCurley, Mrs Anna
Macfarlane, Neil
MacKay, Andrew *(Berkshire)*
MacKay, John *(Argyll & Bute)*
Maclean, David John
McNair-Wilson, P. *(New F'st)*
McQuarrie, Albert
Madel, David
Major, John
Malins, Humfrey
Malone, Gerald
Maples, John
Marland, Paul
Marlow, Antony
Marshall, Michael *(Arundel)*
Mates, Michael
Mather, Carol
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers

Meyer, Sir Anthony
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Mills, Sir Peter *(West Devon)*
Miscampbell, Norman
Mitchell, David *(NW Hants)*
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, John
Morris, M. *(N'hampton, S)*
Moynihan, Hon C.
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Newton, Tony
Nicholls, Patrick
Normanton, Tom
Norris, Steven
Oppenheim, Phillip
Osborn, Sir John
Ottaway, Richard
Page, Richard *(Herts SW)*
Parkinson, Rt Hon Cecil
Parris, Matthew
Patten, Christopher *(Bath)*
Pattie, Geoffrey
Pawsey, James
Pollock, Alexander
Portillo, Michael
Powell, William *(Corby)*
Powley, John
Price, Sir David
Prior, Rt Hon James
Proctor, K. Harvey
Raffan, Keith
Rathbone, Tim
Rhodes James, Robert
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Rifkind, Malcolm
Rippon, Rt Hon Geoffrey
Robinson, Mark *(N'port W)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rowe, Andrew
Ryder, Richard
Sackville, Hon Thomas
Sainsbury, Hon Timothy
St. John-Stevas, Rt Hon N.
Scott, Nicholas
Shaw, Giles *(Pudsey)*
Smith, Sir Dudley *(Warwick)*
Speed, Keith
Stanbrook, Ivor
Stevens, Martin *(Fulham)*
Stewart, Andrew *(Sherwood)*
Stokes, John
Taylor, John *(Solihull)*
Tebbit, Rt Hon Norman
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Viggers, Peter
Walden, George
Walker, Bill *(T'side N)*
Wall, Sir Patrick
Wardle, C. *(Bexhill)*
Wiggin, Jerry
Wilkinson, John
Yeo, Tim

Tellers for the Ayes:
Mr. Peter Lloyd and
Mr. Tony Durant.

NOES

Abse, Leo
Archer, Rt Hon Peter
Ashdown, Paddy
Ashley, Rt Hon Jack
Ashton, Joe
Atkinson, N. *(Tottenham)*
Bagier, Gordon A. T.
Banks, Tony *(Newham NW)*
Barnett, Guy
Barron, Kevin
Beckett, Mrs Margaret
Beith, A. J.
Bell, Stuart
Benn, Tony
Bermingham, Gerald
Bidwell, Sydney
Blair, Anthony
Boothroyd, Miss Betty
Boyes, Roland
Bray, Dr Jeremy
Brown, Gordon *(D'f'mline E)*
Brown, Hugh D. *(Provan)*
Brown, N. *(N'c'tle-u-Tyne E)*
Brown, R. *(N'c'tle-u-Tyne N)*
Buchan, Norman
Callaghan, Rt Hon J.
Campbell, Ian
Campbell-Savours, Dale
Canavan, Dennis
Carlile, Alexander *(Montg'y)*
Carter-Jones, Lewis
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Thomas
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S.)*
Cohen, Harry
Concannon, Rt Hon J. D.
Cook, Frank *(Stockton North)*
Cook, Robin F. *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cowans, Harry
Crowther, Stan
Cunliffe, Lawrence
Cunningham, Dr John
Deakins, Eric
Dewar, Donald
Dixon, Donald
Dobson, Frank
Dormand, Jack
Douglas, Dick
Dubs, Alfred
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eadie, Alex
Eastham, Ken
Evans, John *(St. Helens N)*
Ewing, Harry
Field, Frank *(Birkenhead)*
Fisher, Mark
Foot, Rt Hon Michael
Forrester, John
Foulkes, George
Fraser, J. *(Norwood)*
Freeson, Rt Hon Reginald
Freud, Clement
George, Bruce
Godman, Dr Norman
Golding, John
Gould, Bryan
Gourlay, Harry
Hamilton, James *(M'well N)*
Hamilton, W. W. *(Central Fife)*
Hancock, Mr. Michael
Hardy, Peter
Harman, Ms Harriet
Harrison, Rt Hon Walter
Hattersley, Rt Hon Roy
Healey, Rt Hon Denis
Heffer, Eric S.
Home Robertson, John
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Janner, Hon Greville
John, Brynmor
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kilroy-Silk, Robert
Kirkwood, Archy
Lambie, David
Lamond, James
Leadbitter, Ted
Leighton, Ronald
Lewis, Ron *(Carlisle)*
Lewis, Terence *(Worsley)*
Litherland, Robert
Lloyd, Tony *(Stretford)*
Loyden, Edward
McCartney, Hugh
McDonald, Dr Oonagh
McKay, Allen *(Penistone)*
McKelvey, William
MacKenzie, Rt Hon Gregor
Maclennan, Robert
McNamara, Kevin
McTaggart, Robert
McWilliam, John
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael
Mason, Rt Hon Roy
Maxton, John
Maynard, Miss Joan
Meacher, Michael
Meadowcroft, Michael
Mikardo, Ian
Millan, Rt Hon Bruce
Miller, Dr M. S. *(E Kilbride)*
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon A. *(W'shawe)*
Nellist, David
Oakes, Rt Hon Gordon
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Park, George
Patchett, Terry
Pavitt, Laurie
Pendry, Tom
Penhaligon, David
Pike, Peter
Powell, Raymond *(Ogmore)*
Prescott, John
Radice, Giles
Randall, Stuart
Redmond, M.
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Roberts, Ernest *(Hackney N)*
Robertson, George
Robinson, G. *(Coventry NW)*
Rooker, J. W.
Rowlands, Ted
Ryman, John
Sedgemore, Brian
Sheerman, Barry
Short, Ms Clare *(Ladywood)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, Rt Hon J. *(M'kl'ds E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Stewart, Rt Hon D. *(W Isles)*
Strang, Gavin
Thomas, Dafydd *(Merioneth)*
Thomas, Dr R. *(Carmarthen)*
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Tinn, James
Wallace, James
Wardell, Gareth *(Gower)*
Weetch, Ken
Welsh, Michael
Wigley, Dafydd
Williams, Rt Hon A.
Wilson, Gordon
Winnick, David
Wrigglesworth, Ian
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Sean Hughes.

Question accordingly agreed to.

Mr. Speaker *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the recent substantial increase in manufacturing output, the sharp rise in exports, the major gains in the competitiveness of British industry, and the improved optimism of independent bodies such as the Confederation of British Industry; congratulates the Government on the measures it has taken to assist the recovery of British Industry through its support for innovation programme, support for investment, support for exports, business and technical advisory services, assistance with education and training and in particular today's Export for Jobs seminar and the commencement of Local Enterprise Week, as well as its policies to improve the economic climate in which business operates; and regrets the Opposition's willingness to support every single strike no matter what the cost, its reactionary and damaging policies in favour of increased taxation further nationalisation, and greater state intervention, its policies of deplorable fiscal irresponsibility, incompatible with the restraint of inflation and enhancement of competitiveness, and its eagerness to seek partisan gain at the expense of British industry and jobs.

Unfair Dismissal

10.28 pm

The Parliamentary Under-Secretary of State for Employment (Mr. Peter Bottomley): I beg to move.

That the draft Unfair Dismissal (Variation of Qualifying Period) Order 1985, which was laid before this House on 17th April, be approved.

Under the provisions of the employment protection legislation currently in force, employees have a right to complain to an industrial tribunal of unfair dismissal after one year's service with an employer or after two years with an employer of 20 or fewer employees. The purpose of the draft order — article 3(1) — is to standardise this qualifying period at two years for all employees. The change will not affect the qualifying period of one month in respect of unfair dismissal following suspension on medical grounds, nor will it affect the right not to be dismissed unfairly at any time because of membership or non-membership of a trade union or because of taking part in trade union activities, where no qualifying period is required.

Employees who work between eight and 16 hours a week will continue, as now, to have a qualifying period of five years. This order will have no effect on the protection afforded to employees under the sex discrimination and race relations legislation.

It is intended that the order should come into force on 1 June 1985. It will apply only to employees starting to work for an employer on or after that date. We believe that, in spite of the changes we have made since 1979, the employment protection legislation, in particular in the provisions relating to unfair dismissal, still discourage firms from taking more people on. The Government are deeply concerned about the level of unemployment, but there are few simple solutions to the problem. The White Paper "Employment: The Challenge for the Nation" sets out our views on what the nation as a whole must do to create jobs and reduce unemployment.

Government cannot alone create jobs. Their key contribution is to create an economic climate in which enterprises can flourish. They can, and do, also provide direct help for those worst affected by unemployment. Government can help to improve the operation of the labour market by encouraging better training, more flexibility and fewer barriers of regulation and cost.

The changes introduced by the order are part of this strategy. I am interested in doing all we can to create the conditions in which more new jobs can be created. It is important that we should take all reasonable steps to remove the barriers that might be standing in the way. In this case the barrier relates to employers who want to take on more people but are afraid to do so because of their fear of being taken to industrial tribunals.

Mr. John Evans (St. Helens, North) *rose*——

Mr. Bottomley: I hope that the hon. Gentleman will not mind, but I should like to continue with this point.

I think it is common ground among us that employees should have a right to protection against unfair dismissal after a reasonable period of service. I think it is also common ground that such protection should not generally be available immediately but that there should be a period of service during which time the employer has an opportunity to decide whether he wishes to retain a new employee. The length of this qualifying period is a matter for judgment and opinions on what is right may change.

Our judgment at the present time—in the light of the paramount importance of reducing unemployment—is that two years is a reasonable period for an employer to have to decide whether an employee should be retained, while the position of employees who have demonstrated their commitment to an employer over such a period is also safeguarded. The change will also bring the qualifying period for unfair dismissal claims into line with the long-standing two-year qualifying periods for redundancy payments, maternity pay and the right to return because of absence due to pregnancy.

We believe that the change will have an important psychological effect. Employers will be more ready at the margin to take a chance and to employ people in the knowledge that they will have two years in which to see whether things work——

Mr. Evans: Will the Minister give way before he sits down?

Mr. Bottomley: I am not giving way at the moment. Employers will be more ready at the margin to take a change and to employ people in the knowledge that they will have two years in which to see whether things work out as they hope, without the fear of being taken to an industrial tribunal.

But I must repeat that the right to complain to an industrial tribunal will remain, and I make no apology for that. Employees who have invested two or more years of their lives with an employer are entitled to safeguards. Employers should look after their employees in the same way as they would any other investment and make sure that they do not dismiss them without good reason. While it is inevitable that some dismissals will end up with the employer being taken to an industrial tribunal, most employers and employees would agree that this is something to be avoided. The best way of avoiding or minimising such cases is to agree and stick to disciplinary and grievance procedures so that both management and employees know where they stand. The employment protection legislation has had the effect of making such procedures more widely available, and I think this is wholly desirable. I commend this order to the House.

10.33 pm

Mr. John Evans (St. Helens, North): The House will have noted that I attempted twice to intervene in the Minister's speech because I realised that he had an extremely short speech. Probably that was because he is ashamed of the order that he is bringing before the House. If he is not ashamed, he should be.

This order is just one more step along the road to the dismantling of the Labour Government's employment protection legislation. It is another element of the Tory Government's attack on working people and the dismantling of the welfare state. Previous Labour Governments started to build a framework of reasonable provision of pensions and social security benefits and a humane regime of protection in the workplace in terms of employment, health and safety, the right to belong to a trade union and against the worst excesses of unfair and arbitrary dismissal by an employer.

Since the Government took office we have seen a steady erosion of welfare state provision. We on the

Labour Benches note with anger the Government's apparent determination to abolish the state earnings-related pension scheme which workers are currently paying for, just as we recall with contempt the Government's swindling of the workers when they abolished the six months' earnings-related unemployment benefit supplement which, again, workers had paid for.

Now the Tories are extending from one to two years the period during which an employer will be free to sack unfairly his employees. I pose this question to the Minister and to every Tory Back Bencher: why should an employer have the right to sack anyone unfairly at any time? If the Minister wishes to intervene, I will give way.

Mr. Douglas Hogg (Grantham): If there were merit in the hon. Member's argument, why did his Government include a threshold in the first place?

Mr. Evans: I will come to that point in a moment, because I was one of those who served on the Committee that dealt with the original legislation on trade unions and labour relations.

Why should there be any qualifying period of two years, one year or 26 weeks during which a worker is exposed to the whims of an employer who can sack him or her on the spot?

Mr. Hogg: What is the answer?

Mr. Evans: I will come to the answer shortly.

Why should an employer have the right to sack anyone unfairly at any time? That is the issue. Is it not an absurdity, if not an obscenity, that Parliament is enacting legislation which instructs an employer that he cannot sack a worker who has been in his employ for two years or more, yet which at the same time gives that employer the freedom to sack any of his workers for whatever reason, no matter how unfairly, provided the worker has not completed the two-year qualification period of employment?

Let us consider the official reason for the order. We are told that it will enable employers to take on more workers. The Minister said as much in his speech tonight. The Secretary of State for Employment said so in the Budget debate:

"Employment protection legislation, especially the unfair dismisal provisions, causes small employers anxieties about the difficulties of such procedures and makes them reluctant to take on more employees."

Later he said:

"We have already since 1979 taken some major steps to make the industrial tribunal system simpler for employers, but I accept that despite the changes the burden of this legislation can deter employers from recruiting more people."—[*Official Report*, 21 March 1985; Vol. 75, c. 1023-24.]

The Chancellor of the Exchequer said the same in his Budget statement:

"The qualifying period for unfair dismissal claims will thus become two years for all new employees. This is a reasonable period of time and should lessen the reluctance of some employers to take on new people. — [*Official Report*, 19 March 1985; Vol. 75, c. 794.]

Neither of those right hon. Gentlemen offered a shred of evidence to justify those sentiments and neither did the Minister this evening. All that we get from opponents of Labour's employment legislation is anecdotal saloon bar evidence and vicious propaganda from Tory Members. It is offered in the same fashion as the so-called evidence of the need to abolish the wages councils, and frequently by the same people. We are told that the lowest paid are paid too much, thanks to the councils. It is rather surprising that we are not getting evidence to justify the Government's claim that dismantling Labour's employment legislation will create jobs. When the Conservative Government took office in 1979, the qualifying period laid down by the Labour Government was 26 weeks. It was generally accepted that six months was a relatively fair and reasonable period for a employer to assess the suitability of a worker before deciding whether to accept him as a permanent employee. It was accepted that 26 weeks allowed the employer properly to arrive at a conclusion on the suitability or otherwise of his employee. The 26-weeks provision had nothing to do with sacking someone unfairly.

The Tory party bitterly opposed the 26-week provision and one of their first acts after taking office was to extend the qualifying period to 52 weeks. That was done in July, 1979. Two arguments were advanced to support that extension. The first argument was advanced tentatively and without conviction and the Minister adopted the same style this evening. It was said that 26 weeks was not long enough to assess a new employee's suitability and so the qualifying period was extended to a year and then to two years. A brand new aeroplane could be tested in a shorter time than that.

The second argument was advanced with considerable force and much more certitude. It was contended that the extension of the qualifying period would create more jobs. The then Under-Secretary of State for Employment, who is now the Solicitor-General, informed the House on 24 July 1979 that the Government's

"decision to lay the order again derives from our determination to see that the creation of new jobs is not curtailed by legislation that is unreasonable and unnecessary in its effect."

Later he said:

"To anybody with ears to hear or eyes to read, it must be plain that the qualifying provisions are widely seen as discouraging employers from creating new jobs."

That view was reiterated later in the debate by the then Secretary of State for Employment, the right hon. Member for Waveney (Mr. Prior). He said:

"However, we have to restore the confidence of management and small employers to take on labour and to be able to carry out their duties properly."—[*Official Report*, 24 July 1979; Vol. 971, c. 527-56.]

At that time unemployment stood at 1·4 million. That was before the Tory Government started to massage the unemployment statistics. What has happened since then? How many jobs were created by extending the qualifying period from 26 to 52 weeks? What reduction in unemployment has taken place between July 1979 and today? Everyone knows the unfortunate answers to those questions. Far from the Government creating jobs, they have destroyed them on a colossal scale. If the method of recording unemployment statistics were the same now as in 1979, there would be almost 4 million officially recorded as being out of work.

The Minister has not offered any evidence—if he had allowed me to intervene, I would have asked him to support his claims with concrete evidence—to support his claim that the order will create more jobs, because there is no such evidence available to him. However, there is considerable evidence that thousands of workers will suffer as a result of the order. Millions of workers, including part-time women workers and workers in small

[Mr. Evans]

firms, are already disbarred from challenging the unfairness of their dismissal by the Government's previous acts.

It should be noted that at present about one quarter of all males and one third of all adult females in full-time employment have less than two years' service with their current employer. Those numbers are fairly constant and have remained constant for a number of years. Therefore, it will be those people who will be affected by the order. If they are added to workers in small firms and those in part-time employment, one sees that about half the labour force of Britain will be debarred from complaining to a tribunal if they believe that they have been unfairly dismissed. This is modern, Tory Britain.

If one looks at another ministerial justification for the change, one sees the peculiar statement of the Secretary of State for Employment when he announced the details in a Department of Employment press notice of 19 March 1985 which said:

"The risk of unjustified involvement with tribunals in unfair dismissal cases and the costs of such involvement are often cited as deterring employers from giving more people jobs. This change . . . should help reduce the reluctance of employers to take on more people, while still preserving a fair balance between the reasonable interests of employer and employee."

The Secretary of State did not explain what he meant by the curious phrase "unjustified involvement". The existing procedures are designed to minimise unjustified cases through the process of initial conciliation by the Advisory Conciliation and Arbitration Service and pre-hearing assessments in cases where an employer believes a complaint to be spurious. Employees who bring complaints that are judged to be vexatious, frivolous or otherwise unreasonable — a very wide, catch-all description—are required to pay any costs incurred by the employer. No legal aid is available to help tribunal applicants to bring cases. The image given by the employers of "unjustified involvement" is a complete red herring. Fewer and fewer cases of unfair dismissal are being heard before tribunals. Tribunal applications regarding unfair dismissal were just over 30,000 in 1983 — 25 per cent. down on 1979. These applications represent only a fraction—about 12·5 per cent.—of all the dismissals that took place in 1983. Only one third of those cases——

Mr. Richard Holt (Langbaurgh): The hon. Gentleman has just given some statistics which are at variance with those that I have received from the Minister. I am wondering whether the hon. Gentleman wishes to correct the figures that he has given. The applications registered in 1979 were 41,244, of which 16,180 cases were heard. There were 39,959 applications in 1983, of which 16,649 were heard. According to the official statistics, therefore, the 25 per cent. figure is completely inaccurate.

Mr. Evans: I have long since given up believing in the statistics issued by the Tory Department of Employment, for a very good reason. If we were able to make comparisons—obviously they cannot be made across the Dispatch Box—I suspect that there would not be a very great deal of difference between my figures and those that the hon. Member for Langbaurgh (Mr. Holt) has just read out. It will be interesting to see what figures are provided by the Minister.

Only one third of these cases—just over 10,000—proceeded to a hearing before a tribunal. The remainder were either settled before the hearing or were withdrawn. Of those cases heard by a tribunal, fewer than one third resulted in an award in favour of the employee—just one in 10 of all the original applications. When a tribunal ordered an employer to give an employee his job back —which ought to be a major criterion—in only about 100 cases did that happen. Only about three complainants out of every 1,000 got back their jobs.

The suggestion that unfair dismissal procedures inhibit employers from taking on labour has more to do with Thatcherite mythology than hard facts. To prove the mythology, I shall quote from a leaked confidential memorandum submitted on 7 July 1981 to a Cabinet sub-committee by the former Secretary of State for Employment the right hon. Member for Waveney. It related to his comments on the demand that was being made for alterations to the employment protection legislation and stated:

"In practice, employers are most concerned about the consequences of unfair dismissal. However, their fears should be put into perspective. Only about 7 per cent. of all dismissals lead to a complaint before an industrial tribunal . . . My conclusion therefore is that there is insufficient justification to amend the employment legislation further in favour of employers. Moreover, I believe that any attempt to do so would alienate large sections of the working population, trade unionists and others, and would there be politically damaging to the Government."

I wonder whether that was one of the reasons why the former Secretary of State for Employment was sacked.

Mr. William Cash (Stafford): Does the hon. Gentleman agree that one or two of the statistics that he has given suggest that there are many cases where people have pursued unfair dismissal applications unreasonably, vexatiously or frivolously and that as a result unjustified time was spent by employers? The facts that he has given about the few cases which have been upheld by the courts demonstrate the point that I am making.

Mr. Evans: If the hon. Gentleman studies the facts a little more he will find that the case is weighted against the employee making the application. There are pre-hearings. The employer is frequently legally represented and the employee is often on his own. In some instances he may have a trade union representative with him. However, there are people who do not belong to trade unions and, unfortunately, they are frequently sacked by the employer without any thought. They have no trade unionist to take with them to a tribunal. Such people foolishly have often not bothered to join a union. They learn to their cost one of the values of being a trade union member.

It is a pity that the Secretary of State for Employment lacks the political sensitivity that was shown by the right hon. Member for Waveney. He is oversensitive tonight, because he is not here. If he had showed some of that sensitivity, the Tories might not have needed a new team of centre forwards to which I presume the Under-Secretary would belong if he did not now sit on the Front Bench.

The Labour Government introduced the employment protection legislation. I am proud of the fact that I served on the Committees of the Bills that were introduced by my right hon. Friend the Member for Blaenau Gwent (Mr. Foot), not to stop dismissals or prevent employers from managing their businesses, but to create a better framework of industrial relations in which proper selection

and disciplinary procedures were agreed by both sides of industry. Most employers recognised that that led to better management practices.

One of the first things that the next Labour Government will do will be to introduce new employment protection legislation. The proof that our legislation was no disincentive to the creation of jobs is shown by the fact that when the Labour Government left office 315,000 more people were in work than when they took office.

Since then, for every job that Labour created, the Conservatives have destroyed six. Labour legislation helped to create jobs. Tory legislation has destroyed them. In their desperate search for scapegoats to blame for the appalling level of unemployment, the Government have come up with a brand new one: employers can be persuaded to employ more people only if they are first free to sack them. That is insulting to employers and the order is an affront to the British work force. That is why we shall vote against it tonight.

10.55 pm

Mr. Spencer Batiste (Elmet): The order adjusts the balance of protection given by unfair dismissal legislation originating under the Industrial Relations Act 1971, which was a Conservative piece of legislation. My hon. Friends and I take pride in the fact that good legislation to promote good industrial relations is Conservative legislation. The hon. Member for St. Helens, North (Mr. Evans) seemed completely to overlook that in the thrust of his argument.

The order is part of a sequence of adjustments that have occurred over the years to put right many of the deficiencies that have crept into the legislation as a result of the changes which the Labour party, when in power, introduced into the original Act. The absurd overstatement of the hon. Member for St. Helens, North did nothing to earn him any credibility, though it may have gone some way to earn him an Oscar nomination.

The focus of the 1971 legislation was job protection. The focus today in legislation concerned with industrial relations must be job creation, and the two can be, have been and are now in conflict. Hence, the need to address the balance of the legislation in the light of today's changing priorities.

Mr. Evans: What evidence does the hon. Gentleman have for saying that?

Mr. Batiste: I shall come to the evidence shortly.

Some will argue that unfair dismissal legislation should be abolished altogether. I do not share that view. As a practising lawyer, I have for many years been involved in industrial tribunals as well as business, particularly small businesses. I readily recognise the importance of, and fundamental contribution that unfair dismissal legislation has given to, the improvement of the industrial relations climate.

Unfair dismissal legislation is essentially fair, and it has raised standards of management. But, apart from the question of fairness and raising management standards, it is fully justified in cost terms. In the 1960s, many strikes and industrial stoppages occurred as a result of dismissals. Since the legislation was introduced in the early 1970s, such industrial disruptions have become a rarity because most people accept that unfair dismissal legislation provides a reasonable alternative to taking industrial action. My argument is that the Government should return to the judgments that they made and incorporated in the 1971 Act.

Mr. Stan Crowther (Rotherham): Does the hon. Gentleman, being a lawyer, agree that it is disgraceful that an employee claiming unfair dismissal and wishing to appear before a tribunal cannot even get legal aid, whereas the employer who is defending the case can offset his costs against tax and thus have part of his costs paid by the taxpayer?

Mr. Batiste: The original judgment of the Industrial Relations Act, which has been accepted by subsequent Labour and Conservative Governments, was that the industrial tribunal should be an informal forum. If we introduce legal aid and inevitable legal representations in all cases, the procedure will be slowed down and become much more complex. Far from providing a greater source of justice for the people to whom the hon. Gentleman refers, I believe that it would be more difficult through delay and complexity for them to achieve their objectives. I do not accept that legal aid is desirable at industrial tribunals. I believe that people with good cases can obtain legal representation if they require it. *[Interruption.]* With respect, the hon. Member for Rotherham (Mr. Crowther) has very little experience in this area. I have represented employees at tribunals on many occasions.

Mr. Greville Janner (Leicester, West): The hon. Gentleman should not suggest that Labour Members do not have as much experience as he in this area of the law. Where does he imagine that an ordinary working person who is not a trade union member will find skilled legal representation in the complex and difficult cases which everyone should know are the bane of industrial tribunals?

Mr. Batiste: I accept the hon. and learned Gentleman's expertise and his many books on industrial relations, not to mention his lectures to other lawyers on how to conduct their affairs. If an individual seeks advice from a solicitor and is told that he has no claim of significance, but he then chooses to pursue the claim on his own, that is his right. The fact that he will almost inevitably lose is due not to lack of legal representation but to lack of merit in his claim. If the solicitor advises the individual that he has a claim, it is my experience that he will readily act for such an applicant before an industrial tribunal. I do not see the need for legal aid in those circumstances. On the contrary, I believe that legal aid in tribunal cases would march us one step further down the American road towards an over-litigious society.

Dr. Norman A. Godman (Greenock and Port Glasgow): Would not the informality of the proceedings be enhanced by the complete absence of lawyers?

Mr. Batiste: I would happily subscribe to that view. As a practising lawyer, I accept that it must be up to the individuals on both sides to decide whether they want legal representation, but I believe that in most cases it is right for the parties to represent themselves rather than to have legal representation. Among large companies, the increasing trend is for the personnel manager or one of the line managers to represent the company at the tribunal, just as on the other side it is most often the individual applicant, a friend or a trade union official. I believe that the Opposition are making a bogus point, because the tribunals were always intended to be informal. I do not

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believe that there is any benefit for anyone in trying to make them more formal, complex and legalistic in their operation.

I believe that large companies have adjusted their procedures to the legislation and that it represents no serious disincentive to employment. So why is the order needed? There are two reasons. First, there must be a reasonable period for assessment. That was implicit in the speech of the hon. Member for St. Helens, North when he was asked why the Labour party accepted a period of six months. There is no difference in principle between six months and two years, only a difference in degree. If one accepts the basic principle that there must be a period of assessment, it is a matter of judgment how long that period should be.

The hon. Member argued that the Conservatives were breaking the consensus, but in fact the Labour Government broke the consensus because the original judgment under the 1971 Act was that the period of assessment should be two years. Indeed, the hon. Gentleman admitted that when the Labour Government reduced the period to one year and then to six months, it was in the teeth of the fiercest opposition from employers, who said that it was unreasonable and unworkable.

Mr. Evans: Will the hon. Gentleman acknowledge that when the 1971 legislation was before the House, the then Secretary of State for Employment, now Lord Carr, categorically stated that the Tory Government intended to reduce the period from two years? The two-year period was the inception period. I wish that I had brought the reference with me, so that the hon. Gentleman could look it up in *Hansard*.

Mr. Batiste: The 1971 Act represented a major change in the way in which this aspect of industrial relations had been handled. Until that time, the majority of the available protection related to redundancy payments. At the beginning in 1971 it was proper to form a conservative view of a reasonable assessment period. It was perfectly reasonable to examine that aspect from time to time to ascertain whether the original judgments were still correct. The Labour Government took the view that the period should be reduced. As a vice-chairman of the Small Business Bureau, I can say that that decision by the Labour Government to reduce the period of qualification has done grave damage to small businesses and to employment in them. *[Interruption.]* If an Opposition Member wants to intervene, I shall give way. Hon. Members do not need to shout from a sedentary position.

Mr. Robert C. Brown (Newcastle upon Tyne, North): The hon. Gentleman will be aware that every year many extremely important appointments are made in which probationary periods are laid down. Is he aware of any top post in industry where a probationary period of two years is laid down?

Mr. Batiste: I shall tell the hon. Gentleman why I think that a two-year period is important and in the interests of employers.

Mr. John Prescott (Kingston upon Hull, East): Answer the question.

Mr. Batiste: I shall explain why I think this is so. The probationary period and the period of protection for unfair dismissal legislation cover two different situations because of the way in which they are viewed by employers. If we have a 12-month or six-month period of probation and a 12-month or six-month corresponding qualifying period for unfair dismissal legislation, two months or six weeks before the period expires, the employer would take a view of the individual and say, "If we are even in doubt about this man's fitness, we should get rid of him now." If we have a longer qualifying period, the probationary period would still remain at six months or 12 months, but— *[Interruption.]* In making such assertions, hon. Members show how remote they are from the realities of management.

The second reason why I support a two-year period is that it is anomalous to have differing qualifying periods for redundancy payments and unfair dismissal legislation. At the moment, a person can, after one year, bring a claim for unfair selection for redundancy, even if he is not entitled to a redundancy payment. This absurd anomaly must be corrected by bringing the two qualifying periods into line, as they were in the 1971 Act. I support the common two-year qualifying period and the original judgment of the 1971 Act.

Does the order go far enough? I have said that I do not support total abolition of the unfair dismissal legislation, but I accept the other judgment of the 1971 Act which exempted very small businesses from the legislation. Unfair dismissal legislation is a disincentive to very small businesses. I accept that the Government have done a great deal.

Mr. Evans: They have done a great deal of damage.

Mr. Batiste: The hon. Gentleman keeps intervening from a sedentary position, but noise is no substitute for argument in this important matter.

The unfair dismissal legislation is a disincentive to very small businesses. I accept that the Government have done a great deal in the detail of the legislation to redress the imbalances which were injected into the legislation by the Labour party when it was in power. However much this Government seek to redress the imbalances in the legislation, two major disincentives to small businesses will inevitably remain. The first is that a one, two or three-man business simply cannot afford the time to fight a case before an industrial tribunal. The cost is wholly disproportionate in terms of business endeavour. However the balances or the burdens of proof are adjusted, that remains the position.

Secondly, a very small business is disproportionately at risk in relation to the cost of losing a claim before an industrial tribunal. A man can be dismissed from a business employing two or three people, he can then win a big award at an industrial tribunal, even though he may have contributed to his dismissal by his own conduct, and, as a result of that award, the whole business may go into bankruptcy, so that other employees lose their livelihoods as a consequence.

If the balance had been left as it stood in the 1971 legislation, it would be a much more realistic, sensible and practical piece of legislation. If every small business took on just one more employee, the unemployment problem would disappear. Given the overwhelming priority of job creation, the Government's duty is to remove the obstacles which stand in the way of that process.

I support the order, but I hope that the Government will soon go further and restore the 1971 position.

11.11 pm

Mr. Greville Janner (Leicester, West): Perhaps we can all at least agree that it is a great pity that a measure of this importance should be dealt with at this time of night and in the form of an order which we have no power to amend but can only accept or reject, and which does not go through the parliamentary process in its entirety. I hope we can agree that there are so many thousands of people who are affected and are likely to be affected that at least this is a matter which the House should consider at a time when it is awake and when it can consider fully all the matters concerned.

I suspect that the Minister was asleep when he talked, otherwise he would not have had to read his speech at such speed. One is reminded of the Member of the other place who dreamt that he was speaking in the other place and woke up to find that he was. In this place the Minister went through his speech with such speed that we listened to it with some amazement, waiting for a break when he would give way or perhaps add a dash of knowledge or an occasional statistic, or give the odd indication of evidence in support of what he was saying. But by the time we thought he might be reaching that break, he sat down, to cheers from his own side and gasps of amazement from those of us who thought that this measure, which is so important for so many people, would at least be given the courtesy of a full explanation by the Minister who was introducing it.

Perhaps the hon. Gentleman worked on the basis that the least said the soonest ended, and the quicker he could return to yawning on the Front Bench in his charming way. [HON. MEMBERS: "Come on."] I will not "come on" because this is a matter which should be dealt with properly and has not been. It has been treated in a disgracefully cavalier fashion. We have not even been told by the Minister how many cases he believes will not reach tribunals which otherwise would have done. That is the most basic statistic, and until now even his party has given it when introducing this sort of measure.

The statutory trial period, as it is known, should be at the very most six months. I take the point that was made as to why the Labour party, when in office, saw fit to have any statutory trial period. I have always considered that it was wrong. Indeed, I asked Mrs. Castle, who was the Minister at the time, why she would not get rid of the trial period. She replied with one of the more exciting sentences in my recollection. She said, "It would be the end of hop-pickers, my dear". Apparently no one would take on hop-pickers if there were any worry about their being dismissed unfairly, and hop-pickers in Kent would be replaced by machinery. I never felt that that was the best argument that we managed to produce.

But at least to our credit we reduced the period from two years to 12 months and from 12 months to six months. If the hon. Member for Elmet (Mr. Batiste) cannot see the difference between two years and six months, he is well qualified to have made the speech that he made. As it is, we have a statutory two-year trial period during which a person can be dismissed, with or without good reason, fairly or unfairly. That is a major scandal. Like my hon. Friends, I believe that an employee who has been dismissed should always be entitled to say to a tribunal, "It was not fair. I have been deprived of my livelihood. This is how I support my family. I will be on the dole. I will be the scrap heap."

The hon. Gentleman is wrong to say that redundancy rights should be subject to the same time limits as every other remedy. Why should not a person who has been dumped on the scrap heap after a year say, "it is unfair to have treated me like this. I want compensation." Why should it be right for a small business to treat people unfairly any more than it is for a big business?

To give the right hon. Member the Secretary of State for Trade and Industry his due, there was a suggestion from the Select Committee on Employment, on which I sit—a suggestion made so as to achieve unanimity—that when the code of the Commission for Racial Equality came into force and introduced the idea of ethnic monitoring and positive action, that Code should not apply to small businesses. The right hon. Gentleman said no, because there was no reason why a small business should be any more entitled to discriminate unlawfully than a big business. If that is right for discrimination, why should it be wrong when treating people unfairly? Why should a small employer be entitled to treat people unfairly when a large employer is not?

Why should there be merit in an argument that a small employer will be driven to the wall if he has to go to a tribunal? A lawyer on the Government Benches has seen fit to argue that, without producing one example to back it. There is a good reason why the hon. Gentleman did not produce one case—there is none. In the history of the law there has, so far as I can recall, never been a reported case of a company going into liquidation because it had to meet an unfair dismissal claim—either won or lost.

Mr. Andrew Rowe (Mid-Kent): If the hon. and learned Gentleman is saying that he can see no difference between a company that employs one or two people and a company that employs a specialist personnel department, he is well qualified to be making the speech that he is.

Mr. Janner: I can see no difference in unfairness or discrimination between a one-man firm and a dozen-man firm. I can see no reason why a small employer should be allowed to break the law any more than a large one. If a small employer is guilty of fraud, he goes to prison, as would a large employer. It is no good him saying, "I am only a small employer, so I am entitled to cheat the tax man or the customer." Why should the small employer be allowed to cheat his employee out of his job any more than a large employer? It is that person's job; it is his livelihood.

The Minister said that the order is necessary to enable employers to employ more people. That might have some truth in it if the present system adequately protected employees. Unfortunately, it does not. The 70 to 73 per cent. failure rate, which has been fairly constant, is not because 70 to 73 per cent. of claims are not worth bringing. Some may be poor claims. But in the main, it is because th average employee cannot produce evidence. He does not have documents, although his employer has them. Above all, he cannot bring anyone to give evidence for him because his colleagues dare not go to the tribunal and risk their jobs, their livelihoods and their families by giving evidence against their employers.

I always advise employees to take good care of themselves, not so much because they must win tribunal cases, but because, if they bring a case, they will almost certainly lose it. Even more important, most people, especially managers and higher level employees, dare not

[Mr. Janner]

exercise their rights, because an application to an industrial tribunal is a passport to permanent unemployment. Therefore, there is not only a 70 per cent. failure rate of those who go to tribunals but a huge percentage of people who are unable to go to tribunals because they know that if they do they will never get another job.

Mr. Douglas Hogg: Does the hon. and learned Gentleman accept that in the experience of most of those who practise before the industrial tribunals the great majority of applicants who obtain compensation have already obtained employment by the time that the case is heard?

Mr. Janner: There are some, but I am told by personnel managers and employers who have large numbers of people applying for jobs that when someone in the queue for a job gets an interview and gives references and the references from the previous employer are taken up, and when the previous employer says, "He is suing us in an industrial tribunal", the applicant is unlikely to go to the front of the queue, on the ground that he is a person of initiative. In some cases, such an applicant gets the job anyway, but it is a great disincentive. If the hon. Member for Grantham (Mr. Hogg) does not know that, perhaps he should listen to some of those who are unrepresented and they would tell him.

That brings us to the next point, the representation. I agree that the more informal these procedures are, the better. I have never believed that this should be a happy hunting ground for lawyers. But, unfortunately, a tremendous amount of tribunal law has accredited over the course of years. This is no longer a question of somebody giving judgment under a coconut palm on the basis of what he hears. There is a vast amount of case law in which both the hon. Member for Grantham and the hon. Member for Elmet are expert, and which they can go to their law books to find.

What happens in tribunals is that the chairman or chairwoman tries very hard, if he or she is good—and many of the women are first class — to help the applicant in person, but it is not easy. If one talks to them and listens to them, they will say that people who have complex cases involving difficult questions of law are certainly better off to have legal representation.

I do not put the blame entirely on this Government. Again, I turned to our own Labour Government when we were in power because I have always believed that we should have brought in legal aid in industrial tribunals when we had the chance. I should also point out that it was not altogether the fault of the then Labour Government. The trade unions did not want it, and when they were faced by people like me who said to them, "Why not?", their answer was, "Bloody lawyer, feathering your own nest." When I said to them, "If a doctor asks for more medical help, you do not say, 'Bloody quack, feathering your own nest'", they said, "Ah, but that's different." I suggested to them, which I could do because I do not practise in industrial tribunals, that it is wrong to deprive members and non-members alike of the right to go to tribunals—and, by the way, the right to bring all claims concerning contracts of employment to tribunals and not to have to go to courts with one lot and tribunals with another, which is another idiocy—their answer was that it should all be dealt with on the shop floor which, in theory, is absolutely right. But, in practice, the person who goes to a tribunal unrepresented is now, and will remain, often at a great disadvantage.

It is all very well for the hon. Member for Elmet to say that people should not be represented, but the fact is that a substantial company is generally represented either by a lawyer or by an articulate personnel executive, probably one who has been trained to do the job, whereas the employee goes on his or her own or through a friend and cannot get legal representation. They can get legal advice under the legal aid and advice legislation on how to bring the claim, and as to whether it is worth bringing, but they have to represent themselves.

Most people are afraid of tribunals and courts. Most people are apprehensive when they get there. They do not like it. It is not their livelihood, and they are scared. So there is already the disincentive to go, and there is already the qualifying period, which is much too long. It is a period that is about to be doubled. There is no justification for that. Neither is there, nor has there been given to the House, a shred of evidence that to do so will create one single job in any part of the country. It is a discourtesy to the House to claim to protect employees by doubling the qualifying period without giving the evidence. There is only one reason for that being claimed by a Minister who is articulate. It is that there is no evidence.

The Minister is a nice man. If he had evidence, he would give it to us. He does not provide that evidence because there is no evidence. He keeps his speech short because if he went further he would sink himself in the mire. Not only is the Minister a nice man, but he is also shrewd. He knows that he must skirt around the mire as quickly as possible and then run like hell. That is exactly what he has done.

There is no evidence that further jobs will be created. There is no evidence that businesses have suffered because of the one-year period. There is no evidence that the new qualifying period will help employment in any way and and no evidence that it will reduce cases which are allegedly vexatious, frivolous or unreasonable. There is no evidence that people go to tribunals for fun. There is no evidence that the present 12-month qualifying period discourages firms from taking on people. There is no evidence, no case, no sense—only a very bad rotten piece of legislation that I hope even Conservative Members will throw out.

11.28 pm

Mr. Richard Holt (Langbaurgh): I should declare an interest because, although I am not a lawyer, I attend tribunals and represent people. Perhaps in my contribution I shall talk myself out of a job.

I shall describe the ways in which industrial tribunals have affected me. I was director of personnel, and the shop stewards' works committee told me that an employee was behaving in a peculiar way. We investigated the matter with the line manager and found that the employee was putting himself and other employees at risk and was liable to hurt himself and them.

After consultation we agreed that the employee should be dismissed. He went to the labour exchange to sign on and the first question that he was asked was 'Why are you out of work?" He said "I have just been dismissed." He was then asked whether he had commenced proceedings for unfair dismissal.

The chap was bemused at the time, signed a paper and proceedings were commenced against the company. In due course I and four or five colleagues, the convener and shop steward arrived at the place appointed for the hearing at nine o'clock in the morning and waited and waited. At the end of the day we were told that the man had not turned up. The chairman would not hear the case in his absence because he might have missed a bus or misread the date.

We all missed a day at work and had to work overtime to catch up and we were summoned to turn up at the tribunal four weeks later. The applicant did not turn up again and the chairman decided to allow the case to be heard. The convener of shop stewards said that the man was a herion addict and did not turn up for work regularly. That case cost the company many hundreds of pounds and it is not untypical. It is not the only case of which I have had personal experience.

Dr. Godman: I find the hon. Gentleman's anecdote of some interest. I have a couple of questions, one of which I shall ask now. I shall ask the other later if I catch your eye, Mr. Deputy Speaker. Why did that decision, if it was reached in such a fair manner, need to be defended by five managers?

Mr. Holt: Because, like so many employers, we were unsure of the case that would be presented by the man when he turned up. No one knows what sort of lies will be told by the applicant. Therefore, it was necessary to have everyone there to give evidence.

I am speaking primarily because I do not believe for one moment that the order will produce one single job. The introduction of the order goes nowhere in the direction that it should so that we shall have more jobs and so that employers will be freed from the shackles and worries of the industrial tribunal. My hon. Friend the Under-Secretary suggested that the change to two years is reasonable. I suggest that it is unreasonable because any employer should be able to assess whether a person is good enough in a very short time and not have to wait two, three or four years. Therefore, as far as I am concerned, this whole thing is rather specious.

It has been suggested that the Government do not have any figures for the likely number of people who will be affected by the introduction of the order. I have the official figures in a Department of Employment reply to a question that I asked, which states:

"This information is not available in the form requested. On the basis of a sample analysis of complaints of unfair dismissal for the calendar year 1983 it is estimated that 1,650 such complaints heard by an industrial tribunal involved persons who had been employed for more than one but less than two years.

The figure should be treated with caution because of the margin of error inherent in the sample." — [*Official Report*, 7 May 1985; Vol. 78, c. *361*.]

If Ministers are to come along with legislation, and if they want support from Conservative Members as much as from Opposition Members, they have a duty and responsibility to present a case that is cogent and has statistical evidence to back it up. If the whole edifice is based on the probability of 1,650 cases as a sample analysis, albeit allowing for the errors that might accrue, I do not believe that it is worth keeping the House up until this time of night.

The case for small firms is another one of those "Spit in the wind and see that it doesn't hit you when it comes back," scenarios. Who picked on 20 people? Why not 25? Why not 50? Why not 100? How many employers will sit down, scratch their heads and say, "My God, I had better not take on another guy. That would mean I had 21 employees, which would put me within the scope of the Act."? In real life, that is not the way in which firms, personnel people and line managers deal with things. They say to themselves, "Have I got a vacancy? Do I need to employ somebody? Do I have the capability to offer a job to somebody? If I have, I shall offer someone a job, and I shall select the right person in the first place." In respect of small or large firms, no case has been made out for a period of one or two years, and the onus placed on the Government has not been discharged satisfactorily.

Small firms may have large turnovers. Alternatively, they may employ a large number of people — for example, on a vegetable stall—but their turnover may not be very great. However, all firms will be subjected to the majesty and panoply of the law.

I can tell the hon. and learned Member for Leicester, West (Mr. Janner) that even a humble personnel director would quake at the thought of going before one of these tribunals, because one does not know what it will do. Not only is the job of the employee on the line, but so is the job of the personnel director. If he fails with too many cases, he is liable to find himself out of work. Therefore, everyone walks into these tribunals in fear and trepidation.

Mr. Douglas Hogg *rose*——

Mr. Holt: I am not giving way. According to the Parliamentary Under-Secretary of State's predecessor, the purpose behind the legislation was to provide a cheap, speedy and informal means of redress. Cheap? My fees are not cheap, so it will not be cheap to employ a lawyer. I can assure the House that my fees are only a fraction of those of the hon. and learned Member for Leicester, West.

Speedy? No figures are available as to the average length of time between a case being initiated and heard, but in those cases where there is a hearing, the median length of 13½ weeks has been estimated. In other words, the poor, cringing soul who has been fired, the poor, terrified personnel director, the foreman who did the firing and everyone else involved must wait 13½ weeks. More importantly, because of the way in which compensation is awarded, the employee will not take a job during that time because he will get more money if he is out of work. Therefore, the argument that people have gone into work is quite specious.

There are too many regulations. The hon. and learned Member for Leicester, West said that the situation had become too complex, too complicated and too difficult. He is absolutely right. Rather than lengthening the time from one year to two years, the Government ought to have a total review of tribunals and their procedures. They should ban all the lawyers from participating and should limit the hearing to the appellant, the respondent and the respondent's employer.

The hon. and learned Member for Leicester, West talked about deprived livelihoods. There is nothing more galling for a company than to train a person for a job only for that person to say after a year or 18 months, "Here is my week's notice. I am going off to work for your competitor." At present, the employer has no means of redress.

It is suggested that in unfair dismissal cases we can, with our hands on our hearts, look to the costs for frivolous or similar actions brought by employees. We are told that

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the comprehensive statistics regarding costs are not collected and that the Ministry does not know. But we do know.

In 1982 costs were awarded against applicants in about 150 cases out of approximately 15,000. What sort of money does an employer get? He gets an average of £55. The range is £5 to £400. Why do so many people telephone me to ask what it will cost them if they dismiss someone? I say, "£300 for my services and probably £200 if you sweat it out and get the tribunal to make an award." So the case does not go to a tribunal. The whole thing is swept under the carpet. The person goes away with £200 or £300 and does not have the stigma on his record of having gone to a tribunal.

The whole business of the tribunal has become too complex, too costly and too legal. If you do not believe me, go there. When you go in, you have to sit on one side, with the other party on the other. There is the witness box —"How do you swear?", "Don't intervene," "Shut up." It is like the High Court. There is not a free and open exchange of information between two people so that the tribunal can determine in the final analysis whether in its opinion someone has been dismissed unfairly. What the tribunal has to decide is whether in its opinion the law has been interpreted correctly according to the advice given by the legal clerk. It has nothing to do with the realities of working in a factory, in an office, on a farm or wherever. Reality does not come into it. Industrial tribunals have become another arm of the law, just like any of the others that we watch in "Bleak House" from time to time.

My hon. Friend the Member for Elmet (Mr. Batiste) talked about cutting down the number of strikes. The speech of the hon. Member for St. Helens, North (Mr. Evans) on behalf of the Opposition was a travesty. I thought that tonight he might make a decent speech. Unfortunately, Opposition Members have not brought forward evidence to back up what they have been saying. I agree that it is difficult to prove that there has not been a strike for certain reasons. You would have to put into the ingredients the whole changing environment about going on strike. People are much more reluctant to go on strike than they used to be. Therefore, it is not reasonable to suggest with any degree of certainty that the number of strikes has gone down because of what has happened.

Mr. Evans: I never mentioned strikes.

Mr. Holt: My hon. Friend the Member for Elmet mentioned strikes. If you want to intervene, I will sit down.

Mr. Evans: No, carry on.

Mr. John Golding (Newcastle-under-Lyme): Is the hon. Gentleman aware that the percentage of strikes due to disciplinary causes dropped when the period was changed from 52 weeks to 26 weeks and then rose again when the period was extended? That evidence is on the record. I will quote the figures later if I am called.

Mr. Holt: I do not dispute that. Neither the hon. Gentleman nor I can prove or disprove negatives. Without a complete analysis of every case so as to reach conclusions, you are generalising——

Mr. Deputy Speaker (Mr. Harold Walker): Order. The hon. Gentleman should not keep bringing me into these matters. I am not generalising at all.

Mr. Holt: I would not wish to bring you, Mr. Deputy Speaker, into something so uncontroversial as the order before us.

My hon. Friend the Minister might have brought along a welter of evidence to justify making the order. The prerequisite is that it will produce jobs. I shall judge whether the order will have that effect in my constituency, but I doubt whether it will produce many more jobs. I shall ask constituents whether they have been taken on as a result of the legislative changes that the Government have introduced.

Mr. Douglas Hogg: Will my hon. Friend ask employers in his constituency whether they found it more attractive to take on employees following the legislative changes?

Mr. Holt: I do not accept that it is more attractive or that it will be. An employer will take on an employee if there is a vacancy, but he will not do so if there is a prospect of having to employ a barrister to defend the decision that he took in the prevailing circumstances.

I needed evidence before I could say that what the Government were doing was right. I do not believe that the Government's action is correct, but I take that view for reasons that are different from those of Opposition Members. The Government are not moving half far enough. They should be investigating the work of tribunals.

I thought that I would take the trouble, even if the Government would not, of acquainting myself with the views of relevant bodies. I telephoned the Institute of Personnel Management. Being a fellow of the institute, it cost me nothing to obtain the information. If the Government are short of a bob or two, I might give them a loan. The institute told me that it was still surveying the matter, but added that the order "would tidy up the present position". Does tidying up provide jobs? I suppose that the tidying-up exercise will make life easier for lawyers, but it will not make line managers, entrepreneurs or others in business any more inclined to take on employees or not to dismiss employees.

I contacted also the Engineering Employers' Federation. It said, "We welcome this but it should go further. It should be retrospective and for a longer period." It seems that the Government have not taken the federation along with them.

I spoke also to the British Institute of Management, of which I am also a fellow; therefore, I obtained free information. The institute has carried out a survey of its members to ascertain whether they feel that the order is right or wrong. The survey provided the crude statistical evidence that 65 per cent. are in favour of what the Government are doing, 32 per cent. are opposed and, typical of British management, 3 per cent. do not know what the answer is.

I said to myself, "All is not lost, there is always the CBI." Accordingly, I contacted the CBI.

Mr. Janner: Is the hon. Gentleman a member of the CBI?

Mr. Holt: No, I am not. I cannot afford that.

The CBI kindly provided me late this afternoon with a glossy book which I have with me. As the House will see, it still bears a compliments slip. I shall read the CBI's official position on this issue. A passage in the book reads:

"Following the announcement in the Budget, the Secretary of State for Employment has laid a draft Order before Parliament to increase the qualifying period of service for complaints of unfair dismissal to two years for all employees. This change will come into force on 1 June. The effect on the number of tribunal cases will not be felt for some time, but even then it will not be enormous. The effect on companies, existing recruitment practices and disciplinary procedures is likely to be marginal."

Of course I support the Government's attempt to produce more jobs.

Mr. Golding: Is the hon. Member aware that it is common for the Confederation of British Industry to be sceptical about Government legislation? The confederation is as aware as are hon. Members that the Institute of Directors has more influence on this Government than practical industrialists. What is the view of the Institute of Directors?

Mr. Holt: I must confess that I do not move in such exalted circles. Therefore, I am unable or unwilling to tread in waters where I might get my feet a little wet.

Mr. Robert C. Brown: On a point of order, Mr. Deputy Speaker. When the Government bring an order before the House it is incumbent upon them to produce evidence to justify the carrying of such an order. The only support the Government have received in this debate has been from the hon. Member for Elmet (Mr. Batiste) who is a member of the legal profession and who therefore has a vested interest in this matter. The devastating case put forward by the hon. Member for Langbaurgh (Mr. Holt) suggests to me, Mr. Deputy Speaker, that you ought to adjourn the House for 10 minutes to provide the Minister with an opportunity to produce evidence or to withdraw this tatty little order.

Mr. Holt: I have, I hope, made it absolutely and abundantly clear, Mr. Deputy Speaker, that I am not opposed to the Government's intentions. I am opposed to their actions. They do not go far enough. This Act has been on the statute book since 1971. There has been no thorough review of the work of tribunals. They have become more and more legalistic and more and more costly. Tribunals now cost this country £20 million.

Mr. Cash: Could I please ask my hon. Friend, with whom I have the pleasure to share a room, and who frequently asks me for my opinion as a lawyer, which I am happy freely to give him at almost any time of the day or night, to tell me, because of the extreme attack that he has made on the legal profession this evening, how Acts of Parliament which come before tribunals would be interpreted if lawyers did not appear before them to provide help for those who need it in order that they may obtain justice before tribunals?

Mr. Holt: I was hoping not to have to introduce one little anecdote, but I am now being forced to do so. I must say to my room mate, if I may use that phrase, that when I set up in business as a consultant with some colleagues from personnel management we offered our services to small businesses and to others—we are not proud; we will take money from wherever it comes—and we took the step of advertising in the journal of the Conservative Small Business Bureau. This was not an unreasonable thing to do. Within 24 hours I had a letter from the Law Society saying, "Lay off. This is something for the Law."

Mr. Cash: As the vice-chairman of the Conservative Small Business Bureau, may I say to my room mate that I should be glad to look into that matter, particularly as I happen also to be on one of the parliamentary committees of the Law Society. I shall take it up with both bodies.

Mr. Holt: I appreciate my room mate's offer. I shall take it up gladly and will be affected by it as much as I was affected by the letter from the Law Society. I continued to practise with my colleagues. We do a better job more cheaply than the lawyers, because it is based upon the real life experience of workers in factories. It is not based upon something that one has read about in books or seen inside a court of law or before tribunals.

Mr. Crowther: On a point of order, Mr. Deputy Speaker. Could not this private dispute between the hon. Members for Langbaurgh (Mr. Holt) and for Stafford (Mr. Cash) be carried out in the privacy of their room?

Mr. Holt: That is a practical proposition that my hon. Friend the Member for Stafford (Mr. Cash) and I should be delighted to take up. I did share a room with someone else, but we would not have been able to have any conversation because I could not get a word in edgeways.

During the course of my short, frequently interrupted, contribution I have sought to introduce a small element of levity because I often find that the ponderous goings on of lawyers drive most people to despair. That is one of the reasons why few cases go to tribunals. None of us wants to go to them, even if the money is good.

If my hon. Friends cannot occasionally stand a little tickling around the ribs, they are not men enough for the job. I know that my hon. Friend the Minister is man enough for the job and will take on board what I am saying. I am trying to make the serious point that the tribunals have become over-legislated. The order is meaningless. There should have been a proper review of tribunals and their procedures. I believe that that would be welcomed by both sides of industry and by all the elements of management to which I have referred. Although I have not tried to contact it, I dare say that the TUC would welcome it if tribunals were once again made simple, speedy and cheap.

If I may paraphrase, the order might be a small step for the Government, but I believe that it is a minuscule step towards helping the unemployed. The fanfare with which my right hon. Friend the Chancellor unveiled the proposal in his speech was a smoke screen. It will not create one job.

My job, as the Member of Parliament for a constituency which has the highest unemployment in mainland Great Britain, is to prod the Government into doing something which will help to produce jobs. The employers to whom I speak want the Government to wipe the legislation off the books, to stop tinkering with it, or at least to make it simpler, cheaper and speedier, so that, irrespective of whether the period is six months, one year or two years, the people who are most involved—those who have been fired and those who have done the firing—can go before a lay body as quickly as possible for it to adjudicate, like a jury, on whether the dismissal was fair or unfair.

In the last case with which I dealt there were 10 references to previous cases. We sat for hours going

[Mr. Holt]

through what people had said previously to different tribunals. Finally the managing director was asked the simple question, "Given all the facts, would you do the same again?" He replied, "Yes, I would fire him because he was no good." The tribunal found against the company. I accept the fact that the tribunal found against the company that I was representing, but the case had cost too much in time, research, and heartache.

The Government would be well advised to let the order go through, but to study properly the whole subject of tribunals.

11.59 pm

Mr. David Penhaligon (Truro): Considering that the hon. Member for Langbaurgh (Mr. Holt) managed to spend 33 minutes talking about the order—and at the conclusion of his remarks I was not sure whether he was for or against it—I was surprised by his claim that he had managed to speed up the work of tribunals.

The hon. Gentleman, nevertheless, made some interesting points. I agree with him that the order will not make any difference to the nation's total unemployment statistics. Indeed, there cannot be many hon. Members who believe that it will have much effect on unemployment. Nor do I accept the claim of the hon. Member for St. Helens, North (Mr. Evans) that labour protection legislation increases jobs. It does not make much difference either way.

However, the justification for this kind of legislation is to inject into the labour market a degree of justice for the individual. When a person appears before a tribunal, local people—that person's friends and colleagues—have a view about whether the dismissal was justified, might have been justified or was completely unjustified. People have a corrosive feeling of anger when they believe that, say, Bill, who has given a substantial period of service to the company, has been dismissed for unjustifiable reasons. That is the real justification for legislation such as this. While no system can be perfect, it gives people an opportunity to have their cases heard and for some compensation to be offered if an outrage has been committed.

That is the justification for the legislation, but the order is a move in the wrong direction; and what saddens me is the feeling that the Minister agrees with me. He adduced no evidence for the order, just tittle-tattle about what might have been said over the bar in the Conservative club quite late at night.

Much the same level of argument is put to me by some of my local small employers about the abolition of wages councils. They argue that if they could pay a little less, they would be more competitive and be able to offer more jobs. There is some truth in that, so long as it applies only to them and not to all their competitors who are beating them. If an employer is the only one to be allowed to lower wages, of course he can undercut his competitor down the road. But one presumes that if wages councils are abolished—hon. Members on the Opposition Benches, regardless of party, pray that they will be retained—they will be abolished universally. In other words, employers who argue that the abolition of wages councils will create more jobs are simply indulging in tittle-tattle.

The Minister argued that an employer needed a period in which to get to know the qualities of an employee. There may be some truth in the argument that a person may join a company and work with enthusiasm and dedication for a time, and that that period should be long enough to enable the employer to judge that employee's behaviour, attitude and enthusiasm. That is an argument for having a period of some length. The Minister argued, however, that by increasing the period from one year to two years, that will significantly increase the understanding that an employer can have of an employee. Not many employers believe that, certainly not many employees believe that, and we on the Opposition Benches do not believe that. If an employer cannot decide in a whole year—in 52 weeks of 40 hours a week—whether Bill or Mary, or whoever, is satisfactory to be employed by that company, the idea that two years will be the right period is a fantasy, and the Minister knows it.

This is part of a steady erosion of rights. Far too many Conservative Members believe that the solution to the 3·5 million unemployment problem is to remove some of the minimal rights that exist. They believe in a peculiar fatalistic way that if they remove enough of those rights fast enough, suddenly employers will begin to employ more people. That, again, is not true.

As the hon. Member for Langbaurgh said, employers take on employees because they see an opportunity to use those people's skills to their own advantage. I do not complain about that. That is the way in which our economy has grown. The reason why there are now nearly 4 million unemployed is that the Government are running the economy in such a way that employers no longer see any way of using the skills available in a satisfactory and economic way.

People tend, sometimes without justification, to feel weak and vulnerable vis-a-vis their employers, and the Government have made them feel even more so. People's rights in relation to unfair dismissal are gradually being taken away. That is a bad thing and it is a sad day for Parliament — one of a series of days that the Government will come to regret.

This is a move in the wrong direction and, saddest of all, I suspect that the Conservative Member most convinced of that is the Minister who made the rather inadequate attempt to justify the measure when he opened the debate.

12.5 am

Mr. Douglas Hogg (Grantham): Despite all the noise and excitement generated among the Opposition, we are actually discussing when a qualifying period should arise. That does not give rise to massive questions of principle, and in view of Labour Members' attitudes to this in the past they are not in a good position to argue about it as a matter of principle today.

The qualifying period of two years was first introduced in the 1971 Act. In 1974 the period was reduced to one year by the Labour Government and the following year it was reduced to six months. The concept of a qualifying period, however, has been preserved throughout. There is a similarity between the right not to be unfairly dismissed and the right not to be made redundant. For more than 20 years Parliament has accepted that there should be a qualifying period before a person becomes entitled to redundancy payment. That goes right back to 1960. The qualifying period is two years and the Labour party has always accepted that.

I do not find that fact at all remarkable, because the right not to be unfairly dismissed is a very valuable one, giving rise to a large number of fairly substantial financial benefits. The benefits may well be quite correct, but the House must always consider whether such rights should arise immediately upon the formation of a contract of employment and by virtue of that fact alone. I do not agree that they should.

The hon. Member for Truro (Mr. Penhaligon) referred at some length to probationary periods, but that is not really the purpose of the qualifying period. In my view, the reason for the qualifying period is that people should have to justify their entitlement to this fairly valuable right. Whether the period of justification should be six months, 12 months or two years is not a matter of principle but a rather nice difference of judgment as to how the balance should be weighted.

I think that most Members now agree that the containment of unemployment is the strategic purpose of Government and Parliament at this time and every benefit and policy that we bring forward must be tested against that objective. When this measure is tested against that yardstick one sees the advantages that are likely to accrue.

My hon. Friends have referred to the disadvantages faced by small employers in this context. I appear frequently in cases involving these matters. Last month, I was involved in a case concerning a small employer whose entire work force of six would have had to attend the tribunal for two days. An employee had resigned. The employer was seeking to argue that the resignation constituted a constructive dismissal. I took the view that he was wrong and had no chance, and advised the employer accordingly. the employer was faced with the fact that he would necessarily incur substantial costs and his entire work force would have to attend for two days. That was understandably unacceptable to him, and so a payment had to be made. A payment was made. This happens repeatedly.

Hon. Members ask, "Where is the evidence that any job will be created directly as a result of this change in the legislation?" I admit that I cannot come forward with direct evidence.

Mr. Prescott: Neither can the Government.

Mr. Hogg: But, in the end, one comes forward with the impression, which is made in good faith — *[Interruption.]* Hon. Members must try to approach these issues with open minds. They must try to be open-minded on questions of employment. Repeatedly, both professionally and in my political capacity, it has been made clear to me that the framework of the legislation makes small employers in particular less willing take on more employees.

Mr. Prescott: Where is the evidence?

Mr. Hogg: We come back again and again to the question of judgments made in good faith.

Mr. Janner: Without evidence.

Mr. Hogg: Of course it is based on evidence.

Mr. Janner: Where is it?

Mr. Hogg: I have told the hon. and learned Gentleman. If only he would listen, but he never does. I have told the House the evidence that I have been receiving.

Mr. Janner: Where is it?

Mr. Hogg: If the hon. and learned Gentleman would only shut up for one moment, he might hear it. I have repeatedly been told by employers, in my political and legal capacities——

Mr. Janner: Hearsay.

Mr. Hogg: The hon. and learned Gentleman knows all about hearsay, because he makes his living out of it. He would do well to listen just occasionally.

Mr. Janner: There is no need to be offensive about it.

Mr. Hogg: I would certainly not be offensive to the hon. and learned Gentleman, whom I rather like, but he would do well just to listen. One repeatedly hears people say, "I would take on more people if it were less unattractive for me to do so."

Mr. Evans: Anecdotes.

Mr. Hogg: They may be, but they may reveal the facts. We must try to reduce people's anxieties about the existing law. This measure is a legitimate step in that direction. I hope that, as a consequence, and judged against a yardstick of improving jobs, the House will support the order.

12.12 am

Mr. Stan Crowther (Rotherham): Unlike a number of hon. Members who have spoken tonight, I intend to make a short contribution. The hon. Member for Grantham (Mr. Hogg) referred to small firms. That matter is not strictly relevant to the order. Apparently, the order wipes out the difference between those employed by small firms and those employed by larger firms and subjects them all to the same injustice. I have never understood why people employed by a company with 20 employees should be denied rights that apply to people employed by a company with 21 employees. Apparently, the order applies the same injustice to everybody, so that seems to wipe out the difference.

The hon. Member for Truro (Mr. Penhaligon) raised an interesting, but totally irrelevant, point. He talked of his belief, which I share, that an employer who has been employing someone for 12 months should by then know whether that person is suitable for the job. That is true, but it is totally irrelevant, because we are not talking about whether people are suitable for a job. If they are sacked because they are not doing the job properly, that is fair. Here we are talking about unfair dismissal. I do not understand why it is all right for people to be unfairly sacked at a certain period but not right for them to be unfairly sacked at a later period. It is wrong for people to be unfairly sacked at any time. If they have been working somewhere for only one day, they should not be unfairly dismissed. That is the real issue here.

I accept the point, rightly made by the hon. Member for Grantham, that my party has in the past accepted a qualifying period. I think we were wrong to do that. Justice demands that people should be compensated or reinstated if they are unfairly dismissed, irrespective of how long they have been employed. If they are incompetent or dishonest, they should be sacked without compensation, but if the dismissal is unfair the qualifying period is totally irrelevant.

12.15 am

Mr. Ernie Roberts (Hackney, North and Stoke Newington): I speak not as a lawyer but as someone who

[Mr. Ernie Roberts]

has been a shop steward for 25 years, and as a national trade union official with some experience of dismissals and protection against dismissals.

The order will remove the right of a worker to go before a tribunal and appeal against unfair dismissal if he has been employed for less than two years. There are nearly 4 million people in Britain who have been unfairly dismissed. It is not their responsibilty that they have been dismissed. They have not been dismissed for any reason for which they have been responsible. It is the responsibility of the Government.

I am opposed to the order being sneaked in at this late hour because it cannot stand the light of day. The order is absolutely irrelevant to job creation. Its aim is to make sacking easier and cheaper. I agree with my hon. Friend the Member for Rotherham (Mr. Crowther) that, in spite of what has been said from the Conservative Benches, there should be no qualifying period.

I know from my experience that shop stewards, workers and trade union representatives generally are always under the threat of victimisation by their employers. It happens continually. There was far better protection under the essential works order. It often protected me when I was at work. It operated at a time when the country needed the workers' labour and was prepared to give them protection in their jobs.

The extension of the order to two years will hit particularly school leavers and those who are at present unemployed. They will be under constant threat of dismissal if, on getting a job, they do not work for the pay set down by employers and at the speed and under the conditions demanded by them. That is what the order is about. It is a weapon to be used for that purpose. The threat of the sack is the big stick that the employers will use against workers, and they will have two years' free bashing of work people to make them do what the employers want them to do.

Directors and top management — there are some representatives here — are well protected against unfair dismissal. They are protected by contracts with companies which provide massive golden handshakes. Those who own and control the means of production, distribution and exchange will use their power to hire and fire as they please. Their only concern will always be to make as much profit as they can and to squeeze as much work as they can from people they employ.

It would be far better if this Government introduced an order on the right to work rather than one on the right to sack. They should pay more attention to that. The Government and the employers know that the order will produce more strikes because that will be the only method for workers to obtain justice because they cannot take their case to a tribunal until two years has elapsed. Their only defence of their jobs will be to strike. The order will provoke more industrial unrest.

12.20 am

Mr. John Golding (Newcastle-under-Lyme): One thing we know clearly — that the directors of this country have voted substantial sums of money, millions of pounds, to the Conservative party. That is the argument for the order. My hon. Friends have said that the Government have produced no argument for the order — they do not need to do so because they have received payment for this order.

I do not know whether the Government are introducing the order because it will please the Institute of Directors, or whether it is because the Institute of Directors has twisted their arm. The order is ideological. It is not even seen to be in the interests of those managers in indutry who actually manage. The hon. Member for Langbaurgh (Mr. Holt) gave the game away when he read from the CBI brief. The practical managers, who often find themselves at loggerheads with the directors, are saying that the effect of this order on employment will be marginal. So why has it been introduced? It is because the Government think that they must pay the debt that they incurred to the directors before the general election. They are paying with our time for the money that they received to help them win the general election.

The paucity of the Minister's speech has been mentioned already. Have we ever known a debate with so much criticism of the Minister, but not one note of reply being sent from the officials' Box through the PPS to the Minister? Not one item of refutation has been passed. The PPS tonight has been one of the idle layabouts on the Government Benches. It has been a remarkable debate. The Minister has not made a case and the officials have not been able to think of one refutation of the arguments presented.

Mr. Cash: Will the hon. Gentleman be good enough to explain how it was that in 1978, when the precursor to this order was going through the House and the Labour party was in Government, it allowed a private Member's Bill that contained the essence of this order to be passed against the then Government's Whip because Labour Members did not turn up to support their Government?

Mr. Golding: I do not think that that is relevant, for reasons that you and I know, Mr. Deputy Speaker. It may be embarrassing to Conservative Members because a very distinguished Member of the House was in charge of industrial relations legislation at the time. I know that there would be embarrassment if I referred to him.

Mr. Cash: I wish to complete the story by explaining that I have some knowledge of this because I drafted the Bill in question.

Mr. Golding: The only argument we have heard from Conservative Members who are lawyers — and I emphasise that we have heard no criticism from Conservative Members who are practising managers — is that these procedures are inconvenient and costly to the employers.

I do not know whether Conservative Members know how inconvenient and costly it is to be sacked. The right hon. Member for Cambridgeshire, South-East (Mr. Pym) has been unfairly dismissed, and has translated himself into centre forward. But, that apart, I do not think that Conservative Members know what it is like to go home to one's wife and family and explain that one has got the sack. It is more than an inconvenience. It is rather worse than having to sit two days in some ante-room waiting for a case to be heard. To have to go home and say, "I have had the sack. Look, it was unfair. Look, it was not my fault. I have suffered because of the arbitrary whim of some manager." It is not just inconvenient. It can be a disaster.

Talking in terms of cost, in the survey, unprompted, managers disclosed that the cost was about £4,000. But when they thought of what they were claiming on their tax forms, they increased that to £15,000. Let us say that the cost for the employer is between £4,000 and £15,000. That is minimal when one considers the employer's turnover compared with the loss of wages to an individual who is unfairly dismissed. To a company, the inconvenience and the cost of having to go a tribunal to justify an unfair dismissal is infinitesimal compared to the cost to the individual who has been sacked.

Mr. Janner: To reinforce what my hon. Friend the Member for Newcastle-under-Lyme (Mr. Golding) says, is he aware that the average award to a person who is among the 30 per cent. who succeed is only about £850, which is far less than the amount that could be awarded, which is very seldom reached?

Mr. Golding: I am not as familiar with the facts as is my hon. and learned Friend, but I do know that the legislation has had many beneficial effects. First, as has been pointed out—and whether one can quantify it I do not know—it has provided an alternative to strike action on the shop floor. It has removed a lot of the frustration and grievance among people who sometimes do not feel strongly enough to strike. It has removed the demoralisation that is always present among groups when they think that they are subject to arbitrary power.

What Conservative Members do not understand in my view is that working people without vast savings and an accumulation of capital behind them are in a weak position when faced with such employers. If the employers can do without the individual employee, the individual employee cannot do without the wages. These individuals are weak. When these weak individuals face people who can take decisions on an arbitrary basis, they feel very humiliated when the decisions are taken on anything other than just grounds.

I do not say that all dismissal decisions are unfair—obviously not. But some are. Conservative Members will cite cases of irresponsibility on the part of the employees. Of course there will be some of those. Of course in the isolated case the employee will be irresponsible. However, many employers take decisions which are based not on reason but on whether they feel at home with the employee. Sometimes the employer will be upset by what is happening in his domestic life and will take odd decisions for odd reasons. When a decision is as important as a sacking it must be fair. There must be some resort to an outside body when a person believes that his dismissal is unfair.

Government Members argue that at a time of high unemployment it is more important to create jobs than to be fair. In a nutshell, that is their argument. The argument is not new. During the period of the Labour Government between 1976 and 1979 I spent a lot of time talking to employers throughout the country. Often I heard the argument that the employment protection legislation militated against employment. When I cross-examined the person arguing that point I was usually told "That does not apply to us, but we've heard that it applies to somebody else." Not one employer said "It affects me."

We introduced a number of studies because the Government were worried about the effect of what they had done. At that time 1·4 million people were unemployed and we felt a deep sense of responsibility towards them. Those studies are often quoted. I refer to a paper by Daniel entitled "The effects of employment protection laws in manufacturing industry," published in the *Employment Gazette*, June 1978 and to a paper by Daniel and Stilgoe entitled "The impact of employment protection laws," published by the Policy Studies Institute in 1978. There is also a paper by Clifton and Tatton Browne entitled "The impact of employment legislation on small firms," published by the Department of Employment as research paper No. 6 of 1979.

I was responsible for those studies, which all came to the same conclusion. There was an impact, but it did not decide whether employers recruited. The biggest impact was on the care taken when recruiting. That is right. It is irresponsible for an employer to take on someone knowing that he might be sacked. A responsible employer knows what the job means and must ensure that the person recruited is suitable and that he fits in within the first few months.

To say that two years are needed before one can know whether a person is doing a job properly is poppycock. If it takes a person that long to decide, he is not doing his job properly and should be sacked. We are talking about manual workers, not sophisticated people. I believe that what the Government are doing is wrong.

I have talked about the inequality of the worker and the employer. It happens before the tribunal as well. The hon. Member for Langbaurgh almost brought tears to my eyes when he talked about how he, as a director of personnel, quaked before going into a court. But he went in with four other people. He was well briefed, with all the substantial resources of the firm behind him. He should think of the individual who has been sacked, who usually cannot take four or five people with him. Why? Because the others are frightened of victimisation. We in the Labour party know that that happens over and over again. If one asks, "Who will give evidence?", the first time Sarah, Jane, Bill and Joe say that they will. A week later they say that they are frightened to give evidence because the boss will victimise them.

My hon. Friends on the Front Bench are pleading with me to sit down. It is the story of my life, but I shall do so —only because it is a plea from my Front Bench. I believe this to be one of the most iniquitous things that the Government have done, because they do it without reason. They do it against workers everywhere. They do it to repay the debt of money given to the Conservative party before the last general election.

12.36 am

Mr. George Park (Coventry, North-East): I had thought that following the speech by the hon. Member for Langbaurgh (Mr. Holt) the Minister would graciously withdraw the order and creep away quietly, instead of keeping us up after the midnight hour.

The point that the hon. Member for Langbaurgh made about the law getting mixed up in tribunals is something that I have fought against ever since its inception. We had a first-class example of what happens when the law gets mixed up in such matters when the hon. Member for Grantham (Mr. Hogg) got on his feet. Never in his life has he been sacked on the spot and had to go home to reveal the news to his family.

With the present level of unemployment, employers can be very choosey when engaging labour. Prospective

[Mr. George Park]

employees, for the same reason, are anxious to please prospective employers. Therefore, at present the scales are weighted heavily in favour of employers.

We were told by the Minister in his short speech that employers were afraid of going to tribunals. I believe that the fear is on the part of the employees, not the employers.

Last night, together with colleagues, I met a delegation of women clothing workers from the west midlands. Those who worked part-time were paid 50p an hour. I understand that the delegation was seen by a Conservative Member who is now in the Chamber. He may want to corroborate what I am saying. People in full-time employment were being paid about £1 an hour. The women found that their tax and holidays were being fiddled. They were in difficulty with the Department of Health and Social Security. Notwithstanding that, they were extremely chary of having their cases taken up, because, bad though they were, merely to reveal them would have meant the sack. Indeed, one woman, who had had the effrontery to organise her workmates into a trade union, was promptly sacked. In another case, the employer was so determined not to allow trade unionism into his factory that he shut it down and reopened a few months later in premises on the opposite side of the road.

Last night we listened to those women. I do not know whether the Conservative Member wants to corroborate what I have said. I shall give him the chance to do so, but I have not identified him because I do not wish to embarrass him unnecessarily.

Mr. John Mark Taylor (Solihull): The hon. Member for Coventry, North-East (Mr. Park) has referred to a visit here yesterday by some immigrant workers who, in the main, are largely employed by immigrant employers. Many of their circumstances were most unsatisfactory, and what the hon. Gentleman has said is largely correct.

Mr. Park: Except that I did not mention immigrants. To me an employer is an employer. I am interested only in the circumstances. From what I heard last night, it was clear that fear existed among the employees. It did not exist among the employers, who seem to have the whip hand.

I agree with my hon. Friend the Member for Newcastle-under-Lyme (Mr. Golding) that it stretches the bounds of credulity to suppose that, given the initial ability to be choosy, an employer should support the idea of requiring two years to assess whether an individual will fit into the set-up. I cannot believe that.

There has been no evidence to support the order. In fact, the hon. Member for Langbaurgh, figuratively speaking, stripped the Minister bare. The Parliamentary Under-Secretary has not responded at all, and that is a scandal. This is just another turn of the screw in relation to the policy announced by the Conservatives when they first came into office. They said that the balance of advantage was too much on the side of the trade unions and that they would do something about it. This order is part of that process.

The Government's purpose is to undermine the trade union movement and to remove the possibility that people can be treated fairly. As my hon. Friend the Member for St. Helens, North (Mr. Evans) said, the Minister must tell us why any employer should have the right unfairly to dismiss anyone at any time.

12.44 am

Dr. Norman A. Godman (Greenock and Port Glasgow): I agree with much of what my hon. Friend the Member for Newcastle-under-Lyme (Mr. Golding) said about the traumatic consequences of whimsical managerial decision making. The shock of being sacked and deprived of one's livelihood is dreadful.

I saw a lot of scandalously bad management among British trawler companies north and south of the border. Since the 1970s many of those companies have gone to the wall. That should not surprise anyone, because they were lousy managers of that most important and valuable resource — their employees. Their strategic decision making about the development of their companies in the changing international fishery regime was as bad. Many of them have disappeared from the scene. There are a couple of honourable exceptions in Aberdeen, but many employers in the British fishing industry are inefficient.

Some elements of the Industrial Relations Act 1971 — the concept of unfair dismissal and the code of practice — led to a proliferation of industrial relations training in British companies for managers and shop stewards. In those days some of my hon. Friends talked about throwing out the whole Act when they returned to power. I used to say, "Have a care because you may throw out the baby with the proverbial bath water." As the hon. Member for Grantham (Mr. Hogg) said, the concept of unfair dismissal is valuable, not just to trade unionists. Many managers in British industry have suffered at the hands of superiors who have a philosophy and practice of hire and fire.

In my experience of fairly large Scottish companies, the 1971 Act, plus other legislation passed by the Labour Government between 1974 and 1979, led to a growing professionalism among personnel managers and among shop stewards. In the 1970s we saw the development of more humane grievance and discipline procedures in many large companies. I cannot speak about small companies because I have little or no experience of them.

At an industrial relations training course in which I participated as a trainer, the managing director of the biggest company in Edinburgh said to his managers who were assembled for the course, "I do not want this company ever to have to appear in front of an industrial tribunal. This labour legislation will ensure that we become better managers when we deal with that important resource—our work people."

There has been a reference to the informality of industrial tribunals. For many people the prospect of appearing in front of the three wise men, or the three wise women, is daunting. The hon. Member for Banbury (Mr. Baldry) referred to someone not turning up because he was a heroin addict; that must be an exceptional case. I suspect that many people do not turn up at tribunals because they are frightened at the prospect of taking part in what is for them an intimidating procedure.

One aspect that has hardly been touched upon in the debate, is the effect that labour legislation over the past 20 years has had on the role of the personnel manager and on his or her increasing professionalism. It seems that the object of recruitment and selection processes is to obtain the right person for the job. With professional personnel management, we should not need the threat of being able to bag a person.

Mr. Tom Clarke (Monklands, West): Does my hon. Friend recall that in his constituency Greenock Morton football club dismissed its assistant manager, Mr. Mike Jackson? His case was upheld when it was heard by a tribunal and it was considered that he was unfairly dismissed, but Mr. Jackson was told that he had to meet all the legal costs. He received not one ha'penny in compensation. I am sure that my hon. Friend will agree that instead of weakening protection for those in employment the Government should be introducing proposals to strengthen the right of those like Mr. Jackson, who was badly and unfairly treated.

Dr. Godman: I am grateful to my hon. Friend for providing the House with that sad illustration. I am a supporter of Greenock Morton but not a director. Incidentally, the club has been overtaken by other sad circumstances in that it has been relegated from the premier league. I am sure that it will be back next season.

The regressive measure before us might take away some of the incentive to continue the process of enhancing the professionalism of industrial relations and personnel management. Surely the object of labour legislation is to ensure that an individual's terms and conditions of employment mean that he is treated fairly and reasonably.

I recognise that there are occasions when a person has to be dismissed if his or her conduct is sufficiently dreadful. However, with efficient recruitment and selection procedures there should be no need to provide harsh sanctions that can be used by less than honest and fair managers in both small and large companies. Over the past 20 years there has been a distinct improvement in labour relations in many companies. That improvement has been brought about to some extent by a more formalised set of grievance and disciplinary procedures. In many of the companies with which I have been associated, the individual can seek redress of grievance right up to board level. Some Scottish industries have tribunals that are formed from within the industries. That is the way ahead for industrial relations and for grievance and disciplinary procedures.

The measure that is before us will harm industrial relations. It will damage the position of skilled workers, including women workers, members of the hierarchy within a company and those in lowly positions. It will threaten the position of many managers. The order goes further than threatening the interests of those on the shop floor or those doing menial work in offices throughout the land. It is lousy legislation and it will encourage lousy managers to behave in a lousy way to their work force. It is a disgrace.

12.55 am

Mr. Michael Foot (Blaenau Gwent): Nobody could have listened to this debate without concluding that the whole weight of the argument has been with the Opposition and against the Government's proposals. No attempt has been made by Conservative Members to present an argument in favour of the order, except the hon. Member for Grantham (Mr. Hogg), though I do not believe that he assisted the Government's case. For the Government to introduce in such a way a measure of this character and scale is, as my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman) has just said, a disgrace. It will injure industrial relations in this country.

The origin of the measures dealing with unfair dismissal was not necessarily the 1971 Act. Unfair dismissal was included for the first time in that Act, but its origin lies in recommendations contained in the Donovan report. That report recommended that certain industrial disputes could be avoided if proper and fair procedures were established in industry. The Labour Government intended to introduce such a measure before they left office in 1970. Later we repealed all of the odious and offensive provisions of the 1971 Act, but we insisted that the unfair dismissal provisions should be retained and improved. Many Conservative Members also agree that we should persuade employers to support such a measure. That is why the original legislation included a fixed period. We were able to persuade the vast majority of employers to back the legislation and to ensure that it worked.

All that the Government are doing is attempting to carry out the Chancellor of the Exchequer's Budget proposals. He knows nothing about industrial relations. Nobody has ever suggested that he does. Nor has it been suggested that the Department of Employment Ministers want the order. When it was examined in detail, it was found that no case had been made. Therefore, the best thing that the Parliamentary Under-Secretary of State for Employment can do tonight is to say that he will withdraw the order. That is the best service that he can render not merely to industrial relations, but to the Government.

I regret that the Tory wets have not attended this debate. We should greatly have welcomed a contribution from the right hon. Member for Cambridgeshire South-East (Mr. Pym) and from several other Conservative Members who have vowed to introduce compassion and intelligence into this Government. Not one of those right hon. or hon. Members has attended the debate. Therefore, I hope that the Under-Secretary of State will come out in his true colours and say what a miserable order this is, that he proposes to withdraw it, take it to the Prime Minister tomorrow, and dare her to dismiss him for doing a good deed.

12.57 am

Ms. Clare Short (Birmingham, Ladywood): This order is an example of policies based upon slogans and dogma rather than upon serious evidence. We are told that the Centre Forward group has realised that the economic policies of the Government are based upon slogans and dogma. That is clearly right. They have been tested to destruction. They are not working, yet the sloganising and the dogma continue. This order provides yet another example.

The debate has also demonstrated the advantage of trade union-sponsored Members of Parliament. I am proud to declare that I am sponsored by the National Union of Public Employees, while a number of my hon. Friends who have contributed to the debate are also sponsored by trade unions—for example, by the Amalgamated Union of Engineering Workers, the Post Office Engineering Union and the Transport and General Workers' Union.

Conservative Members have suggested that these provisions are of no importance, that they provide no protection for workers and that they make no difference. Workers value them. Workers are unfairly dismissed, and they feel angry when that happens. They want the right to take action against an employer who treats them in such a way. It is not good enough to look at cases like that of the heroin addict. That story does not ring true.

Mr. Holt: I am sure that the hon. Lady does not wish to call me a liar. I shall send her chapter and verse.

Ms. Short: I should not dream of calling the hon. Gentleman a liar. I meant that the case was not typical of cases with which my right hon. and hon. Friends are familiar.

The difficulties that firms face when dealing with an uncontested case have been mentioned. Conservative Members do not understand that we set standards so that most employers most of the time do not go around unfairly dismissing their workers. If there were no provisions and penalties, there would be far more cases of unfair dismissal.

It is not good enough to measure the cost of the contested case and say that it benefits only the individual involved. The protection of the law applies to all workers who are unfairly dismissed, because the provisions exist.

My hon. Friend the Member for St. Helens, North (Mr. Evans) quoted the extraordinary statement made by the Secretary of State for Employment in a press release on 19 March 1985 justifying this proposal shortly after the Budget. He said:

"The risk of unjustified involvement with tribunals in unfair dismissal cases and the costs of such involvement are often cited as deterring employers from giving more people jobs. This change . . . should help reduce the reluctance of employers to take on more people, while still preserving a fair balance between the reasonable interests of employer and employee."

How weak that is. It says, "often cited" and "should help". It contains no evidence.

Let me consider the evidence, because this is an important matter and a great deal of evidence is available, as my hon. Friend the Member for Newcastle-under-Lyme (Mr. Golding) made clear. Allegations and rumours that the employment protection laws prevent employers taking on workers have been going on for a long time. The Labour Government therefore commissioned a series of academic studies to test them. The first was conducted by the Policy Studies Institute. W. W. Daniel, who has a reputation for high-quality research on this subject, with someone called Stilgoe, whose work I do not know, studied the manufacturing sector—in particular, firms employing between 50 and 50,000 people. Their conclusions were summarised in an article which appeared in the *Department of Employment Gazette* in June 1978. They had studied all the employment protection legislation. They said:

"The aspect of employment protection legislation to have had the most widespread impact upon employers has been unfair dismissal requirements. Their prime effect has been to encourage the reform or formalisation of procedures adopted in taking disciplinary action and in executing dismissals. They have had a secondary influence upon the degree of care exercised by managers in selecting new employees and appraising the performance of existing ones. At the same time our evidence suggests that unfair dismissal measures have reduced the rates of dismissal, particularly in establishments where levels were relatively very high prior to the legislation. There was no general indication in relation to the sectors of industry which we studied that employment protection legislation was inhibiting management from taking on new labour where they otherwise would have done so."

That study was funded by the Department of Employment.

More significantly, the study tells us that when the authors asked managers what the effect of the legislation had been, many said that it improved the quality of their management. I quote from the findings of the study because the arguments are important and should be heeded by Conservative Members and, in particular, by the Minister. Managers

"felt that on balance the Employment Protection Act had been advantageous to them. They most commonly referred to the way it had helped and encouraged them to establish agreed procedures, most frequently with regard to discipline, but also for regulating other terms and conditions of employment. They no longer suffered the consequences of line managers or supervisors taking arbitrary or idiosyncratic decisions. Further benefits attributed to employment legislation included the report that it meant"—

and we must bear in mind that managers are speaking in this passage—

"that trade union representatives had less scope to exploit uncertainty and ambiguity."

That refers to less conflict in the workplace.

"Employees and their representatives knew where they stood and the labour relations climate had improved in consequence. Greater management attention was devoted to human resources and management was required to be systematic and explicit in its evaluation and use of human resources. Job specification, selection and appraisal of performance had been improved and more regard was paid to seeing that people were properly trained."

I hope that the Minister has noted that. We continually hear speeches and receive press releases in which the Government bemoan the low level of training in this country, yet they disrupt the small amount of machinery that exists to encourage training. The example that we have tonight will encourage employers to adopt bad employment practices, including less training.

The study added:

"Personnel considerations were more salient and the influence of the personnel function had increased."

In other words, according to that study, many managers said that the effect of legislation was to improve the quality of their management, to improve industrial relations and to lessen the amount of conflict in the workplace.

It may be said by some Conservative Members that that study applied to quite large firms — of 50-plus employees — in manufacturing, whereas they had referred to the problems of small firms. Another study was commissioned on that subject. The Department of Employment's research paper No. 6, on the impact of employment legislation on small firms, published in July 1979, having asked small firms a series of detailed questions, stated:

"What general conclusions can be drawn from these factual findings? The results counter the suggestion that the legislation had some massive and widespread effect on small firms. Only 6 per cent. mentioned employment legislation and 2 per cent. health and safety legislation as among the main problems faced by their firms. Less than 9 per cent. mentioned these issues when asked about Government measures that had caused difficulty. When asked directly if employment legislation had affected them, 65 per cent. said it had not. Only 12 per cent. had found particular pieces of employment legislation troublesome when faced with a specific list. Over 60 per cent. believed that the legislation had not made it more difficult to dismiss staff. When firms were asked to explain their labour market behaviour—that is, why they had not expanded their staff as much as would have been expected"—

the whole thrust of the Government's argument is that treating workers in a worse way will lead to more employment—

"only two out of 81 respondents mentioned the Employment Protection Act."

We can proceed to examine the statistics collected by the Department of Employment. An article by Kevin Williams analysing the statistics in considerable detail appeared in the *Industrial Law Journal* in which he examined the figures for 1972 to 1981. He wrote:

"The statistics do not support the popular mythology."

It is the popular mythology, unsupported by the research evidence and unsupported by the statistics, on which the Government are proceeding tonight. They should be

ashamed of themselves. The article went on to comment that since the legislation came into force and statistics were collected

"almost a quarter of a million complaints have been disposed of. Less than 1 per cent. of all employment terminations had gone through the procedures and less than 3 per cent. of all dismissals."

Mr. Cash: To bring matters a little more up to date, does the hon. Lady accept that, of the 10,381 cases which went to hearing, 68 per cent. were dismissed, showing that there was no real substance in the cases?

Mr. Prescott: That question was planted.

Ms. Short: It is interesting to note that after the comments of my hon. Friend the Member for Newcastle-under-Lyme about the civil servants in the Box not passing any notes out the hon. Member for Stafford (Mr. Cash) went over there and was presumably given that profound statistic. Certainly the operation of the legislation has deteriorated and there are fewer findings of unfair dismissal, but that is part of our case rather than the hon. Gentleman's case as fewer and fewer firms are inconvenienced by adverse findings.

Since the Government took power in 1979 and adopted the dogmatic and destructive economic policies from which the country is suffering the number of unfair dismissal claims has increased because when jobs cannot be found and losing one's job may mean prolonged unemployment workers are more likely to pursue their claims. The argument that out of sheer malice unreasonable employees complaining too much and causing great trouble to virtuous employers who are employers who are desperately trying to create jobs for all the poor unemployed is utterly false. There are endless procedures to screen out such cases and heavy penalties can be imposed on any worker acting in that way. Moreover, if costs are awarded against the applicant, that in itself is a serious penalty for a person who has no legal aid and has already lost his job.

Two thirds of all complaints are withdrawn or settled at the conciliation stage and never reach the tribunals which cause all the knee-knocking described by the hon. Member for Langbaurgh (Mr. Holt) in his entertaining contribution. The employee may withdraw his claim or the conciliation process through ACAS may arrive at a settlement acceptable to both sides. The remaining cases go on to the tribunal, where the success rate is one in four and declining.

Who takes cases of unfair dismissal to the tribunal? According to Kevin Williams, in his article "Unfair dismissal: myths and statistics", the majority of complaints are made against small firms with fewer than a hundred workers by non-unionised and relatively poorly paid men in low status jobs whose workmates are frequently disinclined to testify against the employer for fear of jeopardising their own position—a point stressed by my hon. and learned Friend the Member for Leicester, West (Mr. Janner).

Low-paid, non-unionised workers in factories with a higher turnover of labour and poor management practices are the people who will be hurt by this tatty piece of legislation. Women are significantly less likely to complain—a phenomenon only partly explained by the fact that many more women than men work part time, generally have shorter service and so are less likely to be protected by the legislation.

Virtually everyone who has contributed to the debate and brought evidence to the House has torn the proposal to shreds and shown how disreputable it is. The one compliment that I can pay to the Minister is to say that I am sure that he does not believe in this measure—if it is honourable to try to convince the House of something in which he does not believe.

The present law has led to better recruitment practices, grievance procedures and training by firms — all improvements in industrial relations which the Government claim to favour. There is clear evidence that since these measures were introduced there have been fewer cases of industrial action over dismissals which the workers perceive as unfair. There has been a reduction in industrial action because of injustices in the work place — surely we would all be in favour of that. The evidence shows that the legislation does not prevent small or large firms from employing additional staff.

Conservative Members go on talking about the cost. There is a cheap system of insurance against the possible costs incurred by an employee taking action under this legislation. Paul Lewis tells us in the "International Labour Review" that in 1982 a firm with 10 employees could, for an insurance premium of £120 a year, cover itself for the risks involved in a case that might cost up to £30,000 per employee.

It is not that the present law is perfect. I agree with the hon. Member for Langbaurgh that we do not want great formal procedures involving lawyers and masses of expense. We can argue that the legislation has failed in one of its primary objectives—to return to work people who have been unfairly dismissed. Research evidence clearly shows that people who, immediately after they have been dismissed, would deeply like to have their job back may feel three and a half months later, after both sides have attacked each other, that they no longer want it back because the relationship has broken down. I agree with the hon. Member for Langbaurgh that there is room for more conciliation and informal procedures to return people to their jobs.

The present position is not perfect, but the Government's proposals are disgraceful. Part of their great economic strategy for the 1980s and 1990s is sweatshops, low pay, rotten standards of employment practices, lack of training and poor management. That is what the Government are giving us. That is what the Budget was about. This is just a tatty little part of that tatty little strategy.

1.17 am

Mr. Peter Bottomley: By leave of the House, Mr. Deputy Speaker, may I say that the hon. Member for Birmingham, Ladywood (Ms. Short) concluded—I am sorry that she felt it necessary to continue for so long—by referring to the Budget. I believe that the Budget will have a greater impact on employment than this variation order, because it gives direct help to those employing lower paid people as a result of the restructuring of national insurance. It is important to keep our various debates and proposals in perspective.

No one has claimed that this variation of period order will have a massive impact. It may have a significant psychological impact and a direct impact on some people who have faced trying to get rid of an unsatisfactory employee without believing that they had sufficient evidence to justify dismissal. They may be one of those

[Mr. Peter Bottomley]

two thirds of cases which do not come to a hearing, either because of conciliation or withdrawal, or one of the one third of cases that go to a hearing but the application is not upheld. In all these discussions, I caution the House against building too much on what is before it.

Mr. Prescott: The Government have presented no evidence.

Mr. Bottomley: The hon. Gentleman need not interrupt in the few minutes that his colleague the hon. Member for Ladywood has left me. We are dealing with the provision for employers of more than 20 people dismissing someone between the 12th and the 24th month.

Some hon. Members have openly said that they do not believe that there should be a qualifying period. Others are willing to accept that a qualifying period is reasonable. We have heard from the Opposition that, when changes were made in the 1970s, the qualifying period was not eliminated immediately in order to try to carry employers with the idea. That was at least an acknowledgment that employers do have a view to which it is worth paying attention. It is established that there is an impact which should be considered—whether direct or actual, because of the psychological effect.

I think I can still survive the compliments of the hon. and learned Member for Leicester, West (Mr. Janner); we may have to put up with each other for some time yet. He referred to the length of my speech and whether I was reading it too fast or too slowly. I was not too clear—*[Interruption.]* The hon. Member for Kingston upon Hull, East (Mr. Prescott) now says that it does not matter.

At the beginning I was explaining the nature of the provision and the reason for it. I should now like to try to get the House to understand that we are not just talking about employees who are unfairly dismissed. We are talking about employees who are able to put in an application claiming to unfair dismissal and go to an industrial tribunal.

The House will not hear from me tonight a total justification which lines up the Government only behind those employers who feel that they have been unjustly treated by having to answer unfair dismissal complaints. Neither would the House expect me to be concerned only with those employees who presently may have been unfairly dismissed but do not have the possibility of an effective claim for unfair dismissal because they fall within the qualifying period. We want to try to find the right balance. That is what my right hon. Friend said in his press release.

However much scorn Labour Members pour on what the Government are trying to do, they should accept that we are trying to improve the prospects for employment. That is critically important. Although there may be differences of view as to the scale of a change of this kind, the fact that there is likely to be an impact leading to greater employment is not disputed by any of the evidence read out by the hon. Member for Ladywood.

If we were to turn the question the other way round and go through the period when the right hon. Member for Blaenau Gwent (Mr. Foot) was involved in these affairs, he might be able to demonstrate, through research, that there was no impact whatever on employment as a result of a specific change in the qualifying period. But I do not believe that that evidence is there. If one follows the line of Karl Popper, one should not be asking for evidence on something that one cannot actually demonstrate.

I accept the point made by the hon. Member for Greenock and Port Glasgow (Dr. Godman) about the improvements in industrial relations and in training on the management side, also involving shop stewards, together with the fact, mentioned by the hon. Member for St. Helens, North (Mr. Evans) and by other hon. Members, that the number of claims for unfair dismissal is a small fraction of the number of people who lose their jobs. That shows that there is a sense of reality in the outside world, even though we in this House may occasionally lose it when debating issues of this kind. If people were listening to this debate and believing all they heard from the Opposition Benches, one might expect a good many employers to start dismissing people unfairly and wantonly and on a large and growing scale. *[Interruption.]* If the hon. Member for Ladywood thinks that that is what I want, she is flying in the face of some of the compliments that I am surviving from her hon. and learned Friend the Member for Leicester, West.

What the Government are trying to do—I believe rightly—is to recognise the changed circumstances of today, where we have a far greater need to get people into work. Some people in work may need to accept for that one period, between 12 months and 24 months, the reduced provision in regard to making a claim for unfair dismissal. That is the essence of the debate.

Mr. Janner: The Minister has said that there is a reduced provision. Is it not the fact that the Government are removing that provision altogether for that 12-month period?

Mr. Bottomley: As the hon. and learned Gentleman pointed out, people can still make the claim, and the industrial tribunal hearing might have to be put down, although a pre-hearing assessment might remove it. But there are cases which have been brought to my attention of cases involving people who clearly have not qualified through the qualifying period, where an employer has been summoned to attend an industrial tribunal hearing. If the hon. and learned Gentleman is saying that that is wrong, I should be interested to hear from him, but it is the fact. *[Interruption.]* The hon. Member for Ladywood says that it is mad. When she reads *Hansard* I hope she will accept that that sort of experience can discourage an employer from replacing or taking on additional staff. I think that the hon. Lady's research confirms what is said in the document "Burdens on Business"——

Mr. Ron Leighton (Newham, North-East): Why does the Minister defend this mean and despicable measure? Does he not agree that 12 months is sufficient for any employer to assess the capabilities of any employee?

Mr. Bottomley: I am sure that we all welcome the Chairman of the Select Committee to the Chamber. If someone is taken on for a probationary period, and assessment comes within the first year, if that person is near the mark of being an acceptable employee but not quite there, giving him an additional year to demonstrate his capability may keep him in work. That is a simple and direct answer to the hon. Gentleman's question.

There have been comments about the way in which industrial tribunals conduct their affairs, but that is outside

the terms of the debate. However, I am grateful to my hon. Friend the Member for Langbaurgh (Mr. Holt) for putting forward his points in a robust and good-natured way. The fact that he managed to keep Opposition Members unaware of his view on the order, as well as keeping me on tenterhooks, is a tribute to his debating skills. We look forward to debates on the issues that he raised—such as the question whether so many lawyers need to be involved. We may discover that some recent books on industrial tribunal procedure bear some consideration in deciding whether the current system is the most effective. We might also pick up the point about ensuring that some of the tribunal awards are paid and that people do not escape by going bankrupt because awards have been made against them.

The hon. Member for St. Helens, North tried to interrupt my opening speech. I am not sure whether that was because I was not saying what he expected, so he had to rewrite his speech, or whether he was trying to play for time because the Opposition had asked for an additional hour and a half. All the time available has been used by hon. Members, so it is right that my introduction was factual. I commend the order to the House because the balance will be more in favour of encouraging employers to take on more people, without feeling that they may have to face unfair claims for unfair dismissal up to two years after the employee joined the company.

I look forward to a continuation of improvement in industrial relations. I remind the House that the information from many experts is that those businesses that have effective grievance procedures and ensure that they carry them out to the letter will not be at risk from the unfair dismissal provisions in employment legislation.

Mr. Janner: The Minister is wrong.

Mr. Bottomley: If the hon. and learned Gentleman says that I am wrong, perhaps we should have another debate in a few minutes. The fact is that we expect the number of cases to reduce by 4,000 a year, and I believe that future research will show some increase in employment——

It being three hours after the commencement of proceedings on the motion, Mr. Deputy Speaker *put the Question pursuant to Standing Order No. 3 (Exempted business) and order [10 May]:*

The House divided: Ayes 221, Noes 138.

Division No. 211] **[1.28 am**

AYES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Amess, David
Ancram, Michael
Arnold, Tom
Ashby, David
Atkins, Robert *(South Ribble)*
Baker, Nicholas *(N Dorset)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Benyon, William
Best, Keith
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, John
Blaker, Rt Hon Sir Peter
Boscawen, Hon Robert
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Boyson, Dr Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brinton, Tim
Brown, M. *(Brigg & Cl'thpes)*
Browne, John
Bruinvels, Peter
Buck, Sir Antony
Budgen, Nick
Bulmer, Esmond
Burt, Alistair
Butcher, John
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Carttiss, Michael
Cash, William
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clegg, Sir Walter
Cockeram, Eric
Colvin, Michael
Coombs, Simon
Cope, John
Couchman, James
Cranborne, Viscount
Crouch, David
Currie, Mrs Edwina
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Dover, Den
Dunn, Robert
Durant, Tony
Edwards, Rt Hon N. *(P'broke)*
Eggar, Tim
Evennett, David
Fairbairn, Nicholas
Fallon, Michael
Farr, Sir John
Favell, Anthony
Fenner, Mrs Peggy
Finsberg, Sir Geoffrey
Fookes, Miss Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Marcus
Franks, Cecil
Fraser, Peter *(Angus East)*
Freeman, Roger
Fry, Peter
Gale, Roger
Galley, Roy
Gardiner, George *(Reigate)*
Goodhart, Sir Philip
Greenway, Harry
Gregory, Conal
Griffiths, Peter *(Portsm'th N)*
Ground, Patrick
Hamilton, Hon A. *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth
Harris, David
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hawkins, Sir Paul *(SW N'folk)*
Hawksley, Warren
Hayes, J.
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Henderson, Barry
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Hunt, David *(Wirral)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Jackson, Robert
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(W Herts)*
Kellett-Bowman, Mrs Elaine
King, Roger *(B'ham N'field)*
King, Rt Hon Tom
Knight, Gregory *(Derby N)*
Knight, Mrs Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Norman
Lang, Ian
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lilley, Peter
Lloyd, Peter, *(Fareham)*
Lord, Michael
Lyell, Nicholas
McCrindle, Robert
McCurley, Mrs Anna
MacKay, Andrew *(Berkshire)*
MacKay, John *(Argyll & Bute)*
Maclean, David John
McNair-Wilson, P. *(New F'st)*
McQuarrie, Albert
Madel, David
Major, John
Malone, Gerald
Maples, John
Marland, Paul
Marlow, Antony
Marshall, Michael *(Arundel)*
Mather, Carol
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Meyer, Sir Anthony
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Mills, Sir Peter *(West Devon)*
Miscampbell, Norman
Mitchell, David *(NW Hants)*
Moate, Roger
Montgomery, Sir Fergus
Morris, M. *(N'hampton, S)*
Morrison, Hon C. *(Devizes)*
Moynihan, Hon C.
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Newton, Tony
Nicholls, Patrick
Normanton, Tom
Norris, Steven
Oppenheim, Phillip
Osborn, Sir John
Ottaway, Richard
Page, Richard *(Herts SW)*
Parkinson, Rt Hon Cecil
Parris, Matthew
Patten, Christopher *(Bath)*
Pattie, Geoffrey
Pawsey, James
Percival, Rt Hon Sir Ian
Pollock, Alexander
Portillo, Michael
Powell, William *(Corby)*
Powley, John
Price, Sir David
Proctor, K. Harvey
Raffan, Keith
Rathbone, Tim
Rhys Williams, Sir Brandon
Robinson, Mark *(N'port W)*
Rossi, Sir Hugh
Rowe, Andrew
Ryder, Richard
Sackville, Hon Thomas

Sainsbury, Hon Timothy
Smith, Sir Dudley *(Warwick)*
Speed, Keith
Stanbrook, Ivor
Stevens, Martin *(Fulham)*
Stokes, John
Taylor, John *(Solihull)*
Tebbit, Rt Hon Norman
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Viggers, Peter
Walden, George
Walker, Bill *(T'side N)*
Wall, Sir Patrick
Wardle, C. *(Bexhill)*
Wilkinson, John
Yeo, Tim

Tellers for the Ayes:
Mr. Tristan Garel-Jones and
Mr. Michael Neubert.

NOES

Archer, Rt Hon Peter
Ashdown, Paddy
Ashton, Joe
Atkinson, N. *(Tottenham)*
Bagier, Gordon A. T.
Banks, Tony *(Newham NW)*
Barnett, Guy
Beckett, Mrs Margaret
Bell, Stuart
Benn, Tony
Bermingham, Gerald
Bidwell, Sydney
Boyes, Roland
Brcy, Dr Jeremy
Brown, Gordon *(D'f'mline E)*
Brown, Hugh D. *(Provan)*
Brown, N. *(N'c'tle-u-Tyne E)*
Brown, R. *(N'c'tle-u-Tyne N)*
Campbell-Savours, Dale
Canavan, Dennis
Clark, Dr David *(S Shields)*
Clarke, Thomas
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S.)*
Cohen, Harry
Concannon, Rt Hon J. D.
Cook, Frank *(Stockton North)*
Cook, Robin F. *(Livingston)*
Corbyn, Jeremy
Cowans, Harry
Craigen, J. M.
Crowther, Stan
Cunliffe, Lawrence
Dalyell, Tam
Deakins, Eric
Dewar, Donald
Dixon, Donald
Dobson, Frank
Dormand, Jack
Dubs, Alfred
Dunwoody, Hon Mrs G.
Eadie, Alex
Eastham, Ken
Evans, John *(St. Helens N)*
Ewing, Harry
Fatchett, Derek
Fisher, Mark
Foot, Rt Hon Michael
Forrester, John
Fraser, J. *(Norwood)*
Freeson, Rt Hon Reginald
George, Bruce
Godman, Dr Norman
Golding, John
Hamilton, James *(M'well N)*
Hamilton, W. W. *(Central Fife)*
Hardy, Peter
Harrison, Rt Hon Walter
Holland, Stuart *(Vauxhall)*
Home Robertson, John
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Hughes, Sean *(Knowsley S)*
Janner, Hon Greville
John, Brynmor
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kilroy-Silk, Robert
Kirkwood, Archy
Lamond, James
Leadbitter, Ted
Leighton, Ronald
Lewis, Ron *(Carlisle)*
Lewis, Terence *(Worsley)*
Litherland, Robert
Lloyd, Tony *(Stretford)*
Loyden, Edward
McCartney, Hugh
McDonald, Dr Oonagh
McKay, Allen *(Penistone)*
McKelvey, William
MacKenzie, Rt Hon Gregor
McNamara, Kevin
McTaggart, Robert
McWilliam, John
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael
Maxton, John
Maynard, Miss Joan
Meacher, Michael
Meadowcroft, Michael
Mikardo, Ian
Millan, Rt Hon Bruce
Miller, Dr M. S. *(E Kilbride)*
Nellist, David
Oakes, Rt Hon Gordon
O'Neill, Martin
Park, George
Parry, Robert
Patchett, Terry
Pavitt, Laurie
Penhaligon, David
Pike, Peter
Powell, Raymond *(Ogmore)*
Prescott, John
Radice, Giles
Randall, Stuart
Redmond, M.
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Roberts, Ernest *(Hackney N)*
Robertson, George
Robinson, G. *(Coventry NW)*
Rooker, J. W.
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Short, Ms Clare *(Ladywood)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, C.*(Isl'ton S & F'bury)*
Soley, Clive
Spearing, Nigel
Strang, Gavin
Thomas, Dr R. *(Carmarthen)*
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Tinn, James
Wallace, James
Wardell, Gareth *(Gower)*
Weetch, Ken
Welsh, Michael
Williams, Rt Hon A.
Winnick, David
Wrigglesworth, Ian
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Robin Corbett.

Question accordingly agreed to.

Resolved,

That the draft Unfair Dismissal (Variation of Qualifying Period) Order 1985, which was laid before this House on 17th April, be approved.

Thorpe Hospital

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Lennox-Boyd.]*

1.38 am

Mr. Jack Dormand (Easington): I make a plea for the retention of maternity services at Thorpe hospital knowing that there is an overwhelming case for it. Not least is the fact that the hospital enjoys the full confidence of the people of the area. That confidence is based on several factors that I shall develop, but I mention it first because we are often told by the Government that elected or appointed bodies must listen to the voice of the people. In the case of Thorpe, it appears that the responsible bodies are completely ignoring that voice.

In all my 15 years as the hon. Member for Easington, I have never known such concern and enthusiasm about a local issue. In letters, at meetings and on the streets I am constantly asked, "What on earth are they doing, talking about closing our hospital?" The action committee set up to campaign against the closure and with which I work closely, is a dedicated and knowledgeable group of local people who are doing magnificent work in defending the hospital. They are receiving the wholehearted support of the community.

The official documents relating to the hospital talk about it being "isolated". I never cease to wonder about the people who write such reports. The hospital could not be more central for the area that it serves. Many of the expectant mothers walk to it. Buses pass it. No car journey to it is longer than 10 minutes. I live half a mile from it, so I need no instruction from anyone about its location in relation to the people who use it.

It is proposed that the maternity services be transferred to Sunderland and Hartlepool. Those towns are 10 miles away from most of the population, and the bus services to them are not very convenient. Indeed, some are highly inconvenient. I need hardly add that there would be considerable extra expense in getting to both those towns and, of course, we are talking not just about expectant mothers, but about families and friends visiting them. Those distances and the inconvenience would also inevitably be a deterrent to attendance at ante-natal clinics. Surely that is of considerable importance, too.

Some of my constituents argue that the greater distances constitute an element of danger. That point cannot be denied. I hope that the Minister will agree with that. It may not be a major point to most people, but if there were to be any tragic happenings because pregnant women did not arrive at the hospital on time, it would be a major treagedy for the people concerned.

The Parliamentary Under-Secretary, the hon. Member for Oxford, West and Abingdon (Mr. Patten), referred to geographic factors when replying to a debate raised by his hon. Friend the Member for Harborough (Sir J. Farr) in March this year, and drew support from the view shown by the Maternity Services Advisory Committee. Saying that the Government's view, by and large, is that women should be encouraged to have their babies in the larger and properly staffed consultant units of district general hospitals, the Minister went on to say

"However, the committee recognised that in some localities geographic factors will require the availability of what is termed 'isolated' maternity units, and recommended that such units, where geographic factors were a powerful influence on the provision of health care, should be equipped to a standard to cope with any of the complications that might have to be dealt with on site."—[*Official Report*, 9 January 1985; Vol. 70, c. 881.]

If the Minister and the Department believe that, Thorpe hospital, for the reasons that I am now giving, epitomises the circumstances envisaged in that report.

I refer to the hospital itself. In my opening remarks I said that it enjoyed the full confidence of the people of the district. There are several reasons for that. One is the high standard of care and the happy family atmosphere that is a feature of it.

Anyone who visits the hospital cannot help being struck by that atmosphere. It arises from the dedication and the deep care continually displayed by the staff. Everything possible is done by them to provide the security that is so important at such times.

There was an interesting incident when I last visited the hospital. I spoke to a constituent who had just been delivered of her baby and asked if everything was satisfactory. She replied, "This is my seventh baby born here. I would not have been here if I did not think that everything would be all right." No words of mine can be more eloquent or convincing than those in seeking to justify the continuance of Thorpe hospital.

There is universal praise for the hospital. The campaign to retain it has now lasted for well over a year, and it is literally true to say that no person or organisation has spoken out in support of closure, in spite of claims by the health authorities and the consultants that the alternative proposals will provide a better service.

One of the most heartening and surprising letters of support came from the clergymen of the area. I wonder whether the Minister has ever received a letter from the clergymen of his area. This is an unusual step for them to take, and is a measure of the strength of feeling in the district. Perhaps more importantly, the doctors of the area support the retention of the hospital and are completely opposed to its closure.

The area served by the hospital is covered by parts of three health authorities. It must surely be of some significance that none of the three community health councils supports the proposed closure. When the Minister replies, will he say how much importance the Government place on the views of community health councils which, after all, are the patients' watchdogs?

There is a widespread view in my constituency that the closure is being pressed for the convenience of the consultants, who must travel to the hospital. No one appreciates more than I the splendid work done by the consultants over the years, but, having regard to the strength of the case for retaining maternity services at Thorpe, there may well be some substance in that view. I hope that the Minister will take due note of that point. At a meeting with the consultants which I organised some months ago, I told them of that view.

One consultant said that he would welcome an extension at his hospital, but went on to say:

"If Thorpe is to close it would be jolly hard luck on the residents of the area".

That is an astonishing statement for a consultant to make. The quotation is taken from a local newspaper. It received widespread publicity, so I assume that it was a correct report of what he said.

Thorpe hospital has about 1,000 births a year. On 13 June last year, in a written answer to my question, the Minister listed the maternity hospitals and maternity wings

[Mr. Jack Dormand]

which had been closed from 1979 to 1983, together with the average number of deliveries in each of them for the previous three years. Of the 46 hospitals named, only eight had more births than Thorpe, and from their location I suspect that the circumstances in most were very different from those in my own area. I can understand closures where the number of births were as few as 20, 47, 46, 73, 69, 98 or even more—I have quoted those figures from the Minister's answer — but those figures are very different from 1,000.

The Thorpe work load, if I can so describe it, allied to all the other factors I have mentioned, make the position very different from the closures mentioned in the written answer to me. The argument is that expectant mothers will be given a better and safer service at Sunderland and Hartlepool, and I expect the Minister to make that the main thrust of his reply. It will be necessary, however, to spend a considerable sum of money to bring the other two hospitals up to the required standard. The total capital and revenue costs at Sunderland will be £1,232,039 and at Hartlepool £498,250. Those are the official figures. If it is felt that there is a problem at Thorpe—and I do not accept that there is—a simple solution would be to spend the total of those two sums, £1,730,289, on Thorpe hospital. I assure the Minister that I am not being naive in suggesting that. In considering whether any hospital should close, it is essential to take all the factors into consideration, and I have described the merits of this hospital.

Had there been a high mortality rate at Thorpe, I would have been among the first to urge its closure. I understand that the mortality rate at Thorpe is 2·5 per 1,000 births. That cannot be regarded as a dangerous figure. I think I am correct in saying that it is below the average. I was informed yesterday that one of the most difficult births, a twin caesarean, was carried out recently without any problems. That is a tribute to both staff and facilities and is yet further evidence of the strength of the case for the retention of the hospital.

If there is any inadequacy or danger in regard to the medical aspects, we have yet to see the evidence of it. The confidence of expectant mothers in Thorpe and the difficulties associated with travelling to Sunderland or Hartlepool are giving rise to the very disturbing view, which has been expressed to me on several occasions, that expectant mothers will choose to have their babies at home. That would probably happen in some cases. I am sure the Government would deprecate such a development. I hope that the Minister will consider the seriousness of such a possibility.

When there is controversy about a proposal to close a hospital, the decision has to be taken by the Minister. I assure him that there is the utmost controversy in this case. I hope that he will listen to those who oppose the closure. By any objective standard, the case for retention could not be stronger. I would welcome the opportunity at an appropriate time to talk to the Minister in greater detail than is possible in a debate of this kind. I do not wish to praise a Tory Minister too much, but I have always found the Minister to be fair, if somewhat robust on occasion, and certainly open-minded. I know that he will give full consideration to the case that I have made tonight.

1.53 am

The Minister for Health (Mr. Kenneth Clarke): I congratulate the hon. Member for Easington (Mr. Dormand) on his success in obtaining an Adjournment debate and on the way in which he has put the case for his constituents in raising the controversial proposal to close a hospital which serves his constituency. I listened with great interest to all that he said. Certainly if he would like to come to see me at a more formal meeting and expand his arguments, I shall await that with interest. I shall arrange such a meeting and suspend judgment on the matter until I have heard his full arguments.

The hon. Gentleman has made it clear that his principal concern is about the maternity services for his constituency. He is extremely assiduous in pursuing his constituency interests in matters of this kind. No doubt he shares the objective of everybody in the Health Service of making sure that in his constituency, as elsewhere, child birth is made both safe and a very rewarding time for mothers and mothers-to-be. Every health authority strives to ensure that, but every authority must at all times ensure that the care that it is providing at any given time is in line with the best modern practice. It has to review its maternity services to ensure that it is keeping up with the best and most up-to-date standards.

The proposal that the hon. Gentleman has raised is still subject to consultation. At this stage I am not sure that it will come to me for my decision. In many ways I prefer these matters to be determined locally.

I hope that the hon. Gentleman will forgive me if I begin by making some general remarks. Decisions must be based on the best kind of maternity care for a locality. The general issues between the wishes of the consultants and the obstetricians and the local population and mothers-to-be are frequently raised when proposals are made that involve small maternity hospitals. Anyone with any responsibility must ensure that, above all, the position of mothers-to-be and their babies is protected. Their safety and health must be ensured to the greatest possible degree.

There have been many inquiries into perinatal and neonatal mortality in recent years. It was the subject of a major inquiry that was undertaken first by the Expenditure Committee and subsequently continued by the Social Services Committee between 1978 and 1980. The Committee's report and the Government's reply were both published in 1980. They were the subject of a debate on 5 December 1980, when the Committee's Chairman, the hon. Member for Wolverhampton, North-East (Mrs. Short), highlighted the different questions that the Committee had attempted to resolve.

The Committee considered at length all the matters which might be linked with Britain's comparatively high natal mortality rates. It considered especially the importance of places of birth and the facilities available. After taking extensive evidence, both professional and from consumer groups, it came to the view that

"an increasing number of mothers should be delivered in large units; that selection of patients should be improved for smaller consultant units and isolated general practitioner units; that home delivery should be phased out further."

That is to be found in the second report of the Social Services Committee 1979-80.

We set up the Maternity Services Advisory Committee, to which the hon. Gentleman referred. Its second report on care during child birth was published in January 1984. The committee came to basically the same view as the Social

Services Committee, that by and large an increasing number of mothers should be delivered in large units. The committee recognised that in some localities geographical factors required the availability of so-called isolated maternity units. It recommended that these should be equipped to a standard to deal with the complications that may have to be dealt with on site. As a Government, we commended the reports of the advisory committee and distributed them widely within the NHS and to the appropriate professional and lay organisations.

In July 1984, the Select Committee on Social Services published its follow-up report and recommended that the

"DHSS should do more to encourage regions, in the light of the evidence available to them, to rationalise their maternity services in order to promote better standards of care as well as economy".

In our reply to that in October 1984, the Government agreed that it was important for health authorities to look for rationalisation to improve maternity services and to redirect resources. A number of factors need to be taken into account when authorities consider doing this, including first, and most important of all, the view of users of the service, followed by the use made of different units, the need for units at particular locations because of social or geographical factors, the safety record of each maternity unit and the availability of medical cover and ambulance services for the transfer of emergencies.

There is no absolute prescription for all localities. It is not possible to lay down rules which all authorities should follow when reaching a decision either to concentrate maternity services on major sites or to retain the popular smaller, local units.

I mention these facts to demonstrate that local authorities have been encouraged to rationalise their services and to consider locating them in larger hospitals where all the emergency services are readily to hand not only by the Government but by the Select Committee on Social Services and by every advisory committee that has looked at maternity services.

Although there are no absolute rules, it is not surprising that authorities all over the country are looking at their services and trying, I hope, to strike a balance. They have to pursue the objective of reducing the perinatal mortality and handicap figures and improving the safety of the service that they provide. All considerations of that kind must lead them to consider the possibility of concentrating their maternity services on those sites where emergency facilities are most readily to hand. I hope that in doing so they will try to strike a balance, because authorities must keep constantly in the back of their minds how far the concentration of staff and resources in large hospital units matches the needs and wishes of the mothers who use those services.

In recent years emphasis has been placed upon improving the safety of maternity services. The effect has been dramatic. There has been a fall in perinatal mortality rates from 15·4 per cent. deaths per 1,000 births in 1978 to 10·3 per cent. in 1983. That is the result of the efforts of all the staff involved in maternity care in the National Health Service.

While great emphasis must be placed on safety, we must also remember the importance of providing a service that is satisfactory to the mothers. Therefore, I welcome the growing awareness among National Health Service professionals that, while the new technology and better clinical procedures which have led to safer maternity services must continue to be improved, they must not abandon the traditional, natural birth and all the basic human values that are implicit in childbirth. I believe that it is possible to develop the new general hospital units in such a way that they remain just as friendly and sympathetic places for mothers-to-be as the smaller units which, as we know, enjoy a great deal of local support.

I turn from those generalities to the specific proposal to change the use of Thorpe hospital. As the hon. Member for Easington knows, Thorpe hospital is about 11 miles from Sunderland, just south of Easington. It draws its patients from an area covered by the Sunderland, Hartlepool and Durham health authorities and provides 49 beds on its three wards. In addition, eight clinics are held at the hospital each week. But the distance of the hospital from the main maternity unit at Sunderland general hospital causes difficulties. The consultant obstetricians working at Thorpe have their duties split between two units. I am sure that the hon. Gentleman appreciates that the difficulties which are caused are not just those relating to convenience for consultants but those connected with the best and most efficient use of their time, the ability to cater for the needs of all their patients and the need to be readily available at all times.

The hon. Gentleman does not agree that Thorpe hospital is isolated, but it is relatively distant from the remainder of the Health Service facilities and that presents a problem with the availability of anaesthetist cover. It means, for example, that epidural anaesthesia cannot be given. It also makes it difficult to provide proper paediatric back-up services.

As I understand it, most babies requiring special care facilities are transferred from Thorpe hospital to Sunderland general hospital. It is only there that such facilities can be provided. Those are the reasons that have caused the Sunderland health authority to propose the centralisation of its maternity inpatient services at Sunderland district general hospital. At the same time, Hartlepool district health authority proposes to extend its maternity inpatient facilities at Cameron hospital.

At Sunderland, by upgrading vacant wards at the district general hospital, the health authority aims to provide more obstetric beds on that site and at the same time to upgrade its delivery rooms. The plans would provide the inpatient facilities currently at Thorpe hospital in much improved accommodation, with experienced staff available full-time. Full anaesthetic and paediatric back-up services would be on hand for all deliveries, together with the supporting pathology and radiology services, which are not available at Thorpe. For its part, Hartlepool health authority plans to accommodate patients from its area by making minor adaptions and improvements at Cameron hospital.

I accept that one reasonable reaction of people living in Easington is that travelling to hospitals in Sunderland and Hartlepool is inconvenient. I have no doubt that they will balance that inconvenience against the proposal that patients will receive better care, that fully trained, experienced staff will be continually on hand and that a fully equipped unit will be available.

As the hon. Member will know, it is intended that the outpatient clinics would continue to be provided in the Peterlee-Easington area. For most people attending these clinics there will be no change, as they would continue to be held at Thorpe. However, one gynaecological clinic would be transferred to Ryhope general hospital and the

[Mr. Kenneth Clarke]

frequency of sessions held locally at Peterlee health centre increased from fortnightly to weekly. Discussions are taking place among the three health authorities on the future of services. The most important point is that they are consulting about their proposals. I must see what the public reaction to the consultation is. I have to see what the community health councils say about the proposals. I attach importance to their reactions. If they disagree, the proposals will come to me for a decision.

I assure the hon. Gentleman that I shall consider the proposals entirely on their merits. I shall agree to any contentious closure proposals only if I am satisfied that on balance the interests of the service and the patients are enhanced. I take on board his reaction. He has already reacted adversely. He plainly has his constituents' interests at heart. When I meet him next, whether he comes on his own or with a deputation, I shall listen with great care to his reservations. If the proposal comes to me as contentious I shall weigh up the matter carefully before any final approval is given.

Question put and agreed to.

Adjourned accordingly at eight minutes past Two o'clock.

House of Commons

Thursday 16 May 1985

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

HARROGATE STRAY BILL

SCARBOROUGH BOROUGH COUNCIL BILL

HASTINGS PIER BILL

STREATHAM PARK CEMETERY BILL

Read the Third time, and passed.

GREATER LONDON COUNCIL (GENERAL POWERS) BILL *(By Order)*

Order for Second Reading read.

To be read a Second time upon Thursday 23 May at 7 o'clock.

LINCOLN CITY COUNCIL BILL *(By Order)*

Order for Second Reading read.

To be read a Second time upon Tuesday 21 May.

YORKSHIRE WATER AUTHORITY BILL *(By Order)*

Order for Second Reading read.

To be read a Second time upon Thursday 23 May.

ROYAL HOLLOWAY AND BEDFORD NEW COLLEGE BILL *[Lords] (By Order)*

Read a Second time, and committed.

Oral Answers to Questions

AGRICULTURE, FISHERIES AND FOOD

Cereals

1. **Mr. Fallon** asked the Minister of Agriculture, Fisheries and Food what is the total cost to public funds of supporting cereal prices in the current financial year.

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. John MacGregor): It is estimated that support for the cereals market will cost the Community 2,325 mecu in 1985.

Mr. Fallon: Is that not a scandalous waste of public resources? Does my hon. Friend agree that, besides encouraging price restraint, it is now imperative to reduce or transfer the cost of disposing and storing the lower quality grains?

Mr. MacGregor: My hon. Friend will know that at present we are debating the price review negotiations for this year, and a key part of the United Kingdom's approach has been to urge the maximum application of the guarantee threshold to cereals. The reason for that is to reduce the cost of support altogether.

Mr. Torney: Instead of wasting money on cereals in this way, will the Minister seriously consider sending cereals completely free of charge to the starving nations of Africa, such as Ethiopia, and to other parts of the world where people are starving? It may cost more money, but at least it would save starving people.

Mr. MacGregor: The Community is embarking on a major programme of food aid in relation to cereals this year, and the British Government have been taking a lead. There was a fairly large programme last year. However, to think that that is a way of disposing of surpluses and of dealing with that problem is the wrong approach. The real need is to get the cereal support price down. Simply to dispose of all surpluses free of charge would cost a great deal more than the figure that I gave.

Mr. Harris: My hon. Friend referred to the talks going on now in Brussels. Does he agree that today's news from Brussels is absolutely disastrous, that Britain's efforts to try to bring about price cuts in cereals have gone out of the window, and that we shall merely store up bigger trouble and surpluses if the rest of the Community has its way?

Mr. MacGregor: We cannot say that the news is disastrous, because we do not yet know what it is. The negotiations are continuing. It is true to say that the full application of the guarantee threshold will not be negotiable this year, but price restraint is the main item on the table for dealing with cereals this year, and we have allies in our approach to getting price reductions in cereals.

Mr. John: What is the likely carry-over of cereals in storage in the United Kingdom this year and next year if, as many forecast, there is another bumper cereal harvest this summer? Does the Minister think that taxpayers' patience can be stretched as much as storage facilities to harbour such unwanted grain?

Mr. MacGregor: It is difficult to say what the carry-over will be, but there will clearly be one. The hon. Gentleman will know that the United Kingdom has had considerable success in exporting grain this year—a total of about 4·6 million tonnes. However, I do not disguise the fact that the size of the cereal surpluses is a major problem. It is one of the main discussion points—indeed, one of the main stumbling blocks—in the present negotiations.

Research and Development

2. **Mr. Jackson** asked the Minister of Agriculture, Fisheries and Food how the amount of money spent on research and development in the United Kingdom agriculture industry per £100 of income compares to other European countries.

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mrs. Peggy Fenner): Although only partial information is available, it is clear that expenditure on publicly funded agricultural research in relation to farm income in the United Kingdom compares favourably with that in other European countries.

Mr. Jackson: I thank my hon. Friend for that helpful reply. She will be aware of the controversy surrounding the statements on this subject in the annual review of research and development published by the Government last year. Does she agree that such uncertain comparisons are an inadequate basis for making Government decisions?

Mrs. Fenner: There are many alternative measures on which to base comparisons, and different bases produce different results. However, it is clear that United Kingdom agricultural R and D has been well supported and that, even after reduction, it will stand comparison with that of our competitors.

Mr. Kennedy: Will the Minister concede that that statement will sound extremely hollow once the Government implement the full cuts that they propose in the general research, advisory and scientific programme, especially in Scotland, where so much of the territory for farming is in less-favoured areas, such as the Highlands? As this reduction, following the reduction in capital grants, will have a severe effect on farming, will the Government rethink the policy?

Mrs. Fenner: The hon. Gentleman exaggerates. There is no reduction in 1985-86, and the planned expenditure for 1986-87 will be reduced by £10 million, of which the Ministry's share will be about £8·25 million, within the general research, advisory and scientific programme. We should remember that the national spend for research and development on agriculture, fisheries and food was £204 million, of which agriculture spent £160 million. That puts the reduction in perspective.

Mr. Lyell: When my hon. Friend examines future spending on research, will she remember how cost-effective it can be? The National Institute of Agricultural Engineering has developed the Paraplough, the Dynodrive cultivator and the hay mower/conditioner, which have helped the turnround in our exports of agricultural engineering products. Is this not money well spent?

Mrs. Fenner: We have asked the Priorities Board for Research and Development in Agriculture and Food to advise us, and it will undoubtedly advise on the wise use of resources to which my hon. and learned Friend referred. It would not be helpful to speculate on the outcome of that advice.

Mr. John: When will the staff at the scientific and research establishments know their fate? Does the hon. Lady agree that the fact that the priorities board has not yet said where even one cut will fall is liable to cause the maximum uncertainty and, therefore, anxiety in research establishments?

Mrs. Fenner: The Agricultural and Food Research Council is our major contractor for commissioned work, and we are working closely in collaboration with it. It is represented on the priorities board.

Price Review

3. **Mr. Maclennan** asked the Minister of Agriculture, Fisheries and Food if he will make a statement on the progress of the price fixing negotiations in Brussels.

8. **Mr. Latham** asked the Minister of Agriculture, Fisheries and Food what is the latest position regarding the Common Market price negotiations.

Mr. MacGregor: My right hon. Friend the Minister of Agriculture, Fisheries and Food and I are currently attending the Council of Ministers in Brussels, from which I have just returned, and where negotiations continue. That is why my right hon. Friend is unable to be here this afternoon, and he apologises to the House for his absence. They are proving to be exceptionally difficult and protracted negotiations. A main stumbling block continues to be Germany's attitude to the proposed cuts in CAP support prices for cereals.

Mr. Maclennan: Is not the damaging delay in reaching agreement on prices due to the fumbling ineptitude of the Government in failing to prepare the ground adequately and sufficiently in advance, and especially in failing to recognise that across-the-board institutional cuts at a level which the Government have been pursuing are unlikely to be achieved and will only alienate our Community partners? Does the Minister agree that the only hope of reducing expenditure while maintaining farm incomes equitably is through quantitative restrictions on price support for cereals, as on milk?

Mr. McGregor: Obviously we would have preferred and earlier settlement, and we have urged all the way through for a settlement as quickly as possible. I hope the hon. Gentleman will agree that it is more important to have a delayed settlement that is right than a hasty settlement that is wrong.

The hon. Gentleman is wrong to say that the United Kingdom Government have not been preparing the ground for the cereals negotiations. We have been taking the lead on many of the major issues in these negotiations, and in particular we have argued for price cuts.

I do not understand the hon. Gentleman's point about alienating our Community partners. We are getting increasing support for our approach to price reductions on cereals, but we have to face the fact that many member states have a different view.

Finally, it has become clear in the debates that a considerable number of important member states are totally opposed to quotas for cereals.

Mr. Latham: Is my hon. Friend aware of the disturbing rumours from the Milk Marketing Board that the 1 per cent. cut in the co-responsibility levy might not be achieved after all? Will he assure our totally frustrated milk farmers that in these negotiations he will insist on that cut?

Mr. McGregor: I assure my hon. Friend that we are battling extremely hard for United Kingdom interests, of which this is one. One or two member states have been urging a delay in the reduction of 1 per cent. in the co-responsibility levy, but we have been resisting that strongly.

Mr. Weetch: The Minister said that one of the points of contention was the price of cereals. Does he realise that artificially high prices for cereals have caused enormous environmental damage to the country? Will our negotiators do all that they can to persuade the EEC that it would be far better to devote some of the money to an integrated countryside policy than to propping up grain prices and creating surpluses that nobody can buy?

Mr. McGregor: The hon. Gentleman should recall that the United Kingdom Government, initially on their own, took the lead in getting a conservation and

environmental element into the Community proposals on the structure programme. We have gradually got more support.

Mr. Watson: Does my hon. Friend agree, at least in principle, that any attempt to reduce the present cereal surplus by means of price restraint alone would inevitably involve substantial reductions in price, the main burdens of which would fall upon the more marginal grain producers, such as those in Yorkshire and the south-west?

Mr. MacGregor: It is difficult to give the House any final sign of what is happening in the negotiations, because they shift from time to time and the package changes as the negotiations proceed. Although price reductions are the main element in what both the Commission and a considerable number of member states are urging this year, there are other ways in which cereal problems can be dealt with, including the proposal to drop the breadmaking wheat premium, which is currently being negotiated, and one or two other matters, such as changes in the carry-over payments, which would also have an effect.

Mr. Deakins: What is the size of the gap between the cost of the Commission's original proposals for 1985 and the upper limit under the financial guidelines for agricultural expenditure?

Mr. MacGregor: For 1985, the limit, I think from memory, is 29,955 billion ecu. The current proposals are within that. There has been general agreement, very much at our insistence, that any other proposals now being considered will be financially neutral. In other words, at the end of the day we should stay within that limit.

Sir Hector Monro: Contrary to the views of the hon. Member for Caithness and Sutherland (Mr. Maclennan), will my hon. Friend accept that most of us agree that my right hon. Friend the Minister of Agriculture, Fisheries and Food and his team are doing a first-class job in Brussels? Secondly, does he agree that if there is any one issue over which my right hon. Friend should succeed, it is maintaining the beef premium to livestock farmers in the west and the north?

Mr. MacGregor: I am grateful to my hon. Friend. He will know that there are many other issues, besides surpluses, of great importance to us in these negotiations, and one of them is the beef variable premium scheme. The House knows that every year we have a problem even getting that subject on to the table. We are making considerable progress, largely because of tremendous efforts by my right hon. Friend, but it is too early to predict the outcome.

Mr. Nicholson: Have the Minister and his right hon. Friend accepted the compromise proposal put forward in the negotiations to allow the Republic of Ireland an additional 58,000 tonnes of milk this year as a retrospective adjustment for last year? Does the hon. Gentleman recognise that many of us would not find that compromise acceptable? Will he bear in mind the serious position of Northern Ireland dairy farmers vis-à-vis their counterparts in Great Britain?

Mr. MacGregor: It is difficult to comment with any finality on what is happening in Brussels. For all I know, the compromise proposals may be changing at this very minute. The Irish Government have argued that there was a statistical mistake in quotas last year and have pressed for an additional 58,000 tonnes. They appear to have the support of nearly every other member state. We have made it clear that we are very much opposed to that, but I cannot predict the outcome.

Mr. Marlow: Will my hon. Friend take this opportunity to make it absolutely clear that there is not a significant cut in cereal prices this year? Is it not patently obvious to everyone that there will not be any proper reform of the CAP, and that in those circumstances the Government would not dream of coming to the House and asking for an increase in own resources for the European Community?

Mr. MacGregor: It is important to bear in mind that the figure of 19,955 million ecu—not 29,955 billion ecu as I said earlier; I expect that tiredness caused me to get it wrong—is the one to which we are working in the negotiations. We are determined to ensure that the financial agreements in the package are honoured.

Mr. John: What are the latest proposals for the sheep variable premiums? Is the ceiling originally proposed by the Commission still being maintained, and does the Minister accept that the success or failure of the talks will be measured by what happens on cereals?

Can the hon. Gentleman confirm certain figures? On production last year, would not an 8 per cent. reduction in the guarantee threshold be justified? The Government cut the figure to 5 per cent. because of the legal limitations in the CAP. The Commission originally proposed a figure of 3·6 per cent., but its current proposal is for a cut of less than 2 per cent.—which is less than one quarter of that which would be justified by the amount of grain grown in the CAP during the past year. Would it not be a total dereliction of duty if the Council of Ministers agreed to that?

Mr. MacGregor: On sheepmeat, I hope that the hon. Gentleman will forgive me if I say that a number of issues are still being discussed, and that is a rather important element of the final stages of the negotiations.

The limit on the guarantee threshold for cereals was negotiated three years ago, when it was agreed to have a ceiling in any one year of 5 per cent. That is why we had to argue for 5 per cent., although 8 per cent. would have been the figure had there not been a ceiling.

We have been taking a strong position on cereals during the negotiations. However, it is necessary to have the support of a sufficient number of other member states and the Commission to achieve any given figure. I believe that our firm stance has led to the whole question of where the cereals figure ends up being still very much in debate. As the hon. Gentleman knows, there are member states that would like to have no reduction at all.

Exports

5. **Sir Peter Mills** asked the Minister of Agriculture, Fisheries and Food if he will take steps to allow greater freedom for United Kingdom exporters to export their products throughout the European Community.

Mrs. Fenner: The Government continually seek to ensure that our exporters of agricultural and food products can compete on fair terms in markets throughout the European Community.

Sir Peter Mills: While understanding what my hon. Friend is saying, and bearing in mind that there are problems with milk imports and disease, may I ask whether she agrees that it is about time we made a determined effort to have far more freedom and to stop all the restrictions on British food exports to the Community — especially the clawback on beef, and even the sheepmeat regime? Is it not about time that the subsidy that the Republic of Ireland is receiving for its exports to this country was ended?

Mrs. Fenner: My hon. Friend will have heard my hon. Friend the Minister of State comment on the Eire position. Exports have risen since the sheepmeat regime was introduced and they are now back to the level of the mid-1970s. I agree that the clawback still inhibits us from taking full advantage of what should be a common market, and we are continuing to press for improvements.

Liquid Milk

6. **Sir Anthony Meyer** asked the Minister of Agriculture, Fisheries and Food when he expects a decision from the European Court on the dispute over the importation of fresh liquid milk into the United Kingdom from the continent.

Mr. MacGregor: If the Commission application to the court goes ahead in accordance with its recent announcement, I would expect a decision in about a year.

Sir Anthony Meyer: Will my hon. Friend continue his heroic efforts, by every legal means open to him, to prevent this importation? Will he bear in mind, however, that the United Kingdom stands to gain more than any other member of the Community from the strict application of the rule of law within the Community? Will he remember that the doorstep delivery of milk has an importance going well beyond the dairy industry? Will he, therefore, consult his Government colleagues to ensure that our system of doorstep delivery continues, even if we eventually get imports of liquid milk?

Mr. MacGregor: The answer to the first part of my hon. Friend's supplementary question is that we have told the Commission that, in our view, the best course is to seek a Community-wide solution via a directive on heat-treated milk. In the absence of such a directive, we consider that our public health controls are necessary, and we shall, therefore, be defending the case.

I entirely agree with my hon. Friend that we are among the member states which are persistently arguing that the Community rules and regulations must be observed by all member states. Therefore, we must do the same ourselves if we are to succeed with that argument.

The best way in which doorstep delivery can be maintained is by keeping the excellent service and by our dairy industry remaining highly competitive. The House will recall that we had a considerable debate about imports of UHT and sterilised milk, when many fears were expressed about doorstep deliveries being undermined. That has proved not to be the case. Because of the competitiveness of our industry, there have been very few imports of that kind.

Mr. Torney: As the Minister of Agriculture, Fisheries and Food has repeatedly informed me in recent months that there is a surplus of milk in the United Kingdom, why should there be any question of importing fresh milk into this country? I urge the Minister to bear in mind the danger, to which reference has been made, to the distribution of milk to the doorstep and the consequent danger to employees in the industry. In other words, is he aware that if fresh milk is allowed to be imported our already massive unemployment will be made that much higher?

Mr. MacGregor: Our concern about imports of this sort must, of course, be in relation to public health controls. However, if there is a Community-wide directive, as for all other products in the Common Market, there is free trade, provided that the public health controls are met. I repeat that the greatest strength of our dairy industry is its competitiveness, and the greatest hope for the doorstep delivery of milk is that that is what the consumer will continue to want. So far, all the fears about imports of other forms of milk have proved to be unjustified.

Mr. Home Robertson: Is the Minister aware that, whatever the European Court may say, there will always be legitimate doubts about the health and hygiene standards of milk that may have been transported over long distances from warmer climates? May we have a categorical assurance that the Government will take all necessary steps to protect the health of our consumers, doorstep deliveries of milk and the interests of British dairy producers?

Mr. MacGregor: I have made it clear that we think that our controls are justified in the absence of a Community regime; and we shall do all that we can to persuade the court, if it comes to a court case.

Southall Horse Market

7. **Mr. Greenway** asked the Minister of Agriculture, Fisheries and Food if he has any plans to visit the Southall horse market to study the implementation of his voluntary code on markets; and if he will make a statement.

Mrs. Fenner: I have no plans at present to visit the market at Southall. However, I am kept informed of conditions there by my veterinary staff, who frequently attend to monitor and encourage compliance with the code.

Mr. Greenway: Will my hon. Friend accept from me that conditions at the Southall horse market have improved considerably, but that the handling, stabling and transport of horses still often leaves much to be desired and that considerable cruelty is involved? Will she pay an unannounced visit with me to the market on some occasion?

Mrs. Fenner: Delighted as I would be to pay unannounced visits to anywhere with my friendly hon. Friend, I must remind him that legislation already exists to protect horses in markets, in trnasit and during loading and unloading. It is a matter for enforcement by the police and local authorities. I hope that it will be reassuring to him to know that the Farm Animal Welfare Council is considering the welfare of horses in its review of markets. We look forward to studying the council's recommendations.

Agricultural Grants

9. **Mr. Simon Hughes** asked the Minister of Agriculture, Fisheries and Food how many applications for agricultural grants in the countryside, in areas outside national parks and sites of special scientific interest, have been refused by his Department on environmental grounds for each year since 1980.

Mrs. Fenner: I regret that the Ministry does not keep records in a form which would readily identify the number of applications refused grant and the reasons for such refusals.

Mr. Hughes: Does the Parliamentary Secretary accept that that is a major defect in any system that is geared to enhancing what she says is her Department's duty to have regard to conservation? Until local authorities and others can be prenotified—I hope the hon. Lady can say that this will be possible under the new structures regulations that are about to be implemented—conservation in the countryside will not be something that her Department can honestly say it is trying to uphold.

Mrs. Fenner: Obviously, we shall have to ensure that any capital grant paid is for investments compatible with good conservation in the areas which are designated as environmentally sensitive and which my right hon. Friend has ensured are in the structures programme. Prior notification is one possibility to which we shall have to give consideration.

Mr. Kenneth Carlisle: Is my hon. Friend convinced that since 1980 no environmental damage has been done by grant-aided agricultural works, or does her reply suggest that we should move to a system of prenotification of agricultural works that attract grant-aid?

Mrs. Fenner: Prenotification is an enormously expensive objective. During the past few years there has been a much wider appreciation of conservation in agriculture. I trust that my hon. Friend is well aware of the initiatives in which my Department has been involved during the past months in improving conservation in agriculture. Unfortunately, I do not have sufficient time to recite those initiatives now.

Mr. John: Does the hon. Lady agree that, whatever the costs of prenotification—I disagree with the costs she suggested—it will be necessary for people to be able to object to the granting of agricultural grant where damage is caused to the environment? What alternatives is the hon. Lady considering?

Mrs. Fenner: The extension of prior notification was recommended by the House of Commons Select Committee on the Environment. The Government will publish their reponse to that report shortly. I cannot, therefore, comment at present.

Cereals

10. **Mr. Yeo** asked the Minister of Agriculture, Fisheries and Food if he will seek to establish a joint producer-Government-backed organisation to help the promotion of cereal exports.

Mr. MacGregor: The promotion of cereals exports already falls within the scope of Food from Britain, which is a producer-Government-backed organisation. I would be prepared to consider proposals for improvements in the existing arrangements for the promotion of cereals exports if they were practical and realistic and had wide support from the cereals sector.

Mr. Yeo: Will my hon. Friend take steps to ensure that the export credit arrangements are satisfactory in time for the start of exports from the 1985 grain harvest?

Mr. MacGregor: Last December we made considerable improvements in the export credit arrangements. During a meeting with the trade I said that I would be happy to consider any practical ideas that could bring about further improvements. Our export growth in cereals has been substantial in recent years. That is a remarkable achievement. It is clear that a great deal of growth is taking place.

Mr. Home Robertson: Will the Minister comment on the financial crisis suffered by Food from Britain? Does he accept that massively subsidised cereal exports to Russia and elsewhere are not only an insult to our taxpayers but an injury to our cereal-consuming industries? Will the hon. Gentleman ensure that any new export promotion initiative by the Government on cereals also benefits the British cereal-consuming industries in the livestock sector?

Mr. MacGregor: Food from Britain already has a funding programme from the Government. The time is not right to review where Food from Britain should go. There is a continuing programme. As the House will be aware, we are opposed to any special arrangements for the export of agricultural products to Russia. The Community has a considerable surplus of cereals and the House has been expressing anxiety about that this afternoon. It is important that we should be able to export that surplus. With regard to the livestock sector in the United Kingdom, one of the reasons why we have been urging a reduction in cereal support prices is to improve the horn-corn balance and help the livestock sector.

Veterinary Inspection Centres

11. **Mr. Freeman** asked the Minister of Agriculture, Fisheries and Food what representations he has received on his proposals for closure of veterinary inspection centres.

Mr. MacGregor: My right hon. Friend has received 118 representations to date on his statement of 15 April about the future of the veterinary investigation service.

Mr. Freeman: Is my hon. Friend aware that the important Moulton inspection centre lies in my constituency of Kettering? Has he got the message that the farmers in my constituency are worried about its possible closure? Will he therefore confirm that he will consider all sensible proposals, including the privatisation of the Moulton centre?

Mr. MacGregor: I am aware that the centre is in my hon. Friend's constituency, but, as the report made clear, it receives a low level of submissions and serves a relatively small catchment area. That area can easily be served by the centres at Cambridge and Sutton Bonington. My right hon. Friend is considering all the representations that have been made. He is meeting representatives of the main interested bodies and will be hoping to complete consultations within the next month or so, after which a final decision will be made.

Mr. Mark Hughes: Given that timetable, can the Minister guarantee that he will come to the House with these decisions before we rise for the summer recess?

Mr. MacGregor: I should like to consult my right hon. Friend on that, because some decisions must await the outcome of financial studies which are currently being undertaken and which require careful consideration. They could take a little longer than the month or so that I talked about earlier.

Mr. Colvin: Can my hon. Friend confirm that part of his proposal is to close three centres that serve the south of England—including the Itchen Abbas centre which serves my constituency—and to replace them with a single, larger, central unit? Will he consider enlarging the Itchen Abbas centre, which would be simple, rather than closing it? It is ideally situated on a green field site. If it were closed, obtaining change of use planning permission would be extremely difficult. The only alternative would be to destroy it, and that would be a terrible waste of a public asset.

Mr. MacGregor: I shall draw my hon. Friend's comments to the attention of my right hon. Friend so that they can be taken into account in the consultations in which he is now engaged.

Nutritional Food Labelling

13. **Mr. Meadowcroft** asked the Minister of Agriculture, Fisheries and Food whether he will invite the London Food Commission to participate in consultations on nutritional food labelling.

Mrs. Fenner: Our consultation document on draft guidelines for nutrition labelling of food has been circulated for comment to over 700 organisations. The London Food Commission is amongst this circulation and we shall welcome any response that it cares to make.

Mr. Meadowcroft: I accept that the Minister wants to improve the linkage between food and health, although we might disagree about the speed of action. Does she accept that the new body in London is plainly a broadly based and well funded body which will be able to contribute to making people understand the benefits of nutritional food labelling and help in the educational process? Will she involve it in the closer consultations in which she is involved with organisations such as the Consumers Association?

Mrs. Fenner: That organisation now has our document, and it has been invited, with the other 699 organisations, to make any comments that it wishes. I am sure that, as a responsible body, it will do that.

Mr. Aitken: Will my hon. Friend explain why the nutritionists and other experts who serve on committees to do with food labelling, such as the Committee on Medical Aspects of Food Policy, are required to sign the Official Secrets Act? Is food labelling not a subject where maximum publicity is needed, not maximum security?

Mrs. Fenner: The Committee on Medical Aspects of Food Policy is the responsibility of my right hon. Friend the Secretary of State for Social Services. I shall draw his attention to my hon. Friend's comments.

Mr. Deakins: Can nutritional food labelling, valuable as it is of itself, adequately compensate the British consumer for the ever-rising cost of food products in the Common Market?

Mrs. Fenner: Fat labelling is a recommendation of COMA. There are other questions on the Order Paper today which may refer to food prices.

Sir Peter Mills: When my hon. Friend is considering these problems and the future of labelling, will she turn her attention to the unfairness of confining this to certain food products such as milk and meat? If it is successful for those products, why should it not be successful and wise for all products? Will it not have a damaging effect on the dairy industry?

Mrs. Fenner: Fat labelling is a recommendation of COMA and will be on all products. It is the nutritional labelling which will be voluntary. We are considering the best format which would be meaningful to the consumer. Nutritional labelling was not a recommendation of COMA whereas fat labelling was.

Mr. Home Robertson: We welcome the Government recommendations so far as they go to achieve a healthier diet for our people. Would the Minister accept that if these recommendations are to be of any value, food labelling must be both uniform and easily comprehensible so that when consumers go to the shops they know what the code means?

Mrs Fenner: We are involved in a survey, in collaboration with the National Consumer Council and the Consumers Association, to discover exactly the perception of consumers to labelling. I agree wholly with the hon. Member that the labelling must make sense to consumers if they are to accept advice.

Food Prices

14. **Mr. Phillip Oppenheim** asked the Minister of Agriculture, Fisheries and Food what proportion of food price increases since 1975 have been the result of higher real prices paid to farmers; and what proportion can be attributed to higher food processing and retailing costs.

Mrs. Fenner: Apportioning increases in food prices between prices paid to farmers and the costs of retailing and distribution can be done only in broad terms. In the decade since 1975, agricultural product prices have risen by 122 per cent., while retail food prices have risen by 166 per cent. Associated with this slower growth of agricultural prices, the cost of basic food raw materials now accounts for 44 per cent. of consumer spending on food compared with 50 per cent. 10 years ago.

Mr. Oppenheim: My hon. Friend may be aware that in real terms the cost of food, taking the farmgate price received by farmers, has fallen substantially in real terms. What expectation has she that the current common agricultural policy proposed price cuts will result in substantially reduced production, for which she no doubt hopes?

Mrs. Fenner: I am not hoping for substantially reduced production, but clearly realism in the common agricultural programme means that we need to consider surplus production.

Mrs. Kellett-Bowman: Does my hon. Friend agree that the moderate rise in food prices compared with the

retail prices index is helped greatly by the variable beef premium? Will she encourage my right hon. Friend in no way to barter that valuable instrument in exchange for anything else?

Mrs. Fenner: I can only reiterate to my hon. Friend that my right hon. Friend and hon. Friends need no encouragement to defend British interests in this matter.

Surplus Food

15. **Mr. Canavan** asked the Minister of Agriculture, Fisheries and Food what is the latest figure for the total amount and value of surplus food stored in the United Kingdom; and what is the total amount currently stored in the European Economic Community.

Mr. MacGregor: On 30 April intervention stocks of beef, breadwheat, butter and skimmed milk powder in the United Kingdom were just over 321,000 tonnes, valued at some £476 million, using the buying-in prices valid at that date. The volume of Community stocks of these products and sugar at the latest available date was just over 7 million tonnes.

Mr. Canavan: Would the Minister care to estimate how much of that food will eventually be consumed by human beings and how much will simply rot away? Is it not an absolute crime against humanity for the Government to support a high-price, high-waste common agricultural policy, especially at a time when literally millions of people in the Third world are in danger of starving to death?

Mr. MacGregor: Neither this House nor the Council of Ministers is under any illusions. It is the firm resolve of the United Kingdom Government to reduce the surpluses. Nevertheless, a considerable proportion of the surpluses will be consumed by human beings, or by animals which will ultimately be consumed by human beings. A considerable proportion will be consumed within the Community, through exports, or through the substantial programme of food aid.

Mr. Maclean: While the surpluses seem large in tonnage terms, will my hon. Friend put the whole business of surpluses into perspective and tell the House exactly how many days of normal supply for the British housewife the surpluses represent?

Mr. MacGregor: Clearly, it varies, but for butter it is between 150 and 200 days' supply. There are some cases in which it is vital to reduce the surpluses substantially. In other cases, moderate surpluses are desirable for the safety of food stocks.

PRIME MINISTER

Engagements

Q1. **Mr. John Mark Taylor** asked the Prime Minister if she will list her official engagements for Thursday 16 May.

The Prime Minister (Mrs. Margaret Thatcher): This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in this House I shall be having further meetings later today.

Mr. Taylor: Will the Prime Minister take time during a busy day to study press notices of an enterprise by Shell in the North sea involving the investment of £2·5 billion, many ancillary contracts for British firms, and jobs for 6,000 people? Will she comment on that enterprise?

The Prime Minister: I confirm what my hon. Friend said. I understand that it is an enterprise which will provide about 6,000 jobs and that the Budget of the Chancellor of the Exchequer in 1983 probably contributed to the decision to go ahead with this development. It is good news and I wish the enterprise well.

Mr. Wrigglesworth: Will the Prime Minister take time today to look at the *Hansard* reports of our economic debates in the House in the past two months, from which she will find that about 25 per cent. of the contributions from the Government Benches have been critical of the Government strategy? Does not that, together with the establishment of dissident groups on her own Back Benches, indicate the total failure of the Government's policies in dealing with unemployment?

Will the Prime Minister stop carrying on thinking that there is no alternative and start — *[Interruption.]* Will she start to listen to the proposals that are being made by groups on her own Back Benches and by some on the alliance Benches, and drop the absurd notion that there is no alternative?

The Prime Minister: No, I shall not stop carrying on. I shall carry on.

Sir William Clark: Will my right hon. Friend confirm that, as a proportion of the population, the number of people in work in Britain is the highest in the European Community?

The Prime Minister: The proportion of the population of working age in work is 66 per cent. in Britain. That is as high as in the United States and higher than in France and Germany. It is one of the highest percentages in Europe.

Kampuchea

Q2. **Mr. Allen Adams** asked the Prime Minister if the Government have any intention of recognising the regime in Kampuchea.

The Prime Minister: No, Sir. We recognise the state of Cambodia, but in common with the overwhelming majority of the international community will not countenance having relations with the present regime in Phnom Penh, which depends on the Vietnamese occupation forces for its existence.

Mr. Adams: Does the Prime Minister not think that it is gratuitously offensive to the vast majority of the British people that we recognise at the United Nations the representatives of a regime which murdered 2 million of its own people? Is the bogus excuse still that the north Vietnamese or the Vietnamese invaded Cambodja? If that is the bogus excuse, is the Prime Minister aware of the United Nations 1948 convention on genocide? We cannot argue — *[Interruption.]* We have obligations under international law to put a stop to genocide.

The Prime Minister: The Government withdrew formal recognition from the Pol Pot regime in December 1979. In accordance with the recommendation of the United Nations General Assembly credentials committee, we continue to accept the representatives of the democratic parts of Kampuchea as representing the Cambodia seat.

Sir Anthony Kershaw: While admitting that the regime we recognise in Kampuchea has a deplorable record, may I ask whether the Prime Minister agrees that the regime in Phnom Penh, backed by the Vietnamese, has committed every crime under the sun and is the enemy of our friends in that part of the world?

The Prime Minister: Yes. The Vietnamese forces are still in occupation. They have caused the flight of many refugees into Thailand. We give as much support and help as we can to those refugees. We shall not recognise the puppet regime in Phnom Penh, which is upheld only by the Vietnamese occupying forces.

Q3. **Mr. Parry** asked the Prime Minister if she will list her official engagements for Thursday 16 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Parry: In view of the wide divisions in her party, will the Prime Minister stop shedding crocodile tears, and will she state today that she is concerned about unemployment? In view of the formation of the new Centre Forward group——

Mrs. Kellett-Bowman: It is disintegrating. *[Interruption.]*

Mr. Speaker: Order. I do not know what hon. Members are laughing at, either.

Mr. Parry: Those baboons over there may be shouting at—[HON. MEMBERS: "Withdraw."]

Mr. Speaker: Order. I ask the hon. Gentleman to withdraw that word.

Mr. Parry: I withdraw.

In view of the formation of the Centre Forward group and the statement by Mr. Iain Picton, chairman of the Tory Reform Group, will the Prime Minister now state whether the Lady is for turning, and if not, why not?

The Prime Minister: I am not sure whether I picked my way through that complicated question. The name "Centre Forward" was, of course, first coined by my hon. Friend the Minister of State, Northern Ireland Office, who wrote a book called "Centre Forward — a Radical Conservative Programme". Hon. Members can see that book, which I have here. It was written in 1978, and I am delighted to find that my hon. Friend has so many new supporters.

Mr. Roger King: Following the good news from Shell, has my right hon. Friend had the time to reflect on the good news from British Leyland, which, in the first quarter of this year, had achieved its highest output for 10 years, with 98 per cent. availability?

The Prime Minister: I am always delighted to hear of great success in our motoring industry. I hope that it will steadily increase the proportion of the car market that is taken by firms in this country. I congratulate the company.

Mr. Kinnock: Why have crimes of every kind increased substantially since the Prime Minister took office in 1979? What is she going to do about it?

The Prime Minister: Crime has been going up both in this country and in other countries. This Government, unlike previous ones, have substantially increased the numbers in the police force—by some 12,000. We have also increased the amount of equipment that is available to them.

Mr. Kinnock: The police are not convinced by that. Who does the right hon. Lady expect to believe it?

The Prime Minister: I had hoped that the right hon. Gentleman might actually be swayed by the facts on the numbers of the police.

Mr. Kinnock *rose*——

Hon. Members: No.

Mr. Kinnock: This right hon. Gentleman and, plainly, the police are more impressed by the 30 per cent. rise in serious crime since the right hon. Lady became leader of the Government. Will she now answer the question? Why is the crime rate so much higher? What is she going to do about it?

The Prime Minister: I repeat the reply that I gave. We have increased the numbers in the police force. We have also increased, as we did during last year, the actual amount of resources available. If there should be any under-recruitment in local authorities, I urge them to come up to establishment.

Mr. Heathcoat-Amory: Has my right hon. Friend noted that in the year to March wages rose by 9 per cent.? Does she agree that if those in work take more of the national wage bill it must be bad for the unemployed? Will she therefore re-emphasise the need for wage restraint in any sensible attack on unemployment?

The Prime Minister: Yes, I saw those figures today. On average earnings, the underlying rate is still 7½ per cent., but my hon. Friend will also have heard today the news and wisdom that has come out of Southampton docks. Six months ago those docks were not working at all. The news came today that they have realised that if they are to get back to work they must reduce the wage bill. By doing that they have turned the position around and are now very successful. As my hon. Friend has said, wage costs must not rise too high if we are to get more jobs.

Mr. J. Enoch Powell: Will the Prime Minister note that in yesterday's elections in Northern Ireland about 10 per cent. of those who wished lawfully to cast their votes were prevented from doing so by the terms of the Elections (Northern Ireland) Act of this Session? Does she agree with the opinion held in all quarters of the Province that that statute cannot remain unamended?

The Prime Minister: As the right hon. Gentleman knows, the purpose of the Elections (Northern Ireland) Act 1985 and the local elections order of 1982 was to strengthen safeguards against personation, to counter a significant increase in electoral abuse in recent years. We shall, of course, be reviewing the way in which the legislation works and, in particular, the usefulness of the various documents specified for identification. In response to the right hon. Gentleman, we shall certainly look at the way in which the Act has worked.

Mr. Rowe: Is my right hon. Friend aware that recently I shared a platform with an employee of the Greater London council whose principal contribution to our discussions was to advocate riot as the only means

whereby the ethnic minorities in this country could achieve their objectives? Does my right hon. Friend not think that that is one of the contributions to the rising crime rate?

The Prime Minister: I hope that almost everyone in the House accepts that the law must be obeyed, and we are all responsible for helping in its enforcement.

Q4. **Mr. Allen McKay** asked the Prime Minister if she will list her official engagements for Thursday 16 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave a few moments ago.

Mr. McKay: Will the Prime Minister reflect on the situation of my constituent E. G. Moxon, and thousands like him, who went out under the job release scheme only to find that this year his annual increase is only 60p due to favourable developments in personal tax allowances? Has not the scheme turned out to be a con trick in that those low-paid people have paid for an increase, which they were not supposed to do? Will that not be detrimental to people wishing to go out under the scheme?

The Prime Minister: I think the hon. Gentleman will agree that the job release scheme was a good one, allowing people to retire early and releasing jobs for people on the unemployment register. If there is a particular difficulty or a special case in relation to tax I hope that the hon. Gentleman will write to my right hon. Friend the Chancellor of the Exchequer about it.

Q5. **Mr. Andrew MacKay** asked the Prime Minister if she will list her official engagements for Thursday 16 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. MacKay: Has my right hon. Friend had time during her busy day to read the totally independent report of the Comptroller and Auditor General stating that the National Health Service has never been more flourishing? Does that not show that the Opposition's scurrilous rumours about the future of the Health Service are utterly dishonest?

The Prime Minister: Yes, the Opposition do a lot of the talking, but we have delivered the best National Health Service that this country has ever known, with more doctors and nurses—[HON. MEMBERS: "Use them!"]—dealing more efficiently with a greater number of patients. *[Interruption.]* The Opposition may shout, as they usually do, but they cannot overcome the facts. Under this Government the National Health Service is the best ever.

Mr. Foulkes: Has the Prime Minister had time today to read the point of order that I raised yesterday regarding early-day motion 686——

Mr. Speaker: Order. The point of order was to me, so it is my responsibility and not that of the Prime Minister.

Mr. Foulkes: Yes, Mr. Speaker. I wondered whether the right hon. Lady had had time in her busy day to read that point of order. As Reuters has apologised to me for the inaccurate report, and as the hon. Member for Tayside, North (Mr. Walker) has graciously withdrawn the early-day motion, will the right hon. Lady now have the courtesy to apologise for, and withdraw, the remarks that she made without any justification at Question Time on Tuesday?

The Prime Minister: I said at Question Time on Tuesday:

"Those remarks must have been deeply wounding and we on these Benches reject them absolutely."—[*Official Report*, 14 May 1985; Vol. 79, c. 169.]

I understand that the hon. Gentleman is withdrawing the remarks—*[Interruption.]*

Mr. Foulkes *indicated dissent.*

The Prime Minister *rose—[Interruption.]*

Mr. Speaker: Order. The Prime Minister must be given an opportunity to reply.

The Prime Minister: I understand that my hon. Friend has withdrawn the remark and, of course, I therefore do. I hope that the hon. Gentleman now thinks that that airstrip was a very good investment—*[Interruption.]*

Mr. Ryman *rose——*

Mr. Speaker: Order. I shall take points of order only if they relate to Question Time and only if they are not an extension of Question Time.

Mr. Ryman: Only two days ago you ruled on a point of order——

Mr. Speaker: Order. If the hon. Gentleman's point of order relates to what happened two days ago, I shall take it later.

Mr. Stephen Ross: On a point of order, Mr. Speaker. As someone who accompanied the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) to the Falkland Islands, I can confirm that everything he has said in the House is correct and that if statements were made on Tuesday impugning his conversations in the Falkland Islands they are wrong and ought to be withdrawn.

Mr. Speaker: I heard the exchanges yesterday and the points of order were addressed to me. I called the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) today. I heard exactly what the Prime Minister said, and she did withdraw.

Mr. Willie W. Hamilton: My hon. Friend the Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) specifically asked the Prime Minister to read the exchanges which took place on Tuesday. She has obviously read them and must know that my hon. Friend was misreported. Will she now have the courtesy and grace to withdraw her remarks?

The Prime Minister: I thought that I had withdrawn —[HON. MEMBERS: "No."] Then I do. I do so now—[HON. MEMBERS: "Hear, hear."]—and of course, I apologise.

Railway Workshops (Job Losses)

3.33 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich) *(by private notice)* asked the Secretary of State for Transport if he will make a statement on the announcement of job losses in British Rail Engineering Ltd.

The Parliamentary Under-Secretary of State for Transport (Mr. David Mitchell): At a meeting of its joint consultative committee on 15 May, the management of British Rail Engineering Ltd. informed the unions that it had reluctantly come to the conclusion that it would be necessary to make further reductions in manpower within BREL. A year ago, the management had already informed the unions at the equivalent meeting of proposed reductions. Its latest evaluation of work load, however, shows a further reduction of 13 per cent. in repair work. The company has therefore concluded that it needs to reduce manpower by a further 1,300 over the next two years.

It may be helpful to the House if I explain these work load projections. The demand for railway repair and maintenance has declined because of British Rail's decision to invest in new rolling stock. In particular, investment in new diesel multiple units with higher performance means that the same frequency of service can now be provided with fewer trains, and each of these fewer units requires less maintenance. Major programmes of refurbishment, particularly the stripping of asbestos from older vehicles, are also nearing completion, and this has been a significant part of the recent work load.

In the light of this reduced demand, British Rail and BREL have, with considerable regret, decided that they must propose to the unions a sizeable rundown of the Glasgow Springburn works and some further manpower reductions at other works, particularly Doncaster and Eastleigh. Most regrettably of all, they have decided, after considering the position carefully, that there is insufficient work to maintain the BREL works at Swindon after March 1986.

I know that these proposals will be a hard blow to the communities concerned, particularly to Swindon, but British Rail and BREL have considered the matter carefully and concluded that a reduction of capacity of this scale is unavoidable. There will, of course, be an opportunity for all the possibilities to be re-examined fully in the consultations with the employees which now follow BREL's announcement.

British Rail and BREL will do all that they can to find alternative work for redundant employees by offering opportunities to transfer to other works and by encouraging business development and job creation at both Swindon and Glasgow.

Mrs. Dunwoody: Is the Minister not aware that it is a disgrace to come here and make announcements that represent a drop of 18·8 per cent. in the work force by the end of March 1987—1,000 more jobs lost than was proposed by British Rail to the unions last year—and the total closure of the Swindon works?

Why is it that, when the Ayrshire electrification programme is to be completed, the Glasgow works is to be reduced, because there is to be no more refurbishment of DMUs, to the level of a mere regional workshop? How does the Minister explain to the trained engineers who are to lose their jobs the reason for reducing the amount of maintenance that British Rail has undertaken throughout the regions since the Government came to power? Why has there been no estimate of the work load to the end of the corporate plan? Is it the intention of the Government to proceed even faster with the cuts that were proposed in the Serpell report? That appears to be the reason why there is no clear indication of how much work will be left at the end of 1987.

The Serpell report made various suggestions for BREL: that it should be forced to remain within British Rail, and not compete for work outside; that it should be privatised——

Mr. Speaker: Order. I am sorry to interrupt the hon. Lady but this is a private notice question, not the response to a statement.

Mrs. Dunwoody: I want to make it quite clear to the House that what the Government are insisting on is a rundown in the existing stock in BR. Will the Minister tell us whether it was ever made clear to the electorate in the constituencies that are to lose a highly skilled work force what the real effect of Conservative government would be on employment in BREL workshops? How does the Minister defend the fact that none of his efforts to obtain contracts overseas have been sent to British Rail, where they are desparately needed? Will he ensure that the new contracts go to BR and not to foreign workshops? If not, how dare he try to defend cuts in necessary jobs?

Mr. David Mitchell: The hon. Lady asked whether I knew of the job losses. Yes, of course I know. I am painfully aware of the job losses and deeply concerned about them. However, the reality is that when British Rail invests in new diesel multiple units and new rolling stock, that rolling stock requires much less maintenance than the old rolling stock. For that reason, the more investment it undertakes in new rolling stock, the less work there is in the old refurbishment and maintenance work which has been going on.

I shall give the House the facts. The average replacement rate is two new vehicles for three old vehicles. Each vehicle needs 30 to 40 per cent. less annual BREL maintenance than the older ones. Therefore, overall, to have a new fleet means a 50 to 60 per cent. reduction in the maintenance work which follows. That is an inevitable consequence. Nothing that the hon. Lady can do by blustering to the House alters the fact that the work load does not warrant the maintenance of the entire system as it now stands.

Mr. Simon Coombs (Swindon): Is my hon. Friend aware that, if the closure takes place, it will increase male unemployment in my constituency and the sorrounding areas by up to 50 per cent? Is he further aware that the Swindon railway works has been run down for more than 20 years, during which time there have been both Labour and Conservative Governments? Nothing has been done to reverse that trend, which was brought to an end yesterday.

In the circumstances, will my hon. Friend press British Rail to seek redeployment for as many of the work force in the railway works as can be achieved?

Mr. Dennis Skinner (Bolsover): The hon. Gentleman will be redeployed.

Mr. Speaker: Order. This is a serious matter for the hon. Gentleman's constituency.

Mr. Coombs: Will my hon. Friend press British Rail for redundancy payments on the same level as those granted this year to people in other nationalised industries? Will he press British Rail to increase the sum available through British Rail Holdings — the enterprise agency recently created in my constituency — to redeploy workers and to create new businesses there to take up the work force who will be made redundant following the announcement? Will he further press British Rail to offer the Swindon works on the open market, as a going concern with a large pool of highly skilled engineering workers who would be a proud addition to any company in the world?

Mr. Mitchell: Last May the forward projection showed an anticipated work force at Swindon of just under 700. Those jobs are now going as a result of yesterday's announcement. Some of the men will be relocated within BREL, as a result of natural wastage throughout the organisation. My hon. Friend will be aware that, whatever Government were in office, it would have made no difference to the need to balance the capacity and the demand within BREL.

Redundancy payments and the funds available to help create work in those areas will be pro rata to those at Horwich and Shildon. My hon. Friend asked me to press the management of British Rail to offer the works as it stands on the open market, and I shall certainly draw that suggestion to the attention of the chairman of British Rail.

Mr. Michael J. Martin (Glasgow, Springburn): I seek assurances from the Minister that British Rail will not put any orders for new locomotives overseas, and that any new stock will be built by British Rail engineering workers in my constituency and throughout the country. Will the Minister come to Springburn and see the impact that the decision has had on my community? Since the turn of the year we have had three major closures involving redundancies, yet we are only in the month of May. If the Minister seriously believes that he can find alternative employment, why was he not having discussions with the unions a year ago, and looking for alternative work then, instead of waiting until the announcement was made?

Mr. Mitchell: The hon. Gentleman raises the question of British Rail's purchases of locomotives, possibly from overseas. I must tell him that British Rail is in a competitive market. It has no monopoly, and is in competition with air and coach services and private cars. It must give its customers the best service and value that it can. Therefore, it must buy as competitively as it can. British Rail and I hope that it can do so from British engineering.

Mr. James Hill (Southampton, Test): Does my hon. Friend agree that this evolution was almost inevitable from the steam age to the diesel age, because the carriage works were started in the early part of this century? Is it not clear that the decision had to be made one day? With the inevitability of the decision, will he ensure that every sympathetic consideration is given to the employees who will be made redundant? Will he ensure that British Rail realises how emotive the issue is and, in every case, will he bring it to the attention of the board that those employees must receive every consideration for the many years of loyal service that they have given to British Rail?

Mr. Mitchell: My hon. Friend is right to draw attention to the valuable service given to British Rail, especially by the workers at Swindon, who had an especially good productivity record. I wholly support the point that he made. When the BREL works were closed at Shildon and Horwich, I explored with British Rail every way of helping to create jobs. Of course, I shall do the same for Swindon.

Mr. Stephen Ross (Isle of Wight): In view of the deplorable state of much of the rolling stock in the southern and eastern regions, where we are constantly told that, due to a lack of rolling stock, trains will have only four or eight coaches, it is hard to believe the Minister's statement. The rolling stock on the Isle of Wight goes back to 1924. Is the Minister sure that he is not destroying a railway industrial base which, in three or four years' time, we shall desperately need to produce the rolling stock that I believe is needed now? Is he sure that we will not be importing it from America?

Mr. Mitchell: I have to say that Swindon is not geared to the sort of work which the hon. Gentleman describes. There is no intention to close the works at Eastleigh— *[Interruption.]* There is absolutely no intention to close the works there. There has been a small reduction in the work force, which is deeply regretted. The precise programme for the refurbishment of Southern region's rolling stock is a matter for the management of British Rail, not for Ministers.

Mrs. Edwina Currie (Derbyshire, South): Does my hon. Friend recognise the excellent work that has been done at BREL and at British Rail workshops in Derby, especially the tremendous efforts made by management and men, many of whom are my constituents, to modernise the works and improve productivity? Does he agree that the action taken by BREL workers in other parts of the country—to go on strike—is exactly the wrong approach, for if we are to win more customers, we need a work force that is not only competent, but reliable?

Mr. Mitchell: My hon. Friend is absolutely correct. BREL can be proud of the way in which it has succeeded in recent months in winning orders in open competition. Indeed, it has just won the first competitive contract for freight wagon repairs, for which 13 companies had tendered. That fully bears out my hon. Friend's point: that BREL has become an efficient operation with an efficient work force and can compete successfully.

Dr. John Marek (Wrexham): Can the Minister demonstrate to the House that he is not acting like a modern Pontius Pilate, and tell the House what he proposes to do and what measures he will take to help BREL to compete in the export market and to regain some of the export orders that it has lost in recent years?

Mr. Mitchell: It is not for politicians to undertake the work of manufacturing and exporting — that is for BREL. I have told BREL that I am available to help it in any way that I can in support of its export programme. It has had a considerable number of export inquiries for the railbus and the international coach and we shall do all that we can to help it succeed in that way.

Mr. Michael Hirst (Strathkelvin and Bearsden): Does my hon. Friend think that the Caley works at Springburn, Glasgow, where a number of my constituents work, will have a viable future with only 460 employees? Is he satisfied that the work load of BREL is shared fairly

[Mr. Michael Hirst]

throughout the United Kingdom? Can he assure me that the BREL management is attaching adequate priority to the important job of winning vital export orders?

Mr. Mitchell: On my hon. Friend's point about the future of the Glasgow works and whether the number of employees will be viable the work fulfilled in the past at the Glasgow works is changing. However, I have every reason to believe that the numbers that have been projected will be enough for a viable future for the works. As to the share of the work, it is not a case of sharing it fairly but of allocating it within BREL's management to where it can be done most efficiently and cost-effectively.

Mr. John Evans (St. Helens, North): Will the Minister acknowledge that, if British Rail places a major order for locomotives abroad, he will be coming back to the Dispatch Box to announce further redundancies and closures in BREL? Will he also acknowledge that, if such orders are placed abroad, he will be putting a large knife through the heart of some of Britain's biggest locomotive manufacturers?

Mr. Mitchell: I understand the hon. Gentleman's point; that is why it is so necessary for the British firms that manufacture such products to do so as cost-effectively and competitively as their competitors elsewhere. On that basis, British Rail will order, and will be delighted to order, from British firms.

Sir Kenneth Lewis (Stamford and Spalding): Is my hon. Friend aware that this is but another example of the many that we have had, and will yet have, of the private and public sectors doing away with jobs because of increased efficiency and increased technology? That is not the Government's fault, but is my hon. Friend aware that the Government must be concerned with how we re-allocate our employment resources, so that, either by reduction in hours of working or years of work, or by earlier pensions we can make up for the jobs that are being lost month by month and year by year?

Mr. Mitchell: My hon. Friend is correct. Increased efficiency often reduces jobs, but a huge British Rail investment programme stretches out ahead of it. In the next five years, we expect some £2,200 million to be in invested by British Rail, which will create many jobs.

Mr. Gordon Wilson (Dundee, East): Will the hon. Gentleman reconsider his answer to the hon. Member for Strathkelvin and Bearsden (Mr. Hirst) about the division of work? Does he not know that allegations were made to me by the trade unions at Springburn two months ago that those works did not get a fair share of the work coming from the Scottish area of British Rail, never mind the work coming from other areas? Will he look at that, because Springburn has borne an extremely heavy proportion of the redundancies involved?

Mr. Mitchell: The hon. Gentleman will know that there were certain difficulties at Springburn last year. I shall draw his comments to the attention of BREL management, but it must be for it to decide where it can best carry out the work that it has to do both cost-effectively and efficiently.

Mr. Dennis Skinner (Bolsover): Why does this Minister, like the rest of those on the Tory Front Bench, glory in putting people on the dole? When will this bleeding stop? Is it not just what the railwaymen have been saying? What does one expect from this Government, with a Prime Minister who will gallivant all around the world but does not have the decency to travel on a British train?

Mr. Mitchell: I bitterly resent the hon. Gentleman's suggestion that I or any other Minister glories in people being put on the dole. My hon. Friend the Member for Swindon (Mr. Coombs) will confirm that I have been as anxious as anyone to try to retain the jobs involved. It is force majeure. The hon. Gentleman should know that if there is no work available, factories cannot be kept empty.

Several Hon. Members *rose*——

Mr. Speaker: Order. I shall call those hon. Members with a direct interest in this matter.

Mr. Martin Redmond (Don Valley): Thank you, Mr. Speaker. Would it not be common sense—I know that the Government are a little short of that—to bring about a movement of heavy freight from road to rail, thereby generating demand and doing a service to the environment and the country?

Mr. Mitchell: The hon. Gentleman makes a very sensible point, and I shall make two points in reply. First, the Government already give grants to seek environmental improvement by the transfer of traffic from road to rail. Secondly, nothing has given a larger boost to the movement of goods by road than what happened on the railways during the miners' strike.

Mr. Tam Dalyell (Linlithgow): Here is another sensible point. When the Minister answered my hon. Friend the Member for Glasgow, Springburn (Mr. Martin), did he reflect whether the French railways would ever place an order for engines outside France or whether the Japanese railways would ever place an order outside Japan? What other countries can he name, which have major railway engineering industries, that place orders outside their own industries?

Mr. Mitchell: Hon. Members on both sides of the House have called for encouragement and help for BREL in its exporting work. If other countries manufactured everything that they wanted themselves, there would be no exports for Britain. The hon. Gentleman cannot have it both ways.

Mr. Ken Eastham (Manchester, Blackley): Now that the Minister has expressed his grave concern and sorrow at the predicament of the engineers at BREL, may I remind him that the recent publicity engendered through British Rail by Mr. Bob Reid about the possibility of placing orders for 1,500 locomotives abroad could mean the loss of £1·5 billion-worth of business? I have been in correspondence with the chairman on behalf of the Amalgamated Union of Engineering Workers reminding him of the difficulties that that sort of policy would create.

Does the Minister recognise that such action would not only affect the workshops that he has mentioned today, but, if we do not have a share of the orders it will affect GEC, Hawker Siddeley, Metro-Cammell and BREL? They will then come to the Minister to tell him that they have massive unemployment. What will the Minister do about it?

Mr. Mitchell: It is not for me to do anything about it —it is for the firms in British industry to be competitive and to win orders.

Adjournment (Debates)

Mr. Speaker: I remind hon. Members that on the motion for the Adjournment of the House on Friday, 24 May up to eight Members may raise with Ministers subjects of their own choice. Applications should reach my Office by 10 pm on Monday next. A ballot will be held on Tuesday morning and the result made known as soon as possible thereafter.

Business of the House

3.59 pm

Mr. Neil Kinnock (Islwyn): May I ask the Leader of the House to state the business for next week?

The Lord Privy Seal and Leader of the House of Commons (Mr. John Biffen): The business of the House for next week will be as follows:

MONDAY 20 MAY — There will be a debate on a Government motion on the report of the Auld committee of inquiry into proposals to amend the Shops Acts, Command No. 9376.

TUESDAY 21 MAY AND WEDNESDAY 22 MAY — Remaining stages of the Transport Bill.

At the end on Wednesday, motion on the Royal Ordnance Factories Trading Fund (Revocation and Repeal) Order.

THURSDAY 23 MAY—A debate on the Commission for Racial Equality report on immigration control procedures on a motion for the Adjournment of the House.

The Chairman of Ways and Means has named opposed private business for consideration at seven o'clock.

FRIDAY 24 MAY—It will be proposed that the House should rise for the spring Adjournment until Monday 3 June.

Mr. Kinnock: I appreciate that the Government have problems with their mutinous ranks, but as the debate on the Auld report next Monday clearly involves matters of personal conscience and conviction, may I ask the right hon. Gentleman to explain why the Government are not observing the honourable convention of the House and permitting a free vote among Conservative Members on the substantive motion, as we on these Benches shall be doing? Will he discuss the matter with the Patronage Secretary and come to a more agreeable and reasonable position on Conservative Government whipping for next Monday?

Viscount Cranborne (Dorset, South): What about your whipping?

Mr. Kinnock: As ever, ours is perfectly satisfactory. *[Interruption.]* I am sure that there are certain Conservative Members whom the Government wish would not turn up.

The right hon. Gentleman deserves thanks for at last arranging for a debate to take place on Thursday in prime time on the report of the Commission for Racial Equality. Is he aware that the decision to hold the debate on a motion for the Adjournment is objectionable, as it is a matter of some controversy and great importance, and that it would be far better for hon. Members on both sides for the subject to be debated on a "take note" motion, which could be subject to amendment?

Will the right hon. Gentleman speak to the Home Secretary and ensure that he speaks in the debate on Thursday, as it would be unacceptable if, on a matter of such significance, the Home Secretary was again to dodge his responsibilities?

Mr. Biffen: I assure the right hon. Gentleman that good and cordial relationships exist between the Patronage Secretary and myself, although the right hon. Gentleman, as a trade unionist, will know that it proceeds on a certain demarcation basis—I do not guide him on whipping and he does not guide me on a number of my responsibilities.

[Mr. Biffen]

I will only comment—it is the bromide that one usually uses on these occasions—that my right hon. Friend will have heard what has been said.

I appreciate the point that the right hon. Gentleman makes about the form of the debate on the report of the Commission for Racial Equality and the suitability of the "take note" resolution procedure. Perhaps we can discuss that further through the usual channels, as can those who will take part in the debate.

Mr. J. Enoch Powell (South Down): What reason have the Government for expecting that the private Member's Bill, the Rent (Amendment) Bill, which they are hoping will receive its Second Reading on the nod tomorrow, will reach the statute book this Session?

Mr. Biffen: I do not know, but I will look into the matter and be in touch with the right hon. Gentleman.

Mr. Michael Latham (Rutland and Melton): When shall we have a clear and definitive statement from the Minister for Health about the latest position on getting an appeals system in place to deal with the limited list of drugs? The matter is becoming extremely urgent.

Mr. Biffen: I appreciate the force of the point that my hon. Friend makes and I shall draw it to the attention of my right hon. Friend.

Mr. Alfred Morris (Manchester, Wythenshawe): The Leader of the House knows that I speak as chairman of the Co-operative parliamentary group in the House; I declare that interest. Is he prepared actively to persuade the Patronage Secretary and his other colleagues to think again about the three-line Whip that has been imposed for Monday's debate? What representations has he had on the matter from Conservative Members?

Mr. Biffen: I have cultivated a great innocence about whipping and I intend to keep it that way.

Mr. Richard Tracey (Surbiton): As my right hon. Friend knows, we are now into local enterprise week. Is he aware that yesterday, on an Opposition motion on business and growth, there were at times only two Labour Members in the Chamber and that at another time no members of the Liberal party or of the Social Democratic party were present? Would it be possible for my right hon. Friend to organise an action replay of that debate so that Opposition Members can display some genuine credibility rather than just platitudes about the matter?

Mr. Biffen: For it to be an appropriate action replay, it would have to take place in Opposition time.

Mr. Max Madden (Bradford, West): Is the right hon. Gentleman aware that the Government's announcement today that they are to give £250,000 to the Bradford disaster appeal — an action which was urged on the Government on Tuesday by the Leader of the Opposition —will be most welcome in Bradford and throughout the country? Now that the Prime Minister has had a further opportunity for reflection and discussion, will he urge her to make an early statement, certainly before we adjourn for the recess, about what contribution the Government will give to Bradford City football club for the rebuilding of Valley Parade?

Mr. Biffen: I acknowledge with gratitude what the hon. Gentleman says about the contribution of £250,000 which has been announced today. I shall look into the other point that he makes and refer it to my right hon. Friend.

Mr. Ivor Stanbrook (Orpington): Will my right hon. Friend explain why the Government have taken over a private Member's Bill to promote Sunday trading, which was defeated by the House, whereas the Government have declined facilities for the Unborn Children (Protection) Bill, which received the overwhelming support of the House?

Mr. Biffen: My hon. Friend is very perceptive in political matters and I am saddened that he has overlooked the fact that on Monday we shall be debating not legislation but a report.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Following the publication of the results of the opinion poll in the *Daily Telegraph* yesterday, and recognising that a system of proportional representation assists parties which trail in some places, would it not be in the interests of the Leader of the House to organise an early debate to enable hon. Members to consider the reform of our electoral system based on proportional representation?

Mr. Biffen: We shall bear our short-lived adversity with dignity and courage.

Mr. W. Benyon (Milton Keynes): What action do the Government propose to take on the latest report of the Select Committee on Procedure, which has just been published?

Mr. Biffen: As my hon. Friend reminds the House, that report has only just been published. It is important for hon. Members to have an opportunity to reflect on its interesting range of proposals, and doubtless in due course we shall have a debate.

Mr. Laurie Pavitt (Brent, South): In view of the bureaucratic nonsense that has emerged in relation to limited list prescribing and the bureaucratic tangle of the appeals procedure, will the right hon. Gentleman find time for my Generic Substitution (National Health Service) Bill, which is due for its Second Reading and which would get the Government off the hook, as it would still leave the clinical freedom of doctors to prescribe what they want to prescribe and at the same time save £200 million of National Health Service resources?

Mr. Biffen: It is a beguiling invitation for the Government to adopt a piece of private legislation, but one which I believe might be controversial in current circumstances. I must ask the hon. Gentleman to permit me to rest on the reply that I gave to my hon. Friend the Member for Milton Keynes (Mr. Benyon).

Mr. Peter Bruinvels (Leicester, East): When may we have a debate on the police, particularly with reference, first, to the question of missing children—as I told my right hon. Friend last week, more than 4,100 children went missing in the Metropolitan police area last year—and, secondly, to police operational methods? Is my right hon. Friend aware that in 1984, in the London area alone, there were five fatal accidents and 43 serious injuries in such accidents involving police answering emergency calls? Does he agree that it is time that we had a full debate on the police?

Mr. Biffen: My hon. Friend raises a matter of considerable interest but I must be disappointing in my

response and tell him that there is no immediate prospect of Government time for such a debate. However, he will have noticed that there will be no fewer than eight Adjournment debates available on 24 May.

Mr. Chris Smith (Islington, South and Finsbury): Has the Leader of the House had time to read early-day motion 672, in which there is an overwhelming expression of feeling by hon. Members on both sides of the House that there is need for an increase in the secretarial and research allowance available to hon. Members, and particularly to Back Benchers?

[That this House believes that, in order to carry out their responsibilities to their constituents and to play a more effective role in the legislature, it has become urgently necessary for honourable Members to have, as a minimum requirement, the resources to employ a secretary and a research assistant paid direct by the Fees Office; and expects Parliament to provide these resources as a matter of urgency for every honourable Member who wishes to make use of such facilities.]

Will the right hon. Gentleman make time available for us to discuss the matter so as to take the view of the House, especially as there is such clear feeling on it among hon. Members in all parts of the House?

Mr. Biffen: I note what the hon. Gentleman says. I am well aware of the terms of the motion and the names appended to it. I must point out, however, that the House fairly recently took a view on this matter, and there I must rest my comments.

Mr. Jonathan Aitken (Thanet, South): Will my right hon. Friend try to find time for a debate soon on the workings of the Lloyd's Act 1982, which gave powers of self-regulation to part of the London insurance market? Is my right hon. Friend aware that many people are disturbed by certain features of the Lloyd's scene, including the apparent lack of zeal in pursuing frauds and lack of adequate investor protection safeguards? There is concern also about the use of the immunity clauses in the Lloyd's legislation which allows the council of Lloyds to have immunity from paying damages in lawsuits. Can we investigate these matters before a great national asset's reputation is damaged further?

Mr. Biffen: My hon. Friend has made a fair point, but I must counter it with the observation that, in the near future, there is no likelihood of Government time being made available to debate the matter. I must say what I said to my hon. Friend the Member for Leicester, East (Mr. Bruinvels) — that there will be eight Adjournment debates on 24 May.

Mr. D. N. Campbell-Savours (Workington): Will the Leader of the House be a little less flippant about the voting arrangements for the debate on Monday on Sunday trading? Does not the right hon. Gentleman recognise that many people want to know why the Labour Benches will have a free vote while the Tory Benches are under instructions from the Prime Minister's Office through the Chief Whip to vote in favour of Sunday trading? Does that not require some explanation? Will the right hon. Gentleman put it to the Prime Minister that she should make an open statement to the House next week so that at least the Church of England and all the bodies interested in these matters fully understand what is happening next Monday in the House of Commons?

Mr. Biffen: My right hon. Friend the Patronage Secretary will have heard those points.

Mr. John Stokes (Halesowen and Stourbridge): As the Government appear to be looking forward to a classless society, may we debate this fascinating subject? Will my right hon. Friend not be too hard on the upper classes and the landed interests who, in spite of some recent lapses, have made a great contribution to this place?

Mr. Biffen: I have some difficulty in answering my hon. Friend's point. Perhaps he will point out to me privately the catalogue of negligence and oversight by the Government which has led him to make this observation.

Mr. John Ryman (Blyth Valley): Will the right hon. Gentleman again consider whether to provide time to debate the closure of Bates pit in Northumberland, where 1,700 men are going to lose their jobs? Is the right hon. Gentleman aware—he did not appear to be aware of this last week when he rejected my application—that the National Coal Board in the north-east of England has deliberately refused to adopt the pit review procedure on closure, having unilaterally broken that agreement, and has dishonestly withdrawn guarantees to the NUM about the life of that pit which it gave as recently as January 1984? Does the right hon. Gentleman realise that there are 29 million tonnes of workable coal in that pit which the NCB, for political reasons, refuses to work?

Mr. Biffen: I do not endorse the hon. Gentleman's strictures on the NCB. I shall certainly refer his point to my right hon. Friend the Secretary of State for Energy.

Mr. Tony Baldry (Banbury): Will my right hon. Friend find time for the Secretary of State for Education and Science to explain in great detail the restructuring package on teachers' pay that he would feel able to commend to his Cabinet colleagues so that there is greater understanding by moderates in the teachers' unions of the type of restructuring that would command support within the Government?

Mr. Biffen: I should like to be as generous as I can to a repentant sinner, but I think that the best way I can help my hon. Friend——

Mr. Nicholas Winterton (Macclesfield): Not repentant—he never joined.

Mr. Biffen: I would not look to my hon. Friend the Member for Macclesfield to be an authority on that type of dissent, unless he has now cornered for himself the position of authority on all types of dissent! I think that I can best help my hon. Friend the Member for Banbury (Mr. Baldry) by referring his points to my right hon. Friend the Secretary of State for Education and Science.

Mr. Charles Kennedy (Ross, Cromarty and Skye): When can the House debate and vote on the issue of televising Parliament? This would be an excellent opportunity to make Parliament more accessible to the British public and to highlight both the splits within the Conservative party and the so-called official Opposition's abject inability to provide credible alternatives.

Mr. Biffen: This is a serious subject, and its timing is a serious factor. This is not enhanced by the hon. Gentleman's trivialising comments on either the Opposition or the Government. I assure the hon.

[Mr. Biffen]

Gentleman that this matter will be proceeded with. We shall have to make a judgment which is largely related to what is happening in another place.

Mrs. Ann Clwyd (Cynon Valley): Has the Leader of the House had an opportunity to read the article in tonight's *London Standard* entitled

"Wets rat on their sewer"

which refers not, in this case, to his colleagues but to other hon. Members who throughout the week have endured horrible physical conditions in the Cloisters? Wetness underfoot has meant that some of us have had to wear wellingtons. Others have had to bring in nosegays because of the stench. We ask the right hon. Gentleman to give some time for the House to debate the adequacy and inadequacy of Members' accommodation. Will the right hon. Gentleman make time available as soon as possible for such a debate?

Mr. Biffen: As a one-time occupant of the Cloisters, I am happy to assure the hon. Lady that the Accommodation and Administration Sub-Committee has been considering the problem of floods in the Palace of Westminster, and its review is progressing well.

Mr. Harry Greenway (Ealing, North): I join the call for a free vote on the motion on Monday to take note of the Auld report. Will my right hon. Friend bear it in mind that this is a matter of conscience and ascertain whether the House can have a free vote on the Second Reading of the Bill which will be introduced on that subject?

Mr. Biffen: I assure my hon. Friend that I have absolutely no difficulty in passing on that message to my right hon. Friend the Patronage Secretary.

Mr. Roland Boyes (Houghton and Washington): Is the right hon. Gentleman aware that the Government's recently reviewed supplementary benefit regulations for the homeless, which force people to move every four weeks from area to area, is especially punitive to the mentally ill? Although the Government admit that they do not know the number of people in this category, I believe it is likely to be about 50,000 or 60,000. Should not Government cash be made available to build proper adequate housing for this unfortunate group so that they can be given the necessary care, support and help? This is especially important for those who are homeless but are not sufficiently ill to require hospitalisation. Does not the right hon. Gentleman agree that this serious matter is a suitable subject for an early debate in Government time?

Mr. Biffen: I agree with the hon. Gentleman that this is one of the many matters that probably call for a debate, but I think that he should try his luck in an Adjournment debate.

Mr. Peter Pike (Burnley): Will the right hon. Gentleman take note of the opening comments by the Under-Secretary of State for Trade and Industry — the hon. Member for Coventry, South-West (Mr. Butcher) — in response to the Adjournment debate on Monday this week on the economic divide between north and south? The Under-Secretary of State said that the subject needed "more time". Will the Leader of the House arrange for the Government to provide time to debate this important subject and reveal the action they propose to take to solve the problem? Will the right hon. Gentleman use his best diplomacy, in which we all know he is very capable, to persuade the Prime Minister to be present during that debate? The right hon. Lady believes that it is an alleged rift, and does not recognise that it is real.

Mr. Biffen: I am sorry that I must be disappointing in my response and say that I do not envisage any prospect of Government time being made available for an early debate. I shall certainly draw the hon. Gentleman's topic to the attention of my right hon. Friend the Secretary of State for Trade and Industry.

Mr. Jeremy Corbyn (Islington, North): Has the Leader of the House seen early-day motion 684 about flooding in the Cloisters, which has been signed by a number of hon. Members?

[That this House deplores the massive penetration of water into the lower Cloisters on the night of 12th May; believes it to be offensive to the Members whose inadequate accommodation has been so damaged; further believes that the dampness, discomfort and bad odours should be removed as soon as possible; and also believes that it is yet another example of the warped sense of priorities that such inadequate accommodation is offered in the first place to the elected representatives of over a quarter of a million people.]

Does he believe that, in relation to the points raised by my hon. Friends the Members for Cynon Valley (Mrs. Clwyd) and for Islington, South and Finsbury (Mr. Smith), the House should seriously debate the provision of accommodation and facilities that are available for hon. Members? If hon. Members are to represent their constituents properly, without relying on a private income, they need the facilities in which to do so. It is a serious matter. The flooding in the Cloisters this week is but an example of the problems that many Members face.

This evening's report in *The London Standard* misquotes the space available. I understand that the office of the Leader of the House is about 350 sq ft, whereas most hon. Members occupying desks in the Cloisters have 20 sq ft in which to work. Does he not think that that is just another example of inequality in this building?

Mr. Biffen: Yes, Sir. When I look at where I now work and where I used to in the Cloisters, I realise that it has made it all worth while. I wholly understand the seriousness of this problem, but I think that, in the first instance, we should await the report of the Accommodation and Administration Sub-Committee which is now considering the problem.

Mr. Dennis Skinner (Bolsover): If we ever get round to having the debate on proportional representation suggested by the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), will the Leader of the House take into account the fact that it would be a different debate from those that we have had in the past? Representations are now being made by members of the alliance that, although they are in favour of proportional representation as a whole, they are not altogether too keen about it in relation to Orkney and Shetland and to Caithness and Sutherland because they are not sure that they can get the 50 per cent. necessary to take them over the top. Is that not another example of alliance hypocrisy — it is in favour of something in principle but does not want it to apply to everyone.

Mr. Biffen: I agree with the hon. Gentleman. I look to the day when the Bolsover-North Shropshire axis will

become a more recognisable factor in politics. He and I can expect the great party of principle to be sullied by more practical considerations as it gets nearer to the fruits of office.

Mr. Laurie Pavitt (Brent, South): On a point of order, Mr. Speaker.

Mr. Speaker: Order. I was about to inform the hon. Member that I shall take points of order in the normal order after the next statement.

Public Order Law

4.22 pm

The Secretary of State for the Home Department (Mr. Leon Brittan): With permission, Mr. Speaker, I should like to make a statement about the review of public order law.

The Government are today publishing a White Paper announcing the conclusions of the review, which was commenced in 1979, and which I have conducted in conjunction with the Secretary of State for Scotland. In conducting the review we have taken into account the lessons to be learnt from the varying forms of major public disorder in recent years. We have also considered carefully the response to the 1980 Green Paper on the Public Order Act 1936 and related legislation, the report of the Select Committee on Home Affairs, Lord Scarman's report on the Brixton riots, and the Law Commission's proposals for the codification of the common law public order offences.

The rights of peaceful protest and assembly are amongst our fundamental freedoms: they are numbered among the touchstones which distinguish a free society from a totalitarian one, but these rights, fundamental though they are, have never been regarded as absolute.

The European Convention on Human Rights, for example, in the article guaranteeing the right to freedom of peaceful assembly, recognises that it may need to be restricted by law for the prevention of disorder and for the protection of the rights and freedoms of others.

Even so, any limitations on the rights of peaceful protest and assembly should be imposed to the minimum extent necessary to preserve order and protect the ordinary citizen. That has been our approach in this review.

Most of the present law relating to these matters is either to be found in the Public Order Act 1936 or derives from the common law. The 1936 Act was passed to deal with a particular problem of the day: the threat to freedom posed by the Fascist use of intimidation and violence. It is hardly surprising that since 1936 different problems should have come to the fore and that the rights of the citizen should need protection from altogether different sorts of threat.

None the less, the review has revealed no yawning gaps in the law. It is also important to bear in mind that even where there may be a theoretical case for change, there is no point in passing laws or conferring powers which are of no practical value because they are unenforceable. There are, however, a number of areas where the law can and should be extended and clarified, mainly in improving the opportunities for the police to try to prevent disorder or disruption before it occurs.

To this end, the first proposed change is the introduction in England and Wales of a national requirement to give advance notice of marches, subject to certain exemptions for religious and traditional processions and those for which longer notice is not possible. A requirement of advance notice already exists in Scotland and certain other parts of the country and helps reduce the risk of disorder by giving the police and organisers time to make the necessary preparations.

Under the Public Order Act the powers of the police to impose conditions on a march are confined to circumstances when serious public disorder is anticipated. We have concluded that the power to impose conditions should also apply where what is anticipated is a serious

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disruption of the life of the community or the coercion of individuals. There will, however, be the opportunity to challenge police conditions imposed on any of these grounds in the courts, and there will be no extension of the existing power to ban marches.

One of the major developments of recent years has been that the threat to public order or to the rights of the individual is nowadays often posed not by a march but by a static demonstration or assembly — whether it is a football crowd that has turned into a mob or a mass picket behaving in an intimidatory manner.

The use of open-air assemblies is, however, so fundamental to free speech and the right to protest that we think it would be quite wrong to confer any power to ban them, but where such assemblies threaten to result in serious public disorder, serious disruption or the coercion of individuals we have concluded that it is right for the police to have the power to impose limitations on the number of people present, the location and the duration of the assembly. The imposition of such conditions would also of course be subject to challenge in the courts.

The power to impose conditions would apply in the case of all types of assembly in the open air. We do not, for the most part, consider that there should be special limitations on particular types of demonstration, such as pickets or demonstrations by foreign nationals. It is both in principle and in practice preferable for the general law to apply, and we consider that the general changes that we propose are adequate to deal with disorder and violence whatever its cause or source.

One of the most objectionable assaults on the rights of the individual citizen is the use of intimidation against his person or property in an attempt to prevent him doing what he has a legal right to do or force him to do what he has a right to abstain from doing. Such conduct is already an offence under section 7 of the Conspiracy and Protection of Property Act 1875, but for this to be an effective remedy it is not sufficient for the police to bring charges after the event. They must be able to nip intimidation in the bud. We therefore propose that this offence should carry a specific power of arrest, and that the maximum penalty should be increased from three months and £100 fine to six months imprisonment or a fine of £2,000.

I turn now to the common law public order offences. In England and Wales the Law Commission has recommended the modernisation of the offences of riot, unlawful assembly and affray. Subject to certain minor amendments, the Government propose to accept its recommendations for the new statutory offences of riot, violent disorder—the successor to unlawful assembly—and affray. These changes will not significantly affect the overall scope of the criminal law, but they will restate these offences in clearer, more modern language. They will introduce statutory maximum penalties, and give prosecutors greater flexibility over the mode of trial, by enabling less serious cases of affray and violent disorder to be tried in a magistrates court.

The White Paper contains a number of other improvements to public order law, including some tightening up of the offence of incitement to racial hatred; but I have outlined the main proposals which will apply in England and Wales. Scotland already has some of the provisions which we now propose for marches, including advance notice. The regulatory powers of Scottish local authorities over marches will continue, and the police will be given the same powers as in England and Wales to impose conditions on marches and on static assemblies. The proposed change to the Conspiracy and Protection of Property Act 1875 and those on incitement to racial hatred will extend to Scotland, but the common law there will remain unchanged pending recommendations from the Scottish Law Commission on mobbing and rioting.

As the House already knows, legislation will also be introduced in England and Wales to control the availability of alcohol at or on the way to football matches along the lines of the existing Scottish legislation.

The White Paper contains a set of proposals which bring up to date the age-old balance between fundamental but sometimes competing rights in our society. We must and shall continue to preserve the basic and crucial right to freedom of speech and freedom of assembly. These freedoms are essential to any democratic society. They must be given full and effective protection, but people also have the right to protection against being bullied, hurt, intimidated or obstructed, whatever the motive of those responsible may be, whether they are violent demonstrators, rioters, intimidatory mass pickets or soccer hooligans. I believe that these proposals will contribute in a practical way to protecting both sets of freedoms.

Mr. Gerald Kaufman (Manchester, Gorton): I thank the right hon. and learned Gentleman for sending me an advance copy of the White Paper this morning. I am glad to welcome two of its proposals. The first relates to the new measure intended to bring relief to people on housing estates and in other areas who are threatened or intimidated by louts and hooligans. Secondly, we welcome the proposal to strengthen the law on incitement to racial hatred. However, we regret that the Government have rejected the proposal that has been made by the Commission for Racial Equality, the Trades Union Congress, the Board of Deputies of British Jews and others to create powers for banning a march on the ground that it would incite racial hatred.

There are two major areas in which we believe the Government have made the wrong decision in the White Paper. In one of those we believe that they have made a dangerous decision. We are profoundly concerned about the proposal that seven days' notice must be given by organisations of a procession in England and Wales. The Select Committee recommended a minimum of 72 hours, and current practice in local legislation is 24 hours to five days.

The White Paper and the Home Secretary cite the Scottish seven days' requirement, but in Scotland the law says that notice must be given to the local authorities, whereas in England and Wales notice will have to be given to the police. We are very worried that because of that the police will be forced into making a political decision about the nature of a march and whether it should be allowed to proceed.

Even more worrying to us is the decision to give powers to the police to impose conditions on open-air demonstrations, to limit their numbers, to decide their timing and to decide or indeed to change, their place. The whole point of a demonstration is often to alert the public to anxiety by amassing large numbers of people and to do that in a particular place. For example, a demonstration about the closure of the Swindon railway workshops is most appropriate outside those workshops, but the police

on their own judgment could, if they wished, change the location of such a demonstration. Therefore, once again the police are being forced by the Government into a political role that is not of their choosing.

It is especially regrettable that the Government have decided to extend these restrictions to picketing. At present the code of practice on picketing under the Employment Act 1980 says:

"The police have no responsibility for enforcing the civil law."

The White Paper will turn the civil law into criminal law.

The right hon. Member for Waveney (Mr. Prior), when he was Secretary of State for Employment, said on the Second Reading of what is now the 1980 Employment Act that control or limitation of picketing had

"absolutely nothing to do with the police. It has nothing to do with criminal law. . . . The police are in no way involved in this."

Later he said:

"The Bill does not put any additional burden on the police as it does not create any new criminal offence". — [*Official Report*, 17 December 1979; Vol. 976, c. 76.]

Those assurances are being totally abandoned by what the Government are proposing in the White Paper.

The Prime Minister recently made the slip in the House of talking about the criminal law on picketing. That is what the Government intend to create. This will almost certainly be unworkable in practice, but, even so, it will be a dangerous infringement of civil liberties and the right of peaceful dissent. It will place the police in the intolerable position of making political judgments about such activities. It will erode the independence of the police. It will turn the police into reluctant and unwilling agents of the Government's industrial and political policies. As Mr. Lesley Curtis pointed out yesterday to the Police Federation in Blackpool, it will continue the Government process of making the police the scapegoat for the failure of their employment laws.

The people want, and have the right to expect, a peaceful orderly society in which they are protected from disorder and intimidation and in which that protection goes hand in hand with the protection of the right to free and peaceful dissent. The White Paper does not provide a satisfactory basis either for democratic dissent or for peace in crime-free streets and neighbourhoods.

It is no wonder that simultaneously the Government have seen their record on civil liberties unprecedently condemned in today's opinion polls and have suffered a unanimous vote of no confidence on their law and order policies by the Police Federation.

Mr. Brittan: With regard to the point made by the right hon. Gentleman about louts and hooligans and incitement to racial hatred, I am grateful for his support.

With regard to the right hon. Gentleman's regret that there will not be power to ban processions on grounds such as incitement to racial hatred, this is something that we considered carefully, but it seemed to me that whether there will be serious public disorder is an objective matter on which the police can have a view, subject to the right of the Home Secretary to agree or not to consent to a ban. I think that to allow a ban on the ground that racial hatred will be stimulated involves making just the kind of judgment which the right hon. Gentleman seemed to think, in the latter part of his remarks, was inappropriate. *[Interruption.]* It is not a question of saying, "It is for the Home Secretary," as I hear the right hon. Gentleman muttering. Under the existing arrangements, as he knows, it is for the police to initiate the request for the ban, and they have to decide whether or not to make such a request.

Dr. M. S. Miller (East Kilbride) *rose*——

Mr. Brittan: I shall not give way. I am answering a question, and it is customary on a statement to answer questions in the proper order.

With regard to the seven days' notice and advance notice generally, I think that the origin of substantial public support for something which has been patchy in different parts of the country was in Lord Scarman's report on the Brixton riots. As for the specific period of time, the right hon. Member for Manchester, Gorton (Mr. Kaufman) appeared to be commending 72 hours rather than seven days. The advantage of giving a longer period of advance notice, with the important exceptions that I mentioned in the statement, rests wholly with those who wish to engage in the march or procession, because it enables arrangements for the peaceful conduct of such a march to be agreed with the police. If the police seek to impose conditions which the organisers of the march regard as unreasonable, they will have the opportunity to challenge those conditions in court if they so wish.

On the more general objections of the right hon. Gentleman to the power of the police to impose conditions, I remind him that we are not talking about a law on picketing. I made it clear that I did not think it right to have a special law on picketing, on demonstrations outside embassies or on anything so specific. The general law should apply where serious disorder arises, whether on the picket line or not. Anyone who witnessed the scenes over the year of the miners' strike would regard it as irresponsible to take any view other than that.

With regard to the suggestion that there is an incursion of the criminal law into what is essentially a civil matter, the right hon. Gentleman is living in an unreal world. During the miners' strike criminal offences were committed daily on the picket line. The idea that one could just stand by, that the criminal law was not involved, that serious public disorder did not arise, and that it was simply a peaceful civil dispute bears no relation to what happened on the ground.

The police already have powers to deal with public disorder in regard to picketing, as elsewhere. They have the power to limit numbers. The extent of the police powers and their involvement was highlighted and clarified in the judgment of Mr. Justice Scott in the South Wales picketing case.

The provision of a specific power to impose conditions enables the matter to be defused in exactly the same way as with marches and processions, and enables discussions to take place in advance to ensure that there will not be disorder on the picket line or anywhere else. Anyone who is seriously interested in industrial relations being conducted in a peaceful way should wholeheartedly welcome the proposals. Those interested in peaceful picketing have nothing whatever to fear from them.

The right hon. Gentleman, in his criticisms, wholly ignored the considerations which have to arise before conditions can be applied. There has to be either serious public disorder or a serious threat to the disruption of the life of the community, or the coercion of an individual. Anyone who thinks that it should not be right, subject to the law, to impose conditions when assemblies lead to those threats, has failed to learn the lesson of recent years.

Mr. Mark Carlisle (Warrington, South): My right hon. and learned Friend makes the point that there is no purpose in changing the laws or providing additional powers if the real problems lie in enforcement. Therefore, may I ask him, in relation to what seem to be sensible and moderate proposals for change—in contrast to the view taken by the right hon. Member for Manchester, Gorton (Mr. Kaufman)—whether the police believe that the changes will help them in discharging their responsibility for avoiding public disorder?

Mr. Brittan: My right hon. and learned Friend is correct. Throughout the review I have concentrated on the question of practicability. All sorts of suggestions, perfectly understandably, have come from all sorts of quarters, with which I was not able to agree because they did not seem practical. In deciding what was practical we were involved in close consultation with the police. The answer to my right hon. and learned Friend's question is that the proposals are put forward as a practical scheme, on the basis of close consultation with the police.

Mr. Merlyn Rees (Morley and Leeds, South): The Public Order Bill was introduced in 1936 at the specific request of the Labour party, following its autumn conference, to deal with the problems arising from the demonstrations in Cable street and Oswald Mosley's party. In 1978, in a small way, we began to reassess the public order legislation in the light of the marches problem at the time. I welcome any reassessment of the problem of public order. There is need for reassessment from time to time.

The 52-page report was talked about for six years. It was discussed in a Green Paper and in the Law Commission's report, via Lord Scarman. There are still problems arising from marches, from the miners' strike, from the Libian embassy troubles and from the football hooliganism of recent weeks.

During the miners' strike I asked the Solicitor-General whether any of the powers available to the Director of Public Prosecutions or chief constables during that dispute proved to be unsatisfactory. The Solicitor-General told me:

> "I understand that each of the chief constables in the areas affected by this dispute has assured the Home Secretary that he seeks no change in the content of the criminal law."

I suggest to the Home Secretary that the matter could be dealt with in a much better way than he proposes by setting up a Special Select Committee to deal with all the issues. The chief constables' representatives could then come before us, as could representatives of the miners, and put their views before the Government decided on legislation.

Mr. Brittan: I respect the right hon. Gentleman's long experience in these matters. It is interesting to note that he did not mention that a Select Committee had deliberated on these matters in response to a Green Paper. When we have had a Green Paper and a response to it in the form of a Select Committee investigation, and we then publish a White Paper after a long period, I do not believe that anyone can fairly accuse us of rushing precipitately into anything.

Sir Edward Gardner (Fylde): Is my right hon. and learned Friend aware that his decision to publish a White Paper on the present deplorable state of the law on public order will be widely welcomed? Does he agree that for far too long the judges have had to overcome intolerable difficulties in trying to interpret to juries the meaning and application of ancient common law offences, such as riot, unlawful assembly and affray, and that juries have had to suffer what Lord Scarman has called the forensic confusion caused by the obscurity and imprecision of the present law?

Mr. Brittan: I entirely agree with my hon. and learned Friend, and I welcome the opportunity that his question gives me to thank the Law Commission for its work in this area, which has laid the foundation for the changes which we are proposing in the area to which he referred. I think that the ancient laws have had their day and require modernisation. It is a question of practical importance as well as one of theoretical legal importance. I believe that the changes to be introduced will improve the flexibility of the law so that some cases can be tried more quickly before a magistrates court rather than always going to the Crown court.

Mr. Robert Maclennan (Caithness and Sutherland): While welcoming in general terms the Home Secretary's expression of support for the guarantee of right of assembly provided by article 11 of the European convention, and in general terms the codification of the common law recommended by the Law Commission, may I express my surprise that he has thought fit to bring forward the White Paper at this time, when his admission to me at the last Home Office Question Time was that the operational lessons of the miners' strike had not yet been drawn, and that the Association of Chief Police Officers had not reached conclusions. As the purpose of the public order law must be to render more effective the operations of the police, his decisions are premature.

Furthermore, the White Paper does not deal with certain serious matters which arose during the miners' strike, including the extension of police powers to deal with breaches of the law which occurred in situations far from the scene of the apprehended breach of the peace; and, secondly, the extended use by magistrates courts of bail conditions, rendering group justice a nasty feature of our developing criminal law.

I welcome the Home Secretary's proposed extension to England of the ban on alcohol at football matches and, in general terms, the advance notice of marches. However, the proposed new ground enabling the police to impose conditions on marches and assemblies where there is serious disruption of the life of the community and coercion of individuals, seems to be a somewhat unnecessary extension of the law in view of the existence already of powers to deal with serious public disorder.

Mr. Brittan: The hon. Gentleman, with due respect, is not on to a good point in relation to the Association of Chief Police Officers' examination of the operational lessons of the strike. The chief police officers are looking at questions of practical policing. I do not believe that the lessons that they may draw from that—in which the Home Office will be closely involved—will be in any way inconsistent with the examination of the law on which we have embarked. As I have said, there has in any event been extensive consultation with the police in the course of the review.

As for the hon. Gentleman's complaint that the review does not deal with the extension of breaches of the peace of the kind that we saw during the dispute, that matter has come before the higher courts. They have clearly laid

down a proper interpretation of the traditional, ancient and necessary power of the police to intervene to prevent a breach of the peace. Bail conditions perhaps go beyond a review of public order, but I take note of what the hon. Gentleman said about them.

Finally, and most important, the hon. Gentleman cavils —that is an understatement, because he objects to it—at the introduction of the extra provisions on serious disruption to the life of the community and coercion of individuals as grounds which entitle conditions to be made for static assemblies and processions. That comes from a member of the Social Democratic party, the leader of which rightly showed such enthusiasm in deploring the excesses of the past year. It is inconsistent to find the Social Democratic party spokesman on these matters adopting a contrary view.

Mr. Ivan Lawrence (Burton): Is my right hon. and learned Friend aware that many people will welcome the moderation of the White Paper? Is he further aware that many people were concerned when the Libyan march took place after a warning to the authorities the night before that there might be serious trouble, which resulted in the tragic death of WPC Fletcher? It appeared afterwards that there were no powers to stop, limit or control such a demonstration outside the Libyan embassy. Will my right hon. and learned Friend confirm that the proposed powers to be given to the police in cases where serious disruption is likely to change the location of a demonstration will effectively put an end to any serious risk in a future situation outside such an embassy which might threaten the life of one of our police officers?

Mr. Brittan: I am grateful to my hon. and learned Friend for his kind remarks about the White Paper's moderation. It is a moderate document. None the less, it seeks to fill some important gaps in the law and to learn some important lessons from recent events.

With regard to demonstrations outside embassies, I shall not comment on particular circumstances, especially the state of knowledge as to what was likely to occur at the Libyan people's bureau. However, if the police have reason to believe that there will be serious public disorder, disruption to the life of the community or coercion of any individual, in demonstrations outside embassies, those extended criteria will enable the police to take necessary action, including moving demonstrators, or requiring them to move, to avoid disorder.

Ms. Harriet Harman (Peckham): Does not the White Paper have a great deal more to do with suppressing those who dare to disagree with the Government than with preventing disorder? Is the Home Secretary aware that the overall majority of marches and demonstrations are entirely peaceful? If someone hits someone else on a march or damages property, he is guilty of criminal offences that already exist, and can and should be prosecuted. That is the law as it now exists. However, under the proposals in the White Paper, even if the march is entirely peaceful, one can still be committing a criminal offence if notice has not been given to the police. That will happen even if there is no incident on the march. Again, even if there is no incident on the march, one can still be guilty of a criminal offence if the march dares to deviate from the route laid down by the police.

Does not the White Paper seem to sum up the Government's attitude that democracy is all right as far as it goes, but must not be allowed to go too far? One can vote once every five years, but the rest of the time one must shut up and stay at home. If one dares to show one's dissent, one will be hedged around with criminal laws even if there is no violence to people or property.

Mr. Brittan: I utterly and totally disagree with what the hon. Lady has said. I note with interest not only that her remarks are contrary to many of the things that have been said by other Opposition Members, but that the examples that she gave of the wickedness of the proposals do not match in any way the criticism that she makes. She says—and it sounds very nice—that the object of the exercise is to suppress those who dare to disagree with the Government. I do not see that giving notice of a march that might disrupt the lives of fellow citizens and, by the giving of notice, enabling proper arrangements to be made for its peaceful conduct, is suppressing the right to disagree with the Government. It is providing a venue, an opportunity and a vehicle for that disagreement to be expressed in an orderly way. If the hon. Lady does not want that, she is completely out of touch with the wishes of the vast majority of people.

Mr. Nicholas Lyell (Mid-Bedfordshire): With regard to peaceful picketing, should not the House recall that the recommendation of the National Union of Mineworkers is that the maximum number of peaceful pickets should be six, and that such picketing has nothing whatsoever to fear from the White Paper? It is the mob rule and mob violence that we saw in the recent strike that need to be stamped out, and that should have the support of hon. Members in all parts of the House.

Mr. Brittan: My hon. and learned Friend is absolutely right. Nobody who wishes to picket peacefully has anything to fear from any of the proposals in the White Paper. Nobody who wishes to criticise the Government, or, dare I say, the Opposition, however strongly, has anything to fear from the White Paper. The only people who, rightly, will regret the White Paper are those who wish to turn disagreements into turmoil and democracy into mobs.

Dr. M. S. Miller: Is the right hon. and learned Gentleman aware that certain ethnic groups will be dismayed at his unwillingness to grasp the nettle by banning marches by groups the object and raison d'être of which are solely to stir up trouble? Surely the right hon. and learned Gentleman realises that there are such organisations. It is not difficult to discern their motives, because they have displayed their spleen and venom on several occasions. There is no difficulty in identifying them and banning them from deliberately creating trouble.

Mr. Brittan: I naturally deeply respect and understand what the hon. Gentleman says. Of course, one is bound to be sympathetic to the thinking that lies behind his question. However, after long and anxious consideration, I have come to the conclusion that it would not be right to go down that route, because I believe that however obvious and evident it may be to us that a particular group or organisation is nothing other than an evil group or body, to translate that essentially political judgment into something that would lead to a breach of the criminal law is not something that we should do lightly. Obviously, the hon. Gentleman has had only a short time to look at the White Paper. If he looks at the proposals designed to

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tighten the law on incitement to racial hatred, he will find that they meet many of the concerns to which he gave voice and will lead to a substantial improvement in that direction.

Several Hon. Members *rose*——

Mr. Speaker: Order. I fully understand the importance of the statement to hon. Members and their constituents. However, there is important private Members' business to follow. I ask hon. Members to be brief in their questions.

Mr. Derek Spencer (Leicester, South): Does my right hon. and learned Friend accept that those interested in the maintenance of public tranquillity will be reassured that there has been no over-reaction in the document to the unhappy events of the past 18 months? Will he consider the impact on public order of those sections of the Representation of the People Act which enable candidates to make use of schools, no matter what impact there is on public order in the area? The British National party came to Leicester with many of its supporters and caused tremendous problems in my constituency. Is there any hope that my right hon. and learned Friend can hold out to my long-suffering constituents in that regard?

Mr. Brittan: I hope that my hon. and learned Friend will look carefully at the part of the White Paper that deals with that specific issue. Again, I was tempted to go down the road that he suggested, but, in the interests of the very moderation and desire not to over-react that he commends, I shrank from interfering with the electoral process in the way that he would wish me to do. My hon. and learned Friend is right. We were called upon to do several things, such as giving a banning or notice power in relation to static demonstrations, which we have sedulously avoided.

Mr. Dave Nellist (Coventry, South-East): Is the Home Secretary aware that more than 90 per cent. of marches and demonstrations take place with advance notice to the police and that every demonstration that I have organised has been planned in conjunction with the local police to ensure that it was organised properly? Is the right hon. and learned Gentleman aware, however, that the proposal in chapter 4 of the White Paper will affect, for example, groups of parents wishing to protest about a road accident forming up together to walk to the council house and ask for a zebra or pelican crossing, or groups of workers wishing to protest about a closure notice walking a few hundred yards to the factory headquarters? Does the right hon. and learned Gentleman appreciate that his proposal will criminalise people who organise demonstrations of that kind if they do not give advance notice?

Mr. Brittan: When the hon. Gentleman has considered the White Paper more carefully, he will realise that there is an exemption for exactly the kind of situation that he describes. Of course there will be occasions on which spontaneous protest is necessary, or is felt to be necessary, and provision is made for that.

Mr. Tony Baldry (Banbury): If conditions imposed as a result of intimidatory picketing are breached by large numbers of pickets, what will be the liability under civil or criminal law of the trade unions which organise such intimidatory picketing?

Mr. Brittan: In terms of the criminal law, if a breach of the conditions takes place, anyone guilty of participating in or organising such a breach will be guilty of a criminal offence. There may be evidential problems, especially in relation to those who do not have the courage to turn up on the spot but organise everything from behind, but there is no doubt about the potential criminal liability. As for the implications for the civil law, I should like to reflect on that aspect.

Mr. D. E. Thomas (Meirionnydd Nant Conwy): Despite the Home Secretary's knee-jerking rhetoric about civil liberities, does he accept that the bulk of the White Paper amounts to the criminalisation and social control of dissent? Does he accept that manifestations of direct democracy should be part of any healthy democratic society and how does he relate that to the powers under paragraph 3(1) of the White Paper, which will be used on the spot by the police in relation to processions and static manifestations? Will he also explain why he has not taken powers on under paragraph 5.9 to deal with broadcasting in relation to racial hatred?

Mr. Brittan: It seems to me that if anyone is displaying a knee-jerking reaction it is the hon. Member for Meirionnydd Nant Conwy (Mr. Thomas). There is no question of criminalisation of the exercise of civil liberties, and I do not believe that any rational person reading the document would think so. No one on this side of the House needs any lessons from the hon. Gentleman on the importance of civil liberties or the value of freedom of speech and assembly as a central feature of our democracy. On his specific point about the imposition of conditions, I think that the circumstances in which they can be imposed are entirely reasonable, and I remind the House that they will be subject to challenge in the courts.

Mr. Nicholas Winterton (Macclesfield): As one who disagrees with the Government from time to time, may I warmly welcome my right hon. and learned Friend's statement and the publication of a very constructive White Paper? Does he accept that the majority of people in this country will welcome the fact that the Government are prepared to stand up for the interests of the vast majority of law-abiding people, who are sick and tired of being intimidated and inconvenienced and having their property damaged by people who get away with blue murder under cover of demonstrations and marches?

Mr. Brittan: I am grateful for my hon. Friend's comments, both for the warmth of his welcome and for its scarcity value.

Mr. Robin Corbett (Birmingham, Erdington): As the Home Secretary referred earlier to ancient laws which had had their day, why did he go back 93 years in Scotland in relation to the seven days' notice required for marches?

Mr. Brittan: It is a logical fallacy to suggest that if some laws are out of date because they are old, all laws that are old must be out of date.

Mr. Tony Favell (Stockport): Is my right hon. and learned Friend aware that the whole country will welcome his assurance that those involved in peaceful picketing have nothing to fear? But what of unions which encourage mass picketing? Has any consideration been given to the possibility of their having to bear the expense of policing mass picketing? Is my right hon. and learned Friend aware that ratepayers had to find a great deal of money to finance the policing of mass picketing during the miners' strike?

Mr. Brittan: In this context, I should draw attention to the decision of Mr. Justice Scott in the South Wales picketing case, which set out many circumstances in which mass picketing itself could amount to a criminal offence under section 7 of the Conspiracy and Protection of Property Act 1875. As for payment of the costs arising from a breach of the law, I draw my hon. Friend's attention to our tentative suggestion in that area, which has proved to be one of the most difficult aspects. The House will find that certain passages in the White Paper have green edges. That is one of them, and we shall welcome the views of all concerned in the coming months.

Mr. Gordon Brown (Dunfermline, East): As these extraordinary and extreme proposals effectively put the traditional rights to free assembly at the discretion of the police, and as there is to be only six weeks consultation and the police have yet to report on the operation of the miners' dispute, and given that there are as many views as there are policemen as to what constitutes serious disruption to the life of the community, will the Home Secretary take the advice of my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) and set up a special Committee of the House to review the proposals in detail, and especially the view of some of us that the proposals constitute a breach of the European convention on human rights?

Mr. Brittan: I am glad that the hon. Gentleman seems able to reach instant decisions on what constitutes a breach of the European convention. It takes most people, including the Commission and the court itself, somewhat longer. The extravagance of the language used against the proposals in today's exchanges exactly matches the lack of specific examples of what is supposed to be so dreadful about them.

Mr. Gerald Howarth (Cannock and Burnt Wood): I welcome my right hon. and learned Friend's recognition that enforceability has been the problem, but I am not clear about the situation in relation to section 7 of the Conspiracy and Protection of Property Act 1875. Will the proposed changes allow those responsible for organising mass intimidation to be brought to account, because that did not happen during the miners' strike, and that is what the people of Britain want from the new measure?

Mr. Brittan: Section 7 is unaffected by these proposals, but it means that intimidation is an offence. During the miners' dispute, many people were charged and prosecuted for breaches of section 7 of the Act. The problem with regard to the organisers—I believe that this is what my hon. Friend has in mind—was not a lack of law, but a lack of evidence in most cases. It was made perfectly clear that where evidence was available there were no holds barred in terms of any no-go area for prosecution.

Mr. Simon Hughes (Southwark and Bermondsey): Will the Home Secretary give two assurances? First, before proceeding to legislation, will he seek as wide a consensus as possible on all the proposed restrictions on the present rights of protest and assembly, given that these are above all the rights and freedoms of minorities to protest against authorities? Secondly, will he ensure that the police are required to consult local authorities before imposing conditions, and that if any conditions are imposed the full power of judicial review will be available if people require to use it?

Mr. Brittan: With regard to the widest possible consensus, I hope that the House will feel that the spirit of the White Paper itself reflects a desire to create and build on such a consensus. As for the imposition of conditions, I can certainly give an assurance that our intention is precisely to ensure that judicial review will be available. With regard to police consultation with local authorities before imposing conditions, I imagine that in many cases, though not necessarily in all, that would be done as a matter of practice. The hon. Gentleman must appreciate, however, that there may be circumstances in which, for example, because of the urgency of the problem, this would not be practicable or even desirable.

Mr. Peter Bruinvels (Leicester, East): I welcome this review of public order, but what consideration has been given to making the organisers of marches responsible for the policing of marches? Is my right hon. and learned Friend aware that in Leicester £30,000 was charged for sending police there, and that policing a march in the Dorking area against Beecham Pharmaceuticals cost £6,000? What is the present rule, and will it be possible in the future for a chief constable to go straight to the Home Secretary if he believes that there is a threat of serious disruption, rather than having to go through a council which, for political reasons, may refuse his request?

Mr. Brittan: I am not proposing a change in the procedure for applying for my permission in the only area in which my permission is required—the actual banning of a march. I know of my hon. Friend's concern, and we have discussed it in relation to a particular case. He will recall that when a chief constable makes an application, even the most unpromising local authority is not usually reluctant to put it forward, and I believe that we can deal with the matter in that way.

Mr. Max Madden (Bradford, West): Does the Home Secretary recollect that serious disorder took place inside and outside a school which was recently let to the British National party for a meeting in connection with an election? Does he recall that a majority of the Bradford city council felt compelled to offer that school to the BNP under the Representation of the People Act? I urge him to reconsider this matter to allow local authorities discretion to refuse facilities to organisations which, by their declared aims, are Fascist and racist, and whose public activities are widely offensive and threaten public order.

Mr. Brittan: No one dislikes or hates that particular organisation more than I do, but it is vital not to be selective in our use of civil liberties and our protection of them. Mr. Justice Oliver Wendell Holmes of the United States Supreme Court said that the real test of a society's commitment to civil liberties was its readiness to provide freedom for the thought that we hate. We must continue to provide that freedom.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): What criteria will be used for on-the-spot decisions on the size and location of static demonstrations, and what training, experience or qualifications do police officers have for making such on-the-spot decisions?

Mr. Brittan: The criterion will be the one set out in the White Paper—the threat of serious public disorder—which applies at the moment and which enables conditions to be imposed by the police in respect of marches. In

[Mr. Brittan]

addition, there are the criteria of serious disruption to the life of the community and coercion of an individual. I do not believe that the application to static demonstrations of a criterion which already exists in respect of marches and processions, and the extension of the others that I have mentioned, will fail to be usable in practice.

Mr. John Ryman (Blyth Valley): Will the Home Secretary deal with two specific points? If the proposals in the White Paper are implemented in legislation, is there not a danger that the law of conspiracy will be extended, and would that not be directly contrary to the trend of judicial decisions emanating from the Criminal Law Act 1977, which specifically limits conspiracy to certain statutory conspiracies? Secondly, as has already been said, does this not create an enormous problem of obtaining evidence in furtherance of a conspiracy, with a further waste of resources?

Mr. Brittan: I do not see why the use of the law of conspiracy should be increased because of the proposals in the White Paper. If the hon. Gentleman has a point which I have overlooked, I should be grateful if he would write to me about it.

Mr. Donald Dewar (Glasgow, Garscadden): When an important White Paper is issued which covers Scotland as well as the rest of the United Kingdom, it is unsatisfactory if no Scottish Office Minister is at the Dispatch Box to answer our questions. It is also unsatisfactory when Scottish Office activity is confined to a briefing of the press in Edinburgh.

May I assume that the Home Secretary is on this occasion in a position to answer for the Scottish Office? On that optimistic assumption, why has section 3(2) of the 1936 Act been repealed when section 3(1) has survived in relation to Scotland? When is the Scottish Law Commission report, which is specifically referred to in the White Paper, likely to be forthcoming? Has any consideration been given to importing criteria against which to measure the possibility of a ban on a procession under section 63 of the Civic Government (Scotland) Act 1982, which will remain the main controlling legislation for Scotland?

Does the Home Secretary accept that many people in Scotland believe that it is serious when an individual going peacefully to his place of work to exercise a traditional right may be guilty of a criminal offence merely by exercising that right? Is there not a danger that this will place the police in the unenviable position of having to take decisions which, whatever they may feel, will be seen as being quasi-political and which could pitch them into the storm centre of controversy? Surely the real test is whether these powers are enforceable and whether they will improve the crisis situation which the police have had to face during the last year or 18 months. Is not the legacy of the White Paper's muddled thinking that the police will be given painful choices and have to face difficult dilemmas, rather than useful powers, which they will not necessarily want?

Mr. Brittan: It is precisely because I have had in mind the practicability of any new decisions which the House might take that these powers are limited and circumscribed in the way proposed. That general point is, I believe, taken care of, although I appreciate the hon. Gentleman's anxieties.

I shall write to the hon. Gentleman on his first point — *[Interruption.]* I am sure that that is the wisest course. I am not able to say when the Scottish Law Commission will report, but for reasons which are different from the answer that I gave to his first point. The White Paper makes it quite clear that the regulatory arrangements affecting local authorities are regarded as acceptable, subject to the supplementation of the further proposals covering England, Wales and Scotland.

House of Commons (Members Access)

5.16 pm

Mr. Peter Bruinvels (Leicester, East): On a point of order, Mr. Speaker. I am grateful to you for calling me to raise it. I wish to draw your attention to the Sessional Order dealing with the duties of the Metropolitan police, which is passed at the beginning of each Parliament. It is of direct consequence to an incident that happened to me this morning, on which I seek your guidance.

The order states:

"That the Commissioner of the Police of the Metropolis do take care that during the Session of Parliament that passages through the streets leading to this House be kept free and open and that no obstruction be permitted to hinder the passage of Members to and from this House".

At 10 o'clock this morning I was knocked down on the crossing between St. Stephen's Entrance and Westminster Abbey. You may be aware that this is a studded crossing, which is not classified as a proper pedestrian crossing. Having reported the accident to the Chief Superintendent of Police based here, I am informed that this crossing becomes a legal crossing when a Division is in progress, when the police can keep an eye on the traffic to enable hon. Members to get to the Division.

This crossing is used by many hon. Members and secretaries. As you will know, Mr. Speaker, Abbey Gardens and Dean's Yard contain many offices for secretaries and Members. Can you advise us on what can be done, following an investigation in consultation with the Serjeant at Arms and the Chief Superintendent of Police, to make this crossing subject to the legal requirement that cars and cycles should stop? On road safety grounds, there is surely a need to protect hon. Members going to and from their place of work.

Mr. Speaker: The whole House will be sorry to hear of the hon. Gentleman's accident—*[Laughter.]* Order. This is not a matter of amusement. I shall look into the matter.

Mr. Roger King (Birmingham, Northfield): Further to that point of order, Mr. Speaker. I am sure that the whole House will be delighted to know that my hon. Friend the Member for Leicester, East (Mr. Bruinvels) is slowly being restored to the rudest of the rude, following his accident this morning.

As a frequent user of that road, I endorse the point that my hon. Friend made. Because of the enormous build-up of tourist traffic, coaches and pedestrians, in the access areas outside the House, it is becoming increasingly hazardous to cross this road. I very much hope that the warning sign on that crossing can be made much clearer, even to the extent of erecting signs on lamp posts stating, "Caution. MPs cross here."

Mr. Peter Snape (West Bromwich, East): Further to that point of order, Mr. Speaker. Is there no limit to the pomposity of some hon. Members, who waste our time with such trivia? If the hon. Member for Leicester, East (Mr. Bruinvels) had been in collision with a vehicle of his own size, it would have been a Sinclair C5, and he would have come off best again.

Mr. Speaker: Order. I hope that the House will not treat this as a matter for hilarity. I have said that I will look into the problem. A great many hon. Members cross that road.

Auld Report Debate (Selection of Speakers)

5.20 pm

Mr. Laurie Pavitt (Barnet, South): On a point of order, Mr. Speaker, relating to next Monday's debate. It is the custom of the House that the Chair always exercises fairness in calling hon. Members from each side to speak in a debate. On this occasion the debate will be of a cross-Bench type. At the heart of the question there will be a matter on which hon. Members on both sides will have set opinions. May we be assured that there will be a balance in the debate so that the different points of view, whether from this side or from that, can be heard? Secondly, if the Chair is aware that a large number of hon. Members wish to take part in the debate, will the ten minutes rule be operated?

Mr. Speaker: That is a hypothetical point at the moment, to the extent that I do not know how many hon. Members will wish to take part in the debate. In an issue of this kind, however, I carefully weigh the balance of opinion as well as the balance of the parties. I shall consider carefully the question of a limit on the length of speeches when I have some idea of how many hon. Members wish to take part in the debate.

Personal Statement

5.21 pm

Mr. Ivan Lawrence (Burton): On a point of order, Mr. Speaker. On Tuesday, at Question Time, I asked the Prime Minister a question which reflected upon the activities of an hon. Gentleman while in the Falkland Islands. I now understand that my question was based on an erroneous press report.

As we are all men and women of honour in this House, and as I would never wish to make an unfair point against the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes), if it is possible for me to withdraw the question, I unreservedly do so.

Mr. Speaker: I think that honour has been satisfied.

Adjournment (Spring)

Motion made, and Question proposed,

That this House at its rising on Friday 24th May do adjourn until Monday 3rd June, and the House shall not adjourn on Friday 24th May until Mr. Speaker shall have reported the Royal Assent to any Acts which have been agreed upon by both Houses.—*[Mr. Durant.]*

5.22 pm

Mr. J. Enoch Powell (South Down): The Leader of the House will probably already be aware that in the elections that took place yesterday in Northern Ireland—despite the difficulties encountered by many electors in casting a lawful vote, which were the subject of an exchange between myself and the Prime Minister some hours ago which I believe was heard by the right hon. Gentleman—the Ulster Unionist party scored a significant success that confirms the outcome or verdict of the 1983 general election as reflected in the composition of the House.

You might wonder, Mr. Speaker, why an event that is naturally the cause of such satisfaction to my right hon. and hon. Friends by whom I hope shortly to be joined upon this Bench—at any rate, after today—should be relevant to the motion before the House. The point relates directly to the business that needs to come before the House in the next two months, before and after the recess, and to which the Government will need to give attention shortly, including during the recess.

It was declared to be the object of the Ulster Unionist party, when it sought election in 1983, to see an end put to the system that is colloquially known as direct rule and under which the constitutional arrangements in that Province are tentatively renewed from year to year by the annual renewal of the Northern Ireland Act 1974. There are two principal aspects to direct rule, as that falls to be considered by such annual renewal. One is the manner in which the law in that Province is made by the Secretary of State and by the authority of the House, which might be colloquially summed up as government by Order in Council.

The second aspect is the absence from the Province of local government in the ordinary sense of the term as it is without question enjoyed and required by the inhabitants of the rest of the United Kingdom. It was to the second of those deficiencies that the attention of the electorate in Northern Ireland was directed in yesterday's election, because, so far as the Ulster Unionist party was concerned, it was a local government election about local government. We declared to the electorate that we were seeking their vote as evidence of their demand and right to enjoy in Northern Ireland democratic elected local government as it is enjoyed, and covering the same circumstances that it covers, in the rest of the United Kingdom.

It is that request and petition—that is the appropriate language to be used by those who approach this House—that we are able to renew, and do renew, as a result of the outcome of the test of public opinion that has just taken place.

The annual occasion for the renewal of the 1974 Act falls in June or early July. The actual date has, I believe, varied from one year to another. However, it would be in our view inconceivable that once again, for the twelfth time, this annual lease should be renewed without any indication that in the subsequent 12 months, and early in those 12 months, it was the intention of the Government to seek the necessary authority from this House—in so far as it is necessary—to deal with the two glaring deficiencies summed up under the title of direct rule.

That is not something that can suddenly or lightly be enterprised or taken into account. It is no indiscretion to say that we have been aware in recent months that the Secretary of State and his advisers, as well as the authorities of the House, have been directing their attention to the modalities by which these two grievances could be removed, Northern Ireland could have its laws made by this House in the same way as the rest of the kingdom, and its inhabitants could enjoy the advantages of responsible elected local government wherever they live. However, if that process has been slowed down or held up, as I believe it may have been, to await the outcome of yesterday's elections, there is every reason why it should now go full steam ahead. If there is to be a renewal in the conventional repetitive terms again in 1985, what is required is that it should be accompanied by a clear indication by the Government that they are taking steps, and seek renewal only on the basis that they are taking steps, to remove those two stigmata of direct rule from that part of the United Kingdom.

That is something which is not only desirable and necessary—as I believe no hon. Member would be disposed to dispute—on its own merits. I do not think that any hon. Member of the House would seriously argue the case that a part of the kingdom should be legislated for in a different way from the part that he himself represents. Nor do I think that any hon. Member could say that the benefits of local government that his constituents enjoy ought to be withheld from the constituents of any other hon. Member. It is not just a matter of equity and the common implications of membership of the Union which is symbolised and realised by the existence of this House; it is also directly related to stability and confidence in the Province.

The new Secretary of State—I hope that I do not need to apologise for using the word new, as we all find that we learn slowly and painfully in Northern Ireland—has been devoting his attention, not unnaturally, as he is duty bound, to anything which would assist the undoubted growth of confidence and stability which has been observed in the Province in the past six months. In Northern Ireland, it is not only the words of the Government but also the actions of the Government which are evaluated, and it is for this reason that we sometimes find it evidence of incomplete understanding that Ministers should repeat and rehearse what are called statutory guarantees, when Northern Ireland is indeed an integral part of the United Kingdom.

In this matter, as in others, deeds speak louder than words. The deed which I ask the Leader of the House to bring, once again, to the attention of the Secretary of State and the Cabinet is the temporary and provisional nature of the arrangements for the government of Northern Ireland which have subsisted since 1973 and which have been renewed only on an annual basis. One may ask what would be the conclusion drawn by an ill-wisher of the Union—someone who not only hoped but believed that it might somehow be part of the Government's intention that the Union should be dissolved. What would be such a person's interpretation if he saw that the Government's acts were to insist on keeping that Province on an annual lease—a

provisional arrangement, annually renewed—as if there were to be some new and drastically different dispensation still to arise during the 12 months ahead?

I have to say—I think not for the first time, but I can now do so with new authority and emphasis — that nothing could repress such a view more effectively than to see that the Government at last were proceeding to give Northern Ireland constitutional normality in the two outstanding respects in which its constitutional arrangements are at present abnormal. That would mean our no longer having the annual proceeding which reminds everyone in Northern Ireland of the temporary basis upon which the link between that Province and the United Kingdom subsists.

Incidentally, we should no longer have the quasi-farce of the time of the House being taken up in duplicating, in the form of Orders in Council, legislation which has already passed this House in the form of a Bill. No longer would hon. Members representing the Province be denied the opportunity of participating fully in the process of legislating, to which they are, as Members of Parliament, called. No longer would the inhabitants of the Province have the just grievance that they do not have local representation and local responsibility for administration wherever they live.

I do not believe that these matters are unfamiliar to the Leader of the House. For many years he has followed with interest and close attention and, some of us usually felt, with real sympathy, the agony of that part of the United Kingdom. He will have shared, therefore, our sense of growing relief at the increasing stability and confidence which has come to that Province in recent months. I feel sure, therefore, that my plea will not fall on deaf ears when I ask him and his Cabinet colleagues to direct their attention to this matter with urgency and not to wait until they are overtaken by the immediate necessity of the annual renewal of an Act which ought no longer to be necessary and which ought to be removed from the statute book.

5.34 pm

Mr. Simon Coombs (Swindon): I hope that the right hon. Member for South Down (Mr. Powell) will allow me completely to change the topic from a matter which clearly concerns him greatly, to one of equal concern to me. The announcement yesterday of 4,800 redundancies in British Rail Engineering Ltd. has confirmed the worst fears of my constituents — that the Swindon railway works will close.

Before the House rises for the Whitsun recess, this matter should be considered by the Government, on whose behalf I hope the Leader of the House will listen carefully to what I have to say. The matter seriously and severely affects 2,300 of my constituents who work for BREL. They have given outstanding service in a willing spirit of co-operation and in an atmosphere of excellent industrial relations. This closure could raise male unemployment in Swindon and surrounding areas by nearly 50 per cent., releasing a pool of highly skilled men into a local economy that has only limited need for those skills. Many of the men who will lose their jobs have little or no chance of finding another on account of their age.

The rumours that the Swindon works might close have been circulating for many years, and the desire of BREL management to wind down its Swindon operations has been known since the 1960s, along with the decision to concentrate only on repairs and refurbishment instead of new build. Recent investment in modernised rolling stock built at other works has been good for the railway, good for Britain, but a disaster for Swindon as the new trains do not need as much repair as their predecessors. Similarly, the programme of asbestos removal is coming to an end.

During the past few months, therefore, I have urged BREL, British Rail and the Government to keep the Swindon works alive by increased export activity and new projects. I have asked them to examine very critically the arguments put forward for closure and stressed to them the high standards maintained by the Swindon work force. I have been joined in this effort by people from all sectors of the Swindon community and from all parties working in co-operation. Several months ago, it looked as if we might have won a reprieve from closure. Yesterday, sadly, it was confirmed that this is not true.

This is the 150th year of the Great Western railway and the vision of Brunel, which created Swindon as a railway town. In the anniversary celebrations scheduled for this summer I had hoped to be able to wish the Swindon railway works another proud 150 years. The badges and stickers are already printed in readiness for the celebrations. They say, "GWR 1835-1985." It now looks rather like a tombstone — born 1835, died 1985. The loss of the Swindon works will be mourned in a very real sense by every man, woman and child in the town.

However, it is more productive now, rather than just indulging in eulogy and obituary writing, to talk about the future. Swindon has become a phenomenal growth area in the past two decades, as a result of the town actively recruiting new industries. A vast wealth of new jobs have been created in all sectors of the economy, leaving the town no longer wholly dependent on the railway. That diversification will to some extent cushion the blow of the loss of the works. Yesterday, I spoke to the town's industrial adviser, who said that he knew of manufacturing and engineering concerns in Swindon which were already prepared to employ some of the men from the railway works. However, no matter how healthy the economy in Swindon is, we shall need help to weather the crisis, as will the 700 workers in Glasgow, and other workers throughout the country who will receive redundancy notices during the next two years. In Swindon the problem is not so much the lack of jobs as the lack of jobs to match the skills of the people in the railway works.

I am heartened to see that British Rail is creating Swindon Holdings, a new enterprise board, to find jobs for these people. However, the level of investment must be substantially higher, if that effort is to succeed. It should be coupled with additional support for job creation and small business start-up schemes through existing organisations, such as the Swindon Enterprise Trust.

I have also asked employment Ministers for a mobile job centre to be available to give individual workers practical advice on job opportunities, the enterprise allowance scheme, and how to use redundancy money as capital to start a small business. I have asked that the redundancy payments be as generous as possible, with the preservation of full pension rights, and that they meet the standards set in offers to other nationalised industry workers this year. For those who do not want to take redundancy or another job, I have asked transport Ministers to ensure that a worker who wishes it is offered redeployment either to another works or another part of

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British Rail. British Rail Engineering Ltd. has said that it hopes to be able to place a substantial number of the Swindon work-force in another job, and I fervently hope that that is the case.

Furthermore, I have asked the Government to consider any available opportunity for a private buy-out of the Swindon works as a going concern. A company from across the Atlantic or elsewhere in the world may welcome the opportunity to get in under the European Community tariff barrier and to branch out into new projects, which only an independent company which is of fighting weight can undertake profitably. There are still untapped export opportunities as various Third-world countries upgrade their rail system.

Earlier today I met the United States Secretary of Transportation, Elizabeth Dole, at Westminster. We discussed, among other matters, the proposed closure of the Swindon railway works. I must explore every possible way of protecting the jobs of this skilled and committed work force. I was therefore grateful for the opportunity to bring Swindon's plight to the attention of somebody who may be able to offer advice and help in the rescue operation. She promised to help in any way that she could.

Provided an independent works were allowed to tender competitively and on an equal basis with BREL, it could be a profitable concern, and continue to provide many jobs. The Great Western railway survived for 112 years as a private company until nationalisation in 1947. I might add that nationalisation led to the largest job losses ever in the Swindon works. A private buy-out may sound over-optimistic, but while I admit that it is a long shot, we must not discount any possibility which might save 2,300 jobs. It is equally important to try to save the exceptional pool of talents and skills present in the Swindon workshops.

The unemployment problem in many areas is largely caused by a training gap. Employers often cannot find workers with specialist skills. It is wrong to assume that the training gap is merely another way of saying that there are not enough computer programmers. Skill shortages also exist in the more traditional occupations. For example, in some parts of the country there is a shortage of qualified welders. It would be best, therefore, if the vast skill resources at Swindon could be kept together and preserved. I have asked the Government at least to keep the forge and the spring shop at Swindon, both of which are essential to BREL's future. Furthermore, the greatest care must be taken to ensure that the work force has access to every available retraining opportunity, which will enable as many as possible to find skilled jobs in growth industries. If this programme of enterprise promotion, training and job counselling is followed, I have no doubt that Swindon and the railway workers can survive this crisis in time.

However, the Swindon railway works means more than the jobs and livelihoods of 2,300 families. The works central to the town's history, heritage and identity. Even the borough crest contains a railway engine. For everyone working in BREL in Swindon today, there are at last five former railwaymen, either retired or made redundant in past years and now in other areas of work. However, they are all railwaymen first, last and always, even if they have been working in another trade for 20 years or more.

Many thousands more are wives, mothers and children, and the Great Western heritage is also in their blood. The young upwardly mobile office workers and professionals who earned Swindon a mention in the YAP handbook are the sons and daughters of railwaymen. Indeed, everyone in Swindon is in some sense a child of the railways, either in fact or only in spirit, because if there had been no railway works, Swindon would still be a small insignificant market town on the top of a hill, and not the high-tech success story of today.

It is important that we preserve a railway presence in the town. I am glad that British Rail western region has moved its headquarters to Swindon, but it would be sad if all that remained of this proud history were administrative offices and a railway museum.

Even if it is not possible to retain the works as a whole functioning unit, BR should at least ensure that the most historic workshop buildings are preserved. Listed building status is not inconsistent with their potential use as small industrial or commercial units or offices. That way, future generations of Swindonians would be reminded of their past, while they build the Swindon of the future.

Both the heritage of a town and the way of life of 2,300 families hang in the balance. The matter should be given urgent consideration by the House. Although I have outlined what I believe to be a good damage limitation programme, it cannot be beyond the wit or will of all those involved to devise a means to save these jobs and to maintain the works as a centre of engineering excellence. However, time will be of the essence, and we must make an immediate start.

5.47 pm

Mr. Peter Snape (West Bromwich, East): Like the hon. Member for Swindon (Mr. Coombs), I wish this matter to be debated as fully as possible. Some of his remarks will strike a responsive chord in Swindon and the House. He implied that railwaymen regard themselves as railwaymen throughout their lives, no matter what job they may have to do. Certainly, I worked in the railway industry until I was elected to the House in 1974. I shall always regard myself first and foremost as a railwayman. I am, indeed, the son of a railwayman.

This is a sad day for all who care about the railways and the future of this once great industry. Only a few years ago it would have been unthinkable to imagine a British Rail without Swindon. There has been a workshop there since 1843. Despite the ravages of time, the changes in our economic outlook and policies, and the Governments who have come and gone since then, Swindon's railway connections have remained. Yet earlier today we heard that after all that time Swindon is doomed.

Although the hon. Gentleman quite properly said that now is not necessarily the time to live in the past, it would be churlish not to pay tribute to the men and women who, over 150 years, made British Railways—I use its old title to describe all the former railway companies, in particular, Great Western railway—as great as it is.

The Government's reasons for the closure of the Swindon works and the running down of British Rail Engineering Ltd. are nonsensical. There is no doubt that modern rolling stock gives greater reliability and that the productivity of those who work within BREL, including those in Swindon, has increased dramatically in recent years. But to trot that out as an excuse for a further rundown in BREL's capacity is specious nonsense and an avoidance of responsibility by Ministers.

New rolling stock and locomotives are nothing new in British Rail. The process of redevelopment and re-equipment has been taking place since the second world war. The 1955 modernisation plan forecast wholesale changes in British Rail. Many changes came to pass, but they did not require a wholesale reduction in the staff of BREL. Before this Government, the future of the Swindon works was never in doubt. Manpower requirements at Swindon have varied over the years——

Mr. Coombs *indicated dissent.*

Mr. Snape: I shall take the grin off the hon. Gentleman's face. This is no laughing matter. We are talking about his constituency. In the lifetime of the Labour Government there was no threat to the survival of Swindon works. I stand by that because it is true. If the hon. Gentleman has a shred of evidence to show that that is not true, he should produce it. Of course there is none.

Over the years, modernisation plans have come and gone, but they have never prejudiced or menaced the future of the railway workshops, such as those in Swindon. The Government's argument is that new rolling stock needs less maintenance and that the rate of productivity means that capacity for carriage repair and maintenance work, such as that carried out in Swindon, is redundant.

I wonder how many Ministers travel by rail. Certainly the Prime Minister does not. Transport Ministers always say that they have given British Rail all the investment that it has requested, that their desks are clear and that there are no more investment projects before them. That is true, as far as it goes; but an enormous part of the railway system is being neglected by British Rail management. It desperately needs modern rolling stock. British Rail employs some of the oldest and most decrepit rolling stock in service anywhere in the Western world.

British Rail managers, for reasons best known to themselves, concentrate only on those services that they call inter-city—an appalling misnomer, because many services that connect cities are not classed as inter-city. Last Friday I travelled on the 15.25 train from Leeds to Stalybridge. It is part of the service between Hull and Liverpool, which are two cities, yet the service is not part of British Rail's inter-city network. The rolling stock was the filthiest and most clapped-out that it has been my misfortune to travel on for many years.

Mr. Keith Best (Ynys Môn): The hon. Gentleman should come to Holyhead.

Mr. Snape: I understand what the hon. Gentleman means. I occasionally visit north Wales, although I have not been to his constituency for some years. I am sure he will agree that the rolling stock on those lines needs not refurbishment, but complete replacement. Yet, because the management of British Rail believes that those lines lose money, they are not part of the inter-city network about which it boasts. Those lines are lumped together in the clapped-out mass known as other provincial services. The management intends to run those trains, which are already clapped-out and a positive disincentive to rail travel, into the ground and then to withdraw the services because there will be nothing to replace them.

That is one reason why the engineering capacity of the British Rail workshops has been run down in recent years. We have a crazy transport policy, and British Rail management connives in the running down of services that it considers do not make a profit and, therefore, in its eyes, have no long-term future.

Ever since the Government took office, alternatives to the rundown of BREL, including the closure of Swindon and the other closures that were forecast in today's statement, have been available. Indeed, they were published by BREL. In 1980, British Rail produced a rail plan projection, which forecast that, by the end of 1984, BREL would employ 47,000 people. At the time, it employed 36,700 people. The management of BREL was forecasting expansion, not contraction.

I must ask the hon. Member for Swindon: was there no modern rolling stock around in 1981? I have already said that 10 years after the war, somewhat belatedly, the first modernisation plan was published. We have had 30 years of modernisation and replacement, yet only four short years ago BREL management forecast an expansion in engineering capacity. What has gone wrong since then is that the Government and the present management of British Rail have connived in running down the industry.

Mr. Doug Hoyle (Warrington, North): Does my hon. Friend agree that, after the trauma of the closure of Horwich—my hon. Friend will be aware that I started my career there—it was rumoured that Swindon would be the next in line? Despite the need to replace rolling stock, can one not draw the conclusion that, if closures continue in this way, BREL will disappear? Instead of expansion, there will be contraction, and it will the end of BREL as we know it.

Mr. Snape: My hon. Friend is right to remind us of the fate of the Horwich works. At the time, railwaymen were told, "Provided that you accept this closure, that should be the end of it." That has been the story at BREL and on British Rail's operational side for many years. No one believes management any more. It is no wonder that morale in the industry is at rock bottom. No one believes Ministers, or the management, when they talk about the future. They have been assured time after time, "Accept this one last closure and, although fewer people will be employed in the industry, they will at least be properly paid and will have a future." It has never been true, and it is not true now.

The decisions that affect the livelihoods of those at Swindon and elsewhere have been taken on an ad hoc, almost day-to-day, basis. That is one reason why BREL is in its present state. Another reason, as my hon. Friend the Member for Warrington, North (Mr. Hoyle) implied, is that it is the Government's intention to privatise anything that they can get their hands on to make a bob or two for the Treasury. Those of us who are interested in such matters are in no doubt that privatisation is intended for British Rail Engineering Ltd. However, before privatisation, it is necessary to get the constituents of the hon. Member for Swindon out of the way and on the dole.

British Rail Engineering Ltd. intends to slim down—to use its favourite euphemism — to about 16,000 employees before it is privatised some time in the next two or three years. If the hon. Gentleman's constituents are being sacrificed to that ideological goal, that is being done regardless of whether there is any alternative employment for them.

Mr. Coombs: The hon. Gentleman has been carping at me for so long that there are now more points than I

[Mr. Coombs]

could possibly answer in one intervention. When my hon. Friend the Under-Secretary of State for Transport with responsibility for railways and I travelled by train to Swindon to see the railway works 18 months ago, we were clearly told that the fear of closure had been over the railway works for the past 20 years, under Governments of both political parties. The hon. Gentleman spoke of the rundown of the numbers of people as opposed to the planned expansion, but that expansion was planned because repair work was expected to increase. Instead, the number of new build operations has increased, there has been less repair work and, therefore, the number required in the repair works, such as Swindon, has been reduced. Normally, the hon. Gentleman is better informed than this. I hope he will accept that what I say is true and not continue to suggest that the threat of closure has occurred only in the past two years.

Mr. Snape: The hon. Gentleman is mistaken. The last major closure at Swindon was in 1962, when the old carriage and wagon capacity was closed. That was in the immediate aftermath of Dr. Beeching's report, and a Conservative Government were in power at the time. Unlike the hon. Member for Swindon, I do not wish to make a political point about the 1960s, but only 5,000 were left at the Swindon workshops after that closure in 1962.

The hon. Member for Swindon will accept that I have been to Swindon on many occasions over the years. The last time was about a year ago. For many years there have been fears in various parts of the workshops at Swindon about the future. Jobs change and, as the railways evolve, things are done differently. It has been necessary for people to be redeployed and in some cases made redundant. However, I repeat that never during the period of the last Labour Government was the continuance of Swindon as a railway centre in any doubt.

I also repeat that one of the things that has precipitated the latest crisis at Swindon is the decision by the British Railways Board not to carry on with the asbestos removal programme for its older diesel multiple units because it says that it can manage without them after 1986. That is directly contrary to what it was saying two years ago.

I can illustrate why morale has justifiably plummeted within BREL. Earlier, I referred to the rail plan projection that forecast 43,000 people working within BREL. In 1982, another rail plan forecast that by the end of 1986 27,000 people would be working in the industry. That is a dramatic fall by any stretch of the imagination, and it shows that the Government have changed their policies, although never their philosophy, and decided to run down BR's capacity enormously.

Looking at British Rail's freight side, is it any wonder that places such as Swindon, Glasgow and Horwich are under direct threat? There is virtually no rail freight any more because BR's wagon-load fleet—the hon. Member for Swindon looks at the sky. I shall give him the figures.

Mr. Coombs *rose*——

Mr. Snape: I shall not give way to the hon. Gentleman. He has had a fair crack of the whip and others wish to speak in the debate.

BR's freight carryings have virtually collapsed over the past four or five years, as a deliberate act of policy.

Mr. Coombs: As a result of the miners' strike.

Mr. Snape: It has nothing to do with the miners' strike. The British Railways Board took the decision to phase out its unbraked wagon fleet about five years ago. It decided not to replace those vehicles with modern air brake vehicles, because it decided to get out of the wagon-load business and to concentrate only on train mode traffic. Therefore, it introduced the speed link wagon flow system. That means that if one wishes to send a wagon-load of traffic from Swindon to Glasgow, for example, BR will say, "Thanks very much. Ring your local road haulier. We do not want to carry it."

Mr. Roger King (Birmingham, Northfield): Quite right.

Mr. Snape: We do not expect any common sense from the hon. Member for Birmingham, Northfield (Mr. King).

That is the reason why not only is there no freight and Swindon is closing but juggernaut lorries infest the length and breadth of the land. That is the result of deliberate policy.

It is not only the Swindon works, serious and tragic though its position is, but other works that are directly threatened. Since the early 1960s, Scotland has lost no fewer than four of its five main workshops and thousands of skilled engineers have gone to the wall and lost their jobs. The one works left, Springburn, has its closure almost guaranteed because of the small number of staff left after the latest announcement. It is an appalling tragedy that an industry in which Britain used to set an example for the rest of the world is being virtually closed.

I know that the management of BR appears to be interested only in expense-account bottoms on Pullman seats, but most people would prefer a greater proportion of freight to be carried by rail for both environmental and social reasons. If we had a system of finance that properly compared the two different modes of transport, perhaps even Tory Members would see the common sense of the approach that I have tried to outline.

The Under-Secretary of State for Transport spoke earlier about exports, and here BREL has a good record. It has many contracts for railway equipment in various parts of the world. However, anybody who knows anything about exports will be the first to say that it is difficult to maintain one's export market and to bid for contracts overseas if, at the same time, one is running down home market capacity.

The Under-Secretary was asked whether he thought that the French or the Japanese would ever buy railway equipment from us. Neither of those countries ever buys anything from us, but for many years Britain has been in the forefront of railway contracts to the developing world. However, we are now being asked why, if our railway industry is not good enough to produce equipment for the home market, it is good enough for export. The announcement by BR's chairman that it is considering buying many of the 1,500 locomotives that will be required between now and the early part of the next century from the United States, does not endear him to the BREL work force. Nor does it augur well for the future of the railway workshops and the railway industry at large.

Even at this late stage, I hope that we have not passed the point at which it is no longer possible to say that BREL has a future. I fear that, under this Government, BREL

does not have a future. The short-sighted policies that the Government are carrying through will mean the demise of BREL.

For all the riches of the British silicon valley, which stretches down the M4 motorway and includes Swindon, few of the skilled men and women at BREL will qualify for jobs in those new industries because of the enormous change in technology. I do not think that the electorate of Swindon will forgive the hon. Member for Swindon. I hope that the Tory party, which has brought BREL to the brink of penury, will pay the electoral consequences soon rather than later.

Several Hon. Members *rose*——

Mr. Deputy Speaker (Mr. Ernest Armstrong): Order. I remind the House that the debate is limited to three hours. If there is reasonable brevity, every hon. Member should have the opportunity to contribute.

6.10 pm

Mr. Harry Greenway (Ealing, North): I believe that the House should not rise for the Whitsun recess without considering the serious consequences of the strikes by schoolchildren. There have been demonstrations in various parts of the country—two of them extremely large. The aim of the strikes is to destroy the youth training scheme—a scheme that is fundamental to the future of the very children who were asked to demonstrate against it.

The most recent strike was organised under the banner of the School Students Action Committee. It was set up by the Young Socialists at their annual conference at Easter, and it is supported by the Youth Trade Union Rights Campaign. Both are Labour party groups. The central organisation was carried out by the Youth Trade Union Rights Campaign from its office in Labour party headquarters in Walworth road. It provided pupils throughout the country with 20,000 leaflets, published at Labour party headquarters, presumably with Labour party money. The *Daily Telegraph* suggests that the Labour party has provided that group with funds of about £4,000. That has not been denied——

Mr. Dave Nellist (Coventry, South-East): More.

Mr. Greenway: That is significant. Perhaps the hon. Gentleman would like to tell us how much more. That could be important to the discussion.

Mr. Nellist: I am prepared to intervene in the hon. Gentleman's speech, but I hope to make a speech myself. During the past four years the support given by the national executive committee of the Labour party and various trade unions, such as the National Union of Public Employees, to the campaign to win decent conditions for young workers on Government training schemes has exceeded £4,000, because it has involved subventions to organised lobbies of this House three years ago and in February, as well as conferences in Manchester and other parts of the country.

Mr. Greenway: I am talking about the strikes by schoolchildren. Although the hon. Gentleman broadened his remarks, I presume that a great deal of the money that he mentioned funded the organisation of those strikes. If the funds exceeded £4,000, that only helps to underline the serious nature of what the Labour party is doing.

The hon. Gentleman and his hon. Friend the Member for Liverpool, Broadgreen (Mr. Fields) are joint presidents of the Youth Trade Union Rights Campaign, and I understand that each of them contributes £40 a week to its funds. They are obviously heavily committed to its cause. I understand that Militant has a keen interest in it.

Mr. Nellist: We contribute £20 a month each.

Mr. Greenway: That is £40 between them. But what is a few pounds? It is the principle that is important. The country will recognise that substantial sums of money are being used to stir up unrest among children at school. They are being stirred up by people who are not schoolchildren, but who are in their 20s, 30s, and 40s.

On Merseyside, the strike of 4,000 schoolchildren took the form of a march to a rally addressed by the hon. Member for Broadgreen. It is a serious matter when Labour members of the Liverpool education committee vote unanimously to legalise truancy by guaranteeing the children immunity from victimisation.

I suppose that that means that if headmasters or teachers sought to bring the children back to reason, to talk to their parents about the silly action that they have taken in absenting themselves from their valuable studies for their future, or to punish them in any way, the Labour members of the Liverpool education committee—and they are in the majority — would ensure that they were not punished.

Hampstead school in London became heavily involved in the strike, and 4,500 pupils joined in the march. The car windows of two teachers were smashed and windows in the school were broken. After that exhibition, Paul Lennox — the chairman of Hampstead and Highgate Labour party Young Socialists — congratulated the Hampstead children on being

"about the best organised in London in making the strike a success."

The Socialist Workers party was also involved. It issued a leaflet to the school on the very next day, headed

"School kids fight back against YTS slave labour."

It stated:

"The School kids strike was really one in the eye for Thatcher and her slave labour scheme. The panic it created amongst the headmistress and the school authorities shows our potential power."

That is militant speaking, is it not? It continues:

"However, a one day strike will not defeat the Tories and all the crap they throw at us. To do this we need organisation in local schools to discuss how to build our own futures."

To attempt to subvert schoolchildren in that way is not only deplorable but dangerous, both to the children and to the future of our country. My right hon. Friend the Secretary of State for Education and Science should come to the House and assure us that the matter will be dealt with and that such organisations will be kept away from schools.

I am not suggesting that there should not be free debate and argument in schools about everything that is going on, including the YTS. Of course there should. But for people in their 20s, 30s, 40s and beyond to manipulate children — that is what they are doing — is disgraceful, unforgiveable and a serious abuse of both education and democracy. Anyone who says that it is not obviously does not have any intention of giving the children the right to their own opinion—something that they are demanding from this House for themselves.

In some places the strikes were organised to such a pitch that some pupils were observed following pre-arranged signals. Young people are being manipulated by outsiders. I hope that by speaking strongly the Labour party will

[Mr. Greenway]

disown and throw out such groups. It has been suggested that the Labour party did not know what was going on inside its headquarters. That is questionable, but if it is true, it shows the total incompetence of the Labour party and its complete unfitness for government.

I want to compare the recent school strikes with those in 1972, which I remember well because I was then the deputy headmaster of a comprehensive school in King's Cross, which had 1,100 boys—*[Interruption]*. The hon. Member for Islington, North (Mr. Corbyn) will have his chance to speak. I hope that he is not supporting Militant in its exploitation of children, but I should not be surprised if he were.

Mr. Jeremy Corbyn (Islington, North) *rose*——

Mr. Greenway: I shall not give way. I think that the hon. Gentleman will be seeking to catch your eye later, Mr. Deputy Speaker.

In 1972, an organisation called the National Union of School Students was started at Rutherford comprehensive school in Marylebone road. It is a small comprehensive with about 700 boys. That organisation was started on the pretext that children were being forced to wear uniforms. The group organised a strike designed to end the wearing of school uniform and also to end the use of the cane. In a short time the use of the cane will be optional. It is significant that the recent strikes in Liverpool and Hampstead had as part of their aims an increase in the school uniform grant. Times have obviously changed.

In 1972, as I saw with my own eyes, groups of schoolchildren marched from one school to another over a period of three or four days calling children out on strike. The children got into a serious state of riot, and the more they took to rioting, the more serious and frightening the situation became.

Those behind the recent strikes of schoolchildren were attempting to unleash something that they could not control, a process that could be damaging to the nation, the children and our whole way of life—indeed, to our very democracy and our ability now to be debating the matter in the House. Such activity is outrageous and should be ended forthwith.

The aims of the national Union of School Students, the School Students Action Committee and the Youth Trade Union Rights Campaign are anarchistic, as are their publications. the House should not go into recess until we have examined the serious state of affairs resulting from this exploitation of children. That is why I have raised the matter.

6.22 pm

Mr. Bruce Millan (Glasgow, Govan): I shall not comment on the subject that was raised by the hon. Member for Ealing, North (Mr. Greenway). In other circumstances I would have dealt with the issues raised by other hon. Members, particularly that raised by my hon. Friend the Member for West Bromwich, East (Mr. Snape) about the crisis affecting British Rail workshops, and the effect on the workshops in Glasgow, where there will be job losses of more than 1,000 and where the viability of the remaining workshop must seriously be in question.

We have been warning the Secretary of State for Scotland for several months of the impending crisis. I regret that there has not been the slightest sign of his doing anything to try to avert the redundancies and, in particular, to protect the situation in Glasgow. However, that is on a par with the general neglect of the Government of the whole of the railway industry and in their attitude towards redundancies on the railways and in manufacturing industry more generally.

I wish to raise another subject of importance on which it is urgent to have a response from the Government before the House rises for the Whitsun recess. I hope that the Leader of the House is, to some extent at least, briefed on the matter, because yesterday I gave notice to the Scottish Office of my intention to raise it, when I drew attention to the fact that the Department of Health and Social Security was also involved.

The issue that I raise is a scandal involving the exploitation of housing benefit by slum landlords in Glasgow and elsewhere in the west of Scotland; and, for all I know, the abuse may be occurring in other parts of the country. It has been exposed in Glasgow this week by the *Evening Times* in a series of articles. I pay tribute to that newspaper and to the two journalists involved, Mike Hildrey and Jim Morrison, who have acted in the best traditions of investigative journalism. By their exposure of abuses of the housing benefit system in Glasgow by slum landlords they have performed an extremely useful public service.

My hon. Friend the Member for Glasgow, Shettleston (Mr. Marshall) and I have been much involved in the matter in recent days, although I accept that the problem concerns hon. Members who represent other constituencies. I shall give two examples of what is happening, both of them from my constituency.

One case concerns a house which I have seen in recent days. The living conditions there are absolutely abominable. It is a tradgedy and disgrace that any family, much less a family with four young children, including a baby, should be living in such conditions. The name of my constituent is Mr Hamilton, who lives in Vicarsfield street in Govan.

For that deplorable property — in my opinion, accommodation that is completely unfit for human habitation — Mr. Hamilton is paying the landlords, Norman Properties (Glasgow) Limited—I shall come to that company in more detail shortly—£120 a month rent for a room and kitchen, to which must be added charges for rates and other matters. There is no kitchen, no proper bathroom and no hot water. The whole place is in an absolutely deplorable condition, yet Norman Properties is charging Mr. Hamilton that amount of rent.

Another case, also outlined by the *Evening Times*, is in an area of my constituency that I know well. Equally deplorable conditions apply. A single young person living in the house is being charged a staggering £196 a month, exclusive of rates, common charges and building insurance. As I say, the conditions in that property —I accept that the same can be said of properties in other constituencies—are deplorable.

This involves the exploitation of tenants who are, in most cases, disadvantaged for one reason or another. In any event, nobody should be allowed to live in such conditions, much less at rents of that magnitude. The rents in the cases to which I have referred, and in many others, for properties owned by this company are 10, 15 or 20 times higher than what would be fair rents under the fair rents system.

The whole position becomes obscene when we learn that the two directors of Norman Properties, Mr. and Mrs. Solomons, live in an area of Florida which is inhabited largely by millionaires. They are living in tremendous style off the backs of tenants, constituents of mine, and others in Glasgow, who are living in the most appalling conditions.

The company is supervised and run in Glasgow by their son, who also lives in considerable style in Glasgow, also on the basis of exploiting tenants living in absolutely abominable conditions. I find it difficult to speak calmly about the loathsome behaviour of the people running this dreadful company, and a number of other companies are involved in this racket.

The racket involves the rents being paid out of the public purse, for we are dealing with people who are unemployed and on supplementary benefit. The rents are being paid by the Government, by the DHSS, through the agency of the district council, which now administers housing benefits following changes made in recent years. These changes, which were pushed through in utter chaos by the Government, put the responsibility for these matters on to district councils, away from the DHSS.

I shall describe the way in which the system works. The DHSS certifies that the tenants, being on supplementary benefit, are entitled to housing benefit. The certificates go to the district council and the money for these exorbitant and extortionate rents are paid by the district council. All of the money for the rents in these cases is refunded to the district council by the DHSS.

Under this system, neither the DHSS nor the district council checks the properties to see whether they are habitable. Nor does anybody check to see whether the rents being charged bear any relation to the condition of the property. The DHSS hands over responsibility to the district council, after paying to the company to which I have referred — and other firms which are in on the same racket—eight, 10 or 12 weeks' rent in advance. That is paid to the landlords before the tenants move in.

There would be proper safeguards in an ideal world. The housing benefit regulations contain provisions to reduce rents if they are excessive and the Rent Act enables a tenant to apply to a fair rent tribunal. These safeguards have not worked. The provisions covering high rents should be enforced by the district council. The housing benefit chaos caused by the Government is linked to the financial penalties imposed on a district council if it tries to enforce housing benefit provisions. Enforcement adds to administrative costs, only some of which are refunded by the Government.

Many tenants live in fear and are harassed and intimidated by their landlords. The typical tenants are unemployed and receive supplementary or other benefits. Some are not secure tenants, but are tenants under a variety of arrangements and dodges designed to escape the security of tenure provisions of the Rent Acts. These tenants have rental agreements running for six months or 12 months at a time. This all means that they face the maximum psychological pressure. The tenants know that if they make waves their landlords may attempt to evict them. For those reasons, the district council has found it difficult to apply the excessive rent provisions. If the council applies those provisions, tenants might be placed in an even worse position and might be evicted.

Norman Properties and other companies like it behave in an uncompassionate and cruel way towards their tenants. There is no question of dealing with tenants as ordinary human beings. They take the maximum amount of money from the taxpayer and do not give a damn for the tenants living in their properties.

The tenants can apply for a fair rent under the legislation, but, because of their fear of intimidation and harassment, it is unrealistic to expect them to take the initiative. There is no financial incentive for them to do so, because the rent has not been paid by them. It has been paid out of the public purse. Typically, the landlord asks for the rent to be paid direct to him, so the money does not even go through the tenant. The district council pays the rent direct to the landlord—another twist in the system exploited by the landlord. Landlords often send notices saying that the tenants are in arrears in paying their rent. I believe, from the evidence presented to me, that many of those notices are fraudulent and dishonest.

Another irony of the system is that if one of these unfortunate people happens to get a job he no longer has a home because an ordinary wage is not sufficient to pay the rents that are demanded, and paid out of the public purse. In some cases, people are too frightened to obtain employment. I have seen evidence that the landlord to whom I am referring in this case offers houses at lower rents to working people than to the unemployed, but even for those who work the rents are still exorbitant.

I am in favour of both the district council and the DHSS operating the existing laws rigorously. This is beginning to happen, but a change in the law in Scotland is needed to enable local authorities on their own initiative to go through the fair rents procedure. In England, section 68 of the Rent Act 1977 allows a local authority to step in to reduce a rent—not, however, to increase it. In Scotland a local authority has no locus in the matter, and this is another reason why it is reluctant to act.

The response of the landlords—loathsome creatures that they are—to the *Evening Times* articles has been to try to brazen things out. The response of the DHSS has been extraordinary. When asked why the DHSS should pay large sums of money to landlords in these cases, a senior DHSS official in Scotland made this remarkable statement:

"Value for money is of no interest to us."

I trust that that view does not reflect official Government view.

I am glad that Glasgow district council has taken action. An all-party motion was passed today by the council condemning what has been happening and asking for the loophole in the Rent Acts to be closed. The district council has decided that it will not pay any more rent to Norman Properties. The council will have to take certain legal action and encourage tenants to go through the fair rents system if it is to maintain its attitude. The district council needs the co-operation of the DHSS, and this is where the Government come in. It is no use the district council saying, "We shall not pay these extortionate rents any more," if the DHSS keeps paying deposits or making other payments, thereby allowing exorbitant sums to be taken from the tenants—or, more accurately, from the public purse.

The district council has said that it will ensure that tenants are not put at risk because of any action that they have taken. Some of the abuses of the system were drawn to the Government's attention in the evidence given by the district council in July 1984 to the Housing Benefits Review Board.

[Mr. Bruce Millan]

I am glad that the police have been involved in this matter. A raid has been made on the premises and some documents have been taken away. So far as I am aware, no charges have been laid, but there is certainly evidence in some of the documents that I have seen of fraudulent practices affecting my constituents. I hope that the full force of the law will be brought down on these miserable landlords.

The Government's response has been the most extraordinary part of this case. Today, the Under-Secretary of State for Scotland with responsibility for housing matters — the hon. Member for Edinburgh, South (Mr. Ancram) — made a complacent and insensitive statement. I am sorry that he is not in his place to hear what I have to say about him. He played down the issue, saying that he did not think there was a substantial problem. He said that the action of the DHSS was a matter not for him but for other Ministers and that he did not have any interest in it. He said that he did not have any evidence that there were widespread abuses. I understand that today the *Evening Times* has called that passing the buck. It is the most extraordinary example of that practice that I have seen. We are talking about public money. The Government are always asking us to save money. Local authorities and everyone else are lectured about that.

The money comes from the Department of Health and Social Security. Large sums of money are involved. No public purpose is being served. The money is lining the pockets of unscrupulous landlords. The Government must make a pledge to amend the Rent Acts. It would need only a simple one-clause Bill. My hon. Friend the Member for Shettleston and I do not intend to let the matter rest. If the Government will not introduce legislation, we shall see that a Bill is introduced and put into effect. If the Government can introduce emergency legislation on rates, they can introduce a simple one-clause Bill on this matter. It could go through the House quickly, with unanimous all-party support. It would not take up much of the House's time. What I have described is a scandal. I hope that the Government will take urgent action to deal with it.

6.40 pm

Mr. John Stokes (Halesowen and Stourbridge): The House should not adjourn for the spring recess until we have debated the state of the nation in its religious, moral and political aspects. We are debating on Ascension day, one of the great Christian festivals.

Recently, my right hon. Friend the Leader of the House, who holds that office with such charm and distinction, was asked how we should commemorate the ending of the last war 40 years ago. He replied, rightly and properly, that we might do it in the same way as we celebrated VE day—"by going to church." I hope that we shall do that in St. Margaret's, perhaps in the late summer when the ending of the terrible war in the far east will be remembered.

The Government are doing the right things politically and economically, but they do not always claim moral authority for what they do. Inflation is evil and immoral. It is a form of theft by the Government from the citizens. It is a form of dishonesty at the highest level. However, our opponents claim that Government policy is wrong. They wish us, once again, to reflate, with all the ghastly consequences that we have so often seen. The Government are correct to resist calls for reflation. We must wait for unemployment to fall—hard though that is—as it surely will fall, but we must not ruin our chances of recovery or make all our sacrifices of no avail by printing money once again.

I am disappointed that the Government sometimes appear as economists, calculators and supporters of laissez faire, when we are all aware that they are spending billions of pounds on public works and state benefits. Despite their rhetoric, the Government have not reduced taxation or public expenditure by very much. We are still protecting the poor, as Archbishop Laud and the Earl of Strafford did in the 17th century. We are not harsh Whigs, as our opponents claim, only looking after our own.

The people who complain now are from the well-heeled middle class. Our support comes more and more from the working class. There is no alternative to present Government policies if we are to catch the richer nations which are leaving us far behind. In no other way can we produce the wealth to pay for our welfare services.

The Government have at least two chances to show that they have a moral interest. One is by not allowing the Unborn Children (Protection) Bill, introduced by the right hon. Member for South Down (Mr. Powell), to lapse. I know that there are difficulties and precedents to overcome, but Government support would give a great signal to Christians everywhere in the kingdom that the Government are on their side.

The second opportunity is in the new arrangements for Sunday trading. I am not a supporter of the Lord's Day Observance Society. I am a cavalier, not a roundhead. I believe that the Sunday trading laws, with all their anomalies, need amending, but I do not want a continental Sunday in England. To me, the main point of Sunday is for all Christians in this land to go to church to worship God. Anything that stands in the way of that should be resisted by the Government.

Market forces are all very well. I believe generally in the good sense of market forces, but Christian forces should also be taken into account by the Government. Many of our social problems—the increase in crimes of violence, rape, drug-taking, and so on—stem from the lack of a religious and moral lead. The huge numbers of divorces and broken homes stem in part from a lack of sexual morality. The Government try to deal with some of those problems with the means that they have at their disposal. We heard some of those means proposed this afternoon by my right hon. and learned Friend the Home Secretary. The Government's efforts would be much more effective if there were a moral claim behind their actions.

Like others, I was greatly relieved by the recent impressive and moving service in Westminster abbey. The sermon of the Archbishop of Canterbury was right for the occasion. It is right and essential that from time to time we have public ceremonies. They bring us together as a nation and show us and people throughout the world what type of people we are.

The Government are also under attack for their defence policies by a small but noisy minority. One would have thought that the years of peace under NATO would have quietened those critics. In his sermon, the Archbishop of Canterbury said that it was right to resist Nazi aggression by force, yet CND supporters and others are not prepared to stand up to Soviet aggression. They press their views on the majority with a self-righteousness that I find displeasing. From time to time they use violence, as do the

women at Greenham common. They make an absurd differentiation between nuclear and conventional war; but conventional war is also horrible, as those of us who experienced it can testify.

Mr. Nellist *rose*——

Mr. Stokes: I shall not give way. We have little time for the debate and we have been asked to make short speeches. I do not believe that the hon. Gentleman served in the war.

I am sorry that we have not been given an opportunity before the recess to debate relations between church and state. At a time of moral chaos and confusion it is important that church and state should speak with one voice. Despite most people's generally increasing prosperity—apart from areas of unemployment—there is increasing crime, violence, lawlessness, broken homes, divorce, one-parent families and a lowering of standards of honesty and decency. Those matters cannot be dealt with by the Government and police forces alone. The Government must proclaim a moral standard. Leadership in those matters is required at every level. In particular, there must be leadership and a good example for the young to follow. Such leadership is being given by countless parish priests and by many people involved in voluntary bodies, but the bishops and the higher clergy seem strangely silent on those matters.

I know that it is easier to point to the state of affairs in central America, South Africa or other faraway places than it is to attempt to rebuke sin at home. That is what the bishops should be doing. They should be pointing the way to salvation through Christ and his church.

Mr. Corbyn *rose*——

Mr. Stokes: I shall not give way. I have almost reached the end of my speech and the hon. Gentleman may himself be called.

Several new bishops are about to be appointed. It is devoutly to be hoped that they will be men of faith and courage, able to give a lead to the mass of the people who are now being brought up in a largely heathen society.

Another matter that will come before us soon is the review of social security benefits that is being undertaken by the Government. We are enjoined in scripture to look after the fatherless and the widows; but that does not mean that, for instance, the father of a family should not seek to provide for his wife and children. The state, in seeking to provide a safety net for the sick, the old, the infirm and those who cannot obtain work, must not weaken the personal responsibility of the head of the family.

Too often the so-called one-parent family, which costs the state so much, is the result of selfishness or self-indulgence by one or both parents. I hope that the bishops and the higher clergy will not rush to condemn the Government's new proposals for the social services. They should consider the Pope's stern words recently on all these matters in Holland.

If the Government's new proposals about social benefits are wise and in accordance with Christian principles, as I believe they will be, surely the Government should not apologise for them, but proclaim them for their moral soundness.

6.51 pm

Mr. Michael Meadowcroft (Leeds, West): I regret the failure of the House to debate before the Whitsun recess the erosion of political values and the decline of pluralism in politics. I am glad to be able to link what I want to say with the Home Secretary's quotation earlier from Oliver Wendell Holmes about the need to permit and encourage views opposite to one's own. I welcome that, not least because it makes a change from the equally valid quotation from Voltaire on the same subject which we tend to bandy about.

Although hon. Members of both Conservative and Labour persuasions assent to the acceptance and even encouragement of values different from their own, the reality of what they do is different. The Conservatives as a party have made almost an industry of the exposure of what they believe to be illegitimate public expenditure.

The Conservative Centre for Policy Studies has recently published two booklets. "The New Corruption" seeks to identify what is happening in Labour-controlled councils where people who are employed by one authority are members of other authorities. I have much sympathy for councillors who have the problem of finding employers willing to allow their employees to have time off to serve on local authorities. The Conservative party implies that that is almost illegitimate.

The other pamphlet is called "Quangos Just Grow—political bodies in voluntary clothing". The self-same endeavour to draw out antipathy to what is happening in Labour-controlled local authorities was copied in Yorkshire by a leading member of the Conservative party, Lucille Campey, who produced a regional version of the list in the pamphlet. Unfortunately for her and her cause, the list included voluntary groups so patently beneficial to the community that the document was undermined. I pay tribute to the other Conservatives who, at a meeting of the Yorkshire regional Conservative party, criticised the document. It is interesting that the author herself was defeated by a Liberal at the recent county council election.

When matters are raised in this way Labour councils retaliate and assert that they are only doing for their class what the Conservatives have done for their supporters. Therefore, they intensify the exclusivity of their policy. The paradox of the two approaches is that each provokes the other. Exposure of what is referred to as the new corruption breeds retaliation. Both sides are culpable in the diminution and erosion of political values. The result is deteriorating and dangerous political circumstances in which subservience to an exclusive partisan philosophy is necessary for grant aid from central or local government. We ought not to think about the House going into recess, even for a short period, until it has debated certain issues that are fundamental to our democratic values.

The recent sad case of the National Council for Civil Liberties is a vivid example of what is happening. In one sense I am glad that it happened so publicly, because I hope it will be a warning that will be heeded elsewhere. I am not optimistic, particularly when I read in a letter to *The Guardian* from the professor of politics at Leeds university a defence of the view that, once a majority within an organisation has taken a legitimate decision, the minority must accept it. It is precisely because of the danger of the tyranny of the majority that a body such as the NCCL is needed. For instance, many ethnic minorities have experienced to their cost over the years the crucial difficulty of obtaining civil rights for themselves within a majority community.

The dangers of the misuse of power are immense. In my own local authority, the Labour controlling group

[Mr. Michael Meadowcroft]

trundles out Labour representative after Labour representative to open community facilities officially. At times it seems that only the repainting of a room is required for it to be opened officially by another representative of the controlling party who will cut a tape or make a speech. That is happening even when opposition members of the council have been involved with a project in their own community for many years. Even in such cases Labour members with less involvement carry out the official duties. I believe that is deliberate and that it is done for a purpose.

In Leeds, as elsewhere, partisan literature is produced and distributed at public expense, with a stream of photographs, articles and other material promoting only one party. That is being deliberately extended with individual newsletters for separate party constituencies. It is as if the people who have control over the use of resources in an authority are frightened of genuine debate and need instead to use public money illegitimately as a substitute for argument.

The Conservatives, of course, are not blameless. They are catching up fast. For instance, a leaflet produced recently by Cardiff city council is conveniently in bright blue. That is the first time that has happened. The document carries a message making essentially political points about finance, although it has been paid for by the rates.

The usual Conservative response is to control, constrict or abolish that with which it disagrees. That began with the ending of school milk in 1971, and continued with the Housing Finance Act 1972, the control of local authority rents in 1972, the removal of many water authorities from democratic accountability in 1974, and the removal of health powers, including ambulances, from local government in 1974. More recently we have had increasing direction of health authorities from the centre and the rate-capping of authorities that the Government believe are spending illegitimately. The latest action is the current effort to abolish the metropolitan county councils and the GLC.

The Secretary of State for Trade and Industry was, as usual, clear and absolutely honest when he was quoted in *The Guardian* on 16 May:

"The Labour party is the party of division. In its present form it represents a threat to the democratic values and institutions on which our parliamentary system is based. The GLC is typical of this new modern, divisive version of socialism. It must be defeated. So we shall abolish the GLC."

I reject that view and regard it as exceptionally dangerous to our whole democratic process. If a political movement cannot win support for its view at the appropriate level, it is illegitimate to use Big Brother to enforce its opinion. All of us in politics need to enhance political debate, and that involves encouraging the expression of contrary views.

For five years before I came to this House, I had the honour to be the general secretary of the Bradford Metopolitan Council for Voluntary Service. They were five fascinating years. It was a tremendous experience and highly educational. It did more for me, I suspect, than my 20 years in politics before that. Working under a Conservative-controlled council, then a Labour-controlled council, and latterly under a balanced council, I found that the voluntary sector was able to innovate. It became more aware of what it could do, it showed resilience under the severe pressures of high unemployment and declining industry, and, above all, it learned how to be involved properly and democratically in the political process of the city.

I believe it is no accident that within the latest urban programme submissions from local authorities to the Government, the highest proportion of voluntary sector schemes come from two balanced councils—the London borough of Brent and Bradford city council. However, I do not believe that all are bad or badly motivated in other parties. On either side of the political divide there are people whose commitment is genuine, and that is why I raise these matters on the Adjournment today.

I believe that the Leader of the House is committed to pluralism in politics. We have a very fair response from him at business questions. I believe that he wishes to do his best to raise the standard of debate on serious issues inside and outside this House. I hope that, by raising matters in this way, and saying that I do not believe we should start the recess before debating them, I shall secure some favourable comments from the Leader of the House later in the debate.

An entrenched Labour supporter, Professor Bernard Crick, has written on the same problems with great force. In *The Observer* of 21 April 1985, he wrote about the local government powers that are to be taken if the current legislation goes through. He said:

"I honestly say that I could fear my own party as much as the Thatcherites if she gets her way on this. There are great dangers in riding so roughly over constitutional conventions."

I agree with something that Professor Crick wrote on another occasion—that political values will always be keenly fought. There is little possibility of achieving a consensus on those values, but within our parliamentary democracy we must have a consensus on procedures. Unless we distinguish between those two objectives, I fear that our whole democratic process and political debate will decline so far that it may well become impossible to retrieve it, and we shall have strife across an ever-widening political divide. For that reason, I believe that the House should not adjourn in the way that is proposed.

7.3 pm

Mr. Keith Best (Ynys Mon): On occasions such as this, when all of us ask the Leader of the House not to allow us to go into recess—but would be universally horrified if he said that he would not—there is an opportunity for us to deliver all those speeches that, frustratingly, we have not been able to deliver in former debates because we have been squeezed out, or for whatever other reason. I shall leave the House to determine for itself on which occasion I might have delivered this one.

Perhaps we should not go into recess at a time of such great political uncertainty. The actions of some politicians would be more understandable if they had taken place in March rather than in May, unless, unknown to me, hares have changed their habits.

Is not political philosophy sound? The Labour party has stood on its head over the sale of council houses, and I greatly welcome that, but it seems it is more successful than Paul Daniels in making policies disappear. Indeed, rather than forming a party called Centre Forward, perhaps it should form a party known as Goalee Group, because it is so used to scoring its own.

The right hon. Member for Chesterfield (Mr. Benn) has now regurgitated the philosophy of nationalisation of land, which many of us thought had been buried years ago. According to the newspapers today, when he was asked what the attitude of the Labour party would be to his proposal, he said that it would be like meeting an old friend whom one thought was dead.

The problems to which I have referred are not to be found exclusively on the Opposition Benches. On the Conservative Benches is a new group which is highly critical of Government economic policies. At the same time, Ministers are telling us that all is well.

Perhaps this week's *Economist*, which has on the front page the caption "The voteless boom", may have got it almost right. It has an uncanny knack of noting the perceptions of people and translating them into words. We shall have growth of about 4 per cent. this year—the fastest since 1973—when the International Monetary Fund forecasts that growth in the United States and Japan is decelerating, and stagnant in Germany at just over 2 per cent. In Britain, investment in manufacturing is increasing, yet there is a danger that the judgment of *The Economist* may be right when it states:

"At bottom, though, voters are unimpressed by the Government's economic record, and for one big reason. Unemployment is still rising."

I speak with some passion on that matter, because I have the privilege of representing a constituency which suffers from 23 per cent. unemployment. We know that many demographic features have resulted in an increase in unemployment — the baby boom of the 1960s, the number of part-time women workers, and several other factors which I shall not go into in detail because that is not the gravamen of my speech.

It is right to remember also that employment is increasing, and perhaps we do not hear enough about that. Yet the canker of unemployment remains. It is important that all of us — particularly people in the country — should remember that the old belief that if the country is doing well the people are necessarily better off and happier, is no longer true. Undoubtedly some people are, especially those in work and those who are still obtaining wage settlements in excess of the rate of inflation. But that serves only to create greater division between the employed and the unemployed. That is why the forthcoming review of tax and benefits is so important.

A major service of simplification and integration could be achieved through a tax credit system—a reform for the future which was heralded many years ago. Yet we see only one form of benefit, child benefit, which was meant to be the start of a series of benefits in moving towards the concept of an integrated tax credit system. I hope that the Government will grasp that nettle. I hope that our present Chancellor of the Exchequer will go down in history as a great reforming Chancellor, with a vision of the future as to where benefits and tax should be integrated to the advantage of people as a whole.

Modern technology is at present another source of unemployment. Whatever it may provide by way of greater employment in the future, at present it is seen as destroying jobs, yet we must embrace it if we are to move forward. There was a welcome announcement yesterday that inventors in academic and Government laboratories are no longer obliged to give the British Technology Group first refusal in the exploitation of their ideas. They can now negotiate exploitation through their university or through their own endeavours. That is a welcome step forward, although I believe that in the United Kingdom we still have not got absolutely right the empathy and relationship between academic research and commercial exploitation which is so successful in the United States. Therefore, we need to move forward on that point as well.

Without undermining our economy through massive expenditure leading to raging inflation, there has to be a duty on Government to use every endeavour to encourage greater employment. However, that is not exclusively a Government responsibility. There is a responsibility on those in work, and particularly their union representatives, to ensure that we do not lose competitiveness by increasing unit labour costs. Wages are still increasing in real terms. Those who seek to force through high wage claims in excess of the rate of inflation are entrenching unemployment for others.

There are two ways in which the Government can help to increase employment without risking greater inflation. The first is to reduce the cost to the employer. The Budget was a welcome acknowledgment that that is a good way of trying to increase the number of people who are employed. The cuts in employers' national insurance contributions announced in the Budget are a great help, but that could have been done far more imaginatively. Measures such as greater cuts in or total exemption from the costs of employing people in areas of high employment such as Anglesey and other parts of Wales, and also for young people under 20, could have directed the assistance to where it was most needed. That is what is needed now to ensure that we do not have unemployment black spots. There are several of those, regrettably, which lead to great misery and frustration, and an increasing sense of despair among our people. I should like to see a reduction in the costs to the employer on both a geographical and sectoral basis.

The other way to try to overcome unemployment is to help the growth of small businesses. The Government have tried many schemes. I pay tribute to those attempts. I hope that I am allowed to refer to the Principality, from which I come. It is good to see the right hon. Member for Swansea, West (Mr. Williams) in his place. He will know what I am talking about. Wales is the land of small businesses. In 1982, 83 per cent. of manufacturing local units in Wales employed fewer than 200 people, a total of 31 per cent. of the Welsh population. Some 6,000 new small businesses were started in Wales between 1980 and 1983. The Small Firms Information Centre has been dealing with constantly increasing levels of inquiries, from 6,500 in 1978 to 16,500 in 1984.

My concern is whether such small businesses have sufficiently easy access to funds for setting up, investment and expansion. The United Kingdom has fewer Government agencies than elsewhere to aid the development of small businesses. I welcome the establishment of the Welsh Development Agency's venture capital fund, which now stands at £5·5 million. I congratulate the chief executive of the WDA, Mr. David Waterstone.

Let us look at where that finance is likely to go. The criteria for lending are a minimum of £50,000 and a maximum of £500,000, on a strictly commercial basis. The fund will aim to lend to less risky projects that are available and want to generate capital gains, and not income. The security requirements are strictly commercial. Normally, the fund will prefer existing companies

[Mr. Keith Best]

looking for project financing and require accounts going back as much as two to three years. I do not complain about a Government fund having to be careful where it puts its money. Nevertheless, that does not answer the problem of where the small business that wants to raise £15,000 or £20,000 is to obtain money in a way that it can afford.

The loan guarantee scheme was another attempt to ensure that money could come to small businesses. It was set up on the Government's initiative with a view to promoting the initiatives from the public to start their own businesses. However, I hope that I am not regarded as unduly critical when I say that the loan guarantee scheme has done far more to help the banks than those who might get the money. It has given the banks the guarantee rather than the people who might wish to have access to the money. In general, the clearing banks that have become part of the scheme would have lent the money to the same projects in any event. They have simply been made more willing to do so as a result of the scheme because of the extra security that the scheme provides.

I suspect that every hon. Member could go around his constituency and find bank managers who, sadly, are not sufficiently trained in matters of commercial judgment to be able to make such a judgment properly when somebody comes along to ask for finance for a new venture. In rural areas one sees bank managers who are far too ready to lend money on the security of land. Now farmers are confronted with the problem of being heavily mortgaged, then they are suddenly confronted by cuts in milk quotas and so on. Bank managers have been prepared to lend money, but on safe security rather than to ventures that may have desperate need of money to be set up and to employ people.

I make no complaint about that, because it is not the bank's own money. It is the bank's investors' money. Those who leave their money in the bank would not be satisfied if they thought that the bank was making increasingly risky investments in companies. However, that does not alter the fact that that is not a ready source of available finance for small businesses.

Government grants are available. They are multifarious, and they are welcome, but we have seen moratoriums on Government grants, which make it difficult for people to rely on them. The frustration about that is manifest in many areas.

We have plenty of access to expertise from the management point of view. There is the Welsh Development Agency in Wales. We have an economic development unit and a business agent in Anglesey. All are prepared to go out and give the benefit of their experience in business, to help small businesses in planning their marketing technique and such matters. However, those people cannot offer money on terms that small businesses can afford. Effectively, the only way in which a small business can have access to finance is on strictly commercial terms with a bank, and that is very difficult.

In order to overcome that problem, we need either a Government fund offering small loans to small businesses on favourable terms — I would not favour that route because it is a Socialist route, which would build up many difficulties — or we need to shift the whole emphasis away from trying to give tax concessions to companies, to giving them to those who wish to invest their money in them. My hon. Friend the Member for Kettering (Mr. Freeman) has tabled a new clause to the Finance Bill, which is along those lines. It would enable small and medium-sized companies to issue tax-free bonds. The business expansion scheme adopted that concept. However, much more can and needs to be done to ensure that we can go down that route.

It is unfair for us to expect institutions that are dealing with other people's money to take risks in lending finance to small businesses. It is not unfair — indeed, it is necessary — to shift that risky burden to the investor himself. If one give fiscal incentives to the investor, the investor will respond, as the recent dramatic increase in the over-the-counter market has shown only too well. We must make it clear, however, that we are concerned about economic policy, not for its own sake, but purely as a means to achieve the happiness and unity of our people. We must make it clear that we are focusing our attention on that.

Politicians and people alike are aware of the need for a new vision of society for the 1990s and the turn of the century. That vision must be of a contented and not a divided society. That is why we must concentrate on the problem of unemployment. With a little more imagination and inventiveness I believe that we can provide that vision —but time is very short.

7.20 pm

Mr. Doug Hoyle (Warrington, North): I hope that the House will not adjourn for the Whitsun recess without considering the collapse of the Insurance Corporation of Ireland, and especially its London operations, which will have great consequences for all of us unless we address ourselves to what can be done to tighten the regulations governing the City in this respect.

The whole House will agree that the London market is a major insurance centre and that anything that happens in it is thus of great importance. Provisions for supervision and regulation have greatly increased in recent years, and the Department of Trade and Industry has been charged to investigate whether there are sufficient solvency margins. The powers have evolved and expanded through various Acts of Parliament. The Insurance Companies (Amendment) Act 1973 gave the Department its present wide powers of intervention and the Companies Act made it compulsory for companies to be authorised by the Department and for management to be in the hands of fit and proper people. In addition, regulations were introduced providing that all authorised insurers must submit detailed annual reports to the Department. I am pleased to say that virtually all those developments have been consolidated in the Insurance Companies Act 1982 and in the 1981 regulations, so the basic framework is in place.

The question that needs to be answered by the Secretary of State for Trade and Industry is whether the 85 people in that section of the Department can deal adequately with 850 authorised insurers and the extremely detailed returns submitted, some of which run to 100 pages or more. How can all those submissions be adequately investigated by so few staff?

In the EEC, solvency regulations are largely left to the insurance licensing authorities of individual member states. Each member state then looks at the companies

which have their head offices in that country, but it is also necessary to consider the activities of branch offices and whether the reserve ratio is satisfactory.

That is the background to the collapse of the Insurance Corporation of Ireland. The corporation has branch offices in London, Bristol and Manchester and, I believe—the right hon. Member for South Down (Mr. Powell) will correct me if I am wrong—two offices in Northern Ireland. My greatest concern is about the London operation, which accounted for 70 per cent. of the corporation's worldwide network, including Europe, the United States and Ireland. The corporation's United Kingdom business made losses of between 25 million and 125 million Irish punts and perhaps much more, but some suggest that the losses may be as high as £500 million sterling, and even people who take a conservative view believe that the losses are at least £150 million.

How did such a collapse occur? The corporation gave the London office immense powers over the way in which it conducted business in an area in which there had long been a great deal of overcapacity — the reinsurance market. As a result of that overcapacity, very low rates had been quoted. The established companies in that area, however, were seeking to stabilise the rates and to achieve a more sensible relationship between the rates and the returns likely to accrue rather than constantly cutting rates to get business at any cost. That is the jungle into which the Insurance Corporation of Ireland—a small, perhaps rather naive, company—plunged and took on business that other companies were not prepared to take on and at rates which one commentator described as suicidal. As a result of that madness, it ran into its present troubles.

Although the Insurance Corporation of Ireland is a small company in United Kingdom terms, it is the only indigenous Irish company engaged in reinsurance. Why it allowed its London management to make such disastrous decisions, I do not know, but it certainly led the corporation into severe difficulties.

When the Irish authorities examined the figures submitted to them in July 1984, they realised that something was wrong because there was insufficient provision in the 1983 accounts to meet outstanding claims on the corporation's Irish business. The authorities were extremely worried and began to inquire into the London branch activites. The management offered assurances that all would be well, saying that there were difficulties but that measures were being taken to put things in order, and the parent company—the Allied Irish Bank—said that it was committing itself to 23 million Irish punts to cover the shortfall and to bring the corporation back to solvency.

In November 1984, the Irish authorities expressed concern about the thirteen fold increase in underwriting losses which had occurred in three years as a result of the London branch's activities. At that time the DTI was asked what the situation was. It is obvious that during that period the Department must have received the June figures. According to the Irish press, even when asked in November 1984 what was happening, particularly in London, the Department gave the all clear and said that the operations were fine. In fairness to the Department, it denied that it had said this, but it certainly felt that the company could carry on.

It is now a matter of record that the company collapsed. Consequently, I hope that the questions that I shall ask will be answered by the Secretary of State for Trade and Industry. Is it true that there will be an inquiry into this company, particularly into its United Kingdom operations which caused the losses that occurred? Will such an inquiry be undertaken by the DTI? If so, what will be its terms of reference? Will its findings be published? Does the DTI consider that there are any gaps in the disclosure requirements for insurers with head offices in the United Kingdom or those which have branch offices in this country? Does the DTI consider that further powers, over and above those which exist in current legislation, are required to enforce its statutory supervisory functions? It is obvious that something was lacking in this case.

This matter is of particular concern as more and more insurers are setting up operations in the United Kingdom. It is therefore essential to know what is happening so that investors and employees can be kept informed. It is immensely important that the DTI should obtain all the data which are necessary to judge the operation of these companies.

Are the present disclosure requirements adequate? Changes are occurring in the market. It is vital to look at the reinsurance market, where the Irish company's troubles arose, because other companies have experienced difficulty due to competition and cuts in the rates that are charged.

The London market is a major international insurance centre. We must ensure that our house is put in order if that is what is required. We require more information in order to do so, because we have a responsibility to ensure that any insurer who operates in this country fulfils the strictest possible criteria so that we can prevent a collapse similar to that which occurred in the Insurance Corporation of Ireland. We require such information not to restore confidence in the industry, but to ensure that it is monitored and that such a collapse cannot occur again. I therefore hope that we shall be given the information that I have requested.

7.34 pm

Mr. Greg Knight (Derby, North): Earlier, the Chair made a plea for short speeches, and that is advice which I intend to take.

The House should not adjourn for the Whitsuntide recess until we have discussed the problems caused by gipsies—if I used the proper noun, I would say the problems caused by itinerants—who take up residence on land without the owner's permission.

This is a nationally recurring problem which warrants action because of the nuisance which is caused, because of the criminal damage which often takes place and because of the acts of dishonesty committed by many itinerants, such as theft, burglary and offences involving motor vehicles. These offences are committed by people who pay neither rates nor taxes but who can make life a misery for those who do.

This problem affects businesses as well as house owners. A short time ago I received a letter from Derby Glass Windows, which states:

> "This letter concerns the premises we have on the Derby Trading Estate, Stores Road, Derby, with the re-appearance of the 'gypsies' onto this site.
>
> We are experiencing totally unhygienic conditions here, with the land around our factory being used as toilet areas with human excreta all over the place. In addition, considerable damage is being done to vehicles left parked on our property, i.e. broken-off radio aerials, windscreen wipers stolen and petrol syphoned out, so much so, that these vehicles are having to be removed each night to other premises within our organization.

[Mr. Greg Knight]

As you will appreciate we have had this problem in this area on and off over the past twelve months and taking into account the amount of rates that we pay to the city, we feel that something must be done immediately to alleviate this situation."

Some time after that, the *Derby Evening Telegraph* reported:

"Scavenging itinerants have brought traffic chaos to Derby's Raynesway tip",

and it went on to say:

"police had to be called to the tip after complaints from irate members of the public. The tip had to be closed until order was restored and the traffic jam the itinerants had created could be cleared".

These problems are by no means peculiar to the city of Derby, and we are entitled to ask what can be done to alleviate them.

Some people would argue that it would help if a district could obtain a designation under existing legislation. I accept that it would help to some extent, but at the end of the day we must realise that the current law is not satisfactory and that further action is needed.

As a result of a well-known case in which a man named Fagan broke into a famous bedroom, there was a review of the law of trespass of residential property. However, what I feel is needed—I think that the House would accept this—is a review of the law of trespass generally in order to prevent people from setting up mobile homes at will on another person's land and causing unnecessary nuisance, annoyance and disturbance.

The problem in Derby is currently not quite as bad as it has been in the past, but it recurs month after month, year after year without any general improvement. Action is needed to tackle the problem. I hope that the Leader of the House will agree to draw my remarks to the attention of the Secretary of State for the Environment before we rise for the Whitsun recess.

Several Hon. Members *rose*——

Mr. Deputy Speaker (Mr. Harold Walker): Order. Four hon. Members are still seeking to catch my eye and I understand that the first Front Bench speaker intends to reply to the debate at about 8 o'clock. The arithmetic is obvious, and I hope that hon. Members will play fair.

7.38 pm

Mr. Jeremy Corbyn (Islington, North): I shall try to be brief, but the subject I wish to raise is important and I hope that the Leader of the House will draw it to the attention of the Home Secretary and the Prime Minister. This issue, which has recently featured in the news, is the problems faced by the Tamil people in Sri Lanka and the British Government's relationship with Sri Lanka.

I am sure that hon. Members will have seen today's report in *The Guardian* that 10 Tamils were killed in a backlash to a massacre. *The Times* also reported:

"Tamils massacred in ferry attack".

Such stories have emerged almost daily from Sri Lanka over the past few months.

It is important to raise this subject, because the Prime Minister recently visited Sri Lanka. It is interesting to contrast her attitude towards the denial of human rights in Sri Lanka with the attitude of the Foreign Secretary during his visit to Poland. The Foreign Secretary visited the grave of Father Popieluszko and waxed lyrical about the need for improvements in the human rights record of the Polish Government. In her visit to Sri Lanka, the Prime Minister refused to meet the human rights activists. She refused to meet those who are trying to draw attention to the denials of justice there and made no mention of the fact that a Catholic priest, Father Bastian, was gunned down on 6 January.

The crisis dates back to the summer of 1983, when there were enormous riots in Colombo and other cities in Sri Lanka and thousands were killed. The chauvinist-inspired riots were promoted by the army, the police and the security forces. However, the origins of the crisis date back further still. The British Government, or past British Governments, have had a role to play. Sri Lanka is a former colony. British companies made a great deal of money out of the Ceylon tea trade and other trades with that country, and on independence in 1948 a defence treaty was signed with the country. Successive British administrations in that country, I believe, deliberately divided the Sinhalese and Tamil people. That division has been exploited ever since, to the benefit of the current Government of Sri Lanka.

The reporting of events has often been limited. In 1958, massive violence throughout Sri Lanka was largely unreported in the Western press. The language question has been a major factor in Sri Lankan politics. There is now no official language, but there are incredible discrepancies in the use of the languages. For example, 99 per cent. of the army speak Sinhalese, yet soldiers are sent into Tamil areas allegedly to control the situation.

In a series of contitutional changes forced through the Sri Lankan Parliament, the Government have removed the civic rights of Mrs. Bandaranaike, the former Prime Minister. A referendum was carried out to extend the life of the Government. A Prevention of Terrorism Act, passed by Parliament, has damaged civil rights in the country. Although many people have been killed by the security forces during the present crisis, until 1984 there were no proper inquiries or post mortems after those deaths.

Perhaps more significantly, the constitutional amendments put through Parliament by the current Government have introduced the sixth amendment to the constitution, which demands that allegiance be sworn to the unity of the Sri Lankan state. The main opposition party representing Tamil people, the Tamil United Liberation Front, could not sign that allegiance because its party's policy had become one of supporting separatism. In such a disturbed situation, it is a serious matter that the largest party representing the Tamil minority is not even allowed to be represented in Parliament. The British Government have had a hand in that. They have had a role to play.

My hon. Friend the Member for Knowsley, North (Mr. Kilroy-Silk) and the hon. Member for Chislehurst (Mr. Sims) recently visited Sri Lanka. An interview with my hon. Friend in the *Tamil Times* on April 1985 noted that the purpose of the visit was to investigate allegations of human rights violations. My hon. Friend was asked :

"What is the situation in this regard?"

He replied:

"As our report will make it clear, there is evidence of substantial violations of human rights in Sri Lanka. First of all, the Tamil people are being forced out of their homes by the government from the Prohibited Zone area and they have been turned into refugees in their own country. They are living in churches, temples, schools and garages. According to the government itself, there are about 100,000 refugees and that clearly is a conservative estimate. We were informed that Tamils are leaving at a rate of a thousand every day by boat to South India. There has been a complete dislocation of the fishing industry on which the coastal people largely depend. The

Prohibited Zone includes thickly populated areas and it has brought about unimaginable hardship and disruption to the life of the Tamil community.

In addition, my hon. Friend described how the Jaffna peninsula in the north of the country had become a security zone. There have been other reports of other violations of human rights in Sri Lanka from the International Commission of Jurists and from Amnesty International.

I visited Sri Lanka in April 1984. I was there for a week and met representatives of the Government, of the Opposition parties and, of the trade unions in Colombo. I also went to Kandy, to Trincomalee on the north-east coast and to Jaffna, where I experienced for the first time what the curfew and the presence of the army mean to the people.

The Government appeared to be entirely cynical about the round table talks which they were supposed to be having with opposition groups about a new constitution. The Government were quite prepared for the oppression by the army in Jaffna, and the killing of so many people, to continue. Naturally, the response of the Tamil people and parties is to call for the development of an Eelam state.

There is an international aspect. Trincomalee was a major harbour during the second world war, and could be one again. The United States Government give considerable support to the Government of Sri Lanka. A "Voice of America" radio station is being constructed there. According to a report in *The Observer* on 4 April, a special task force of police commandos at the disposal of the Sri Lankan Government have been trained by ex-SAS people from this country. The United Kingdom continues to give aid. The Prime Minister attended the opening of the Victoria dam and pledged further aid for the country. There is a military training arrangement and British Government support for police training in this country.

In an interview on the BBC overseas service, the Prime Minister said:

"Democracy should not be given to those who wish to impose their will by force . . . but work with minorities who seek to work democratically."

The Government of Sri Lanka are not working democratically. They are oppressing and isolating the Tamil minority. The British Prime Minister appears to be incapable of understanding that.

On his return from Delhi, Mr. David Lange, the Prime Minister of New Zealand, said that there would have to be an international task force of some sort to maintain peace and order in Sri Lanka.

The British Government should respond to certain basic requests. First, the arms deals must end. The training arrangements must end. Support for the Sri Lankan Government must be discontinued. Secondly, the aid programme must be reconsidered. Aid is clearly being used—as a propaganda weapon as much as anything else—to prop up the Sri Lankan Government.

Thirdly, an enormous number of refugees have left Sri Lanka for India and other places, and a large number of Tamil people in London and other cities in this country have been allowed temporary and exceptional leave to remain here. Those people are at permanent risk. They are dangling on the end of a string. The British Government should recognise that those Tamils who have expressed a fear of returning are genuinely afraid of the consequence of returning to Sri Lanka and look to the British Government for permission to remain here permanently.

A Tamil woman whom I have known for some time spoke to me recently. She asked me not to reveal her name because of the possible repercussions. She told me that, in her family village, eight male members of her family were burnt alive during a recent raid by the army during which 38 other people were also killed, while the remaining villagers took refuge in the one remaining temple. The other temple had been burnt down during a previous army raid.

The issue is serious and important. The British Government, if they seriously support the call for human rights, and they are seriously interested in violations of human rights in other countries, can and should do something immediately to help the refugees from Sri Lanka and cease supporting a Government who use as a major propaganda weapon the approval that they have obtained from the British Government.

7.48 pm

Mr. Dave Nellist (Coventry, South-East): I do not think that Parliament should go on holiday until I have had a chance to reply to the what the hon. Member for Ealing, North (Mr. Greenway) said two hours ago about the action on April 25 by 250,000 school students against mass industrial conscription by the Government onto the youth training scheme.

We heard an amazing speech from the hon. Member for Halesowen and Stourbridge (Mr. Stokes). He should be renamed the Tory Member for Stonehenge, East, given the progressive nature of his views. He talked about the so-called violence——

Mr. J. Enoch Powell: If the Boundary Commission hears you, that is what it might call his constituency.

Mr. Nellist: I do not need any interruptions from you, sunshine.

The hon. Member talked about the so-called violence of Greenham peace women. The Leader of the House might have noticed early-day motion 702 concerning the Waffen FCS of Tory students at Warwick university who have recently produced a song book, with the official logo of the Conservative party on the cover, which calls for the murder of the Greenham peace women. I should like the Leader of the House to comment on whether he thinks that gives the Tory party an acceptable modern image.

The hon. Member for Ealing, North, who is not with us at the moment, correctly said that the strike by school students was called——

Mr. Eric Forth (Mid-Worcestershire): He is coming in now.

Mr. Nellist: All right, I can see.

The hon. Gentleman said that the strike was called at the Labour party Young Socialists conference at Easter by 200 school students. It was backed by the Youth Trade Union Rights Campaign of which I am the honorary president. The hon. Gentleman said that I gave a certain amount of money to that campaign. He is absolutely right. I have given it £20 a month since I came to Parliament two years ago. I also give the Labour party £20 a month and my constituency party £80 a month. I give the Labour party Young Socialists £20 a month and I gave the families of striking miners £30 a week during the strike. I came here to live on ordinary workers' wages, unlike the millionaires and near-millionaires who occupy Conservative Benches.

Mr. J. Enoch Powell: I do not think that I have ever been called sunshine before.

Mr. Nellist: Have you finished?

Mr. Deputy Speaker: I have not started. Will the hon. Gentleman get on with his speech?

Mr. Nellist: The hon. Member for Ealing, North also mentioned leaflets that were issued in parts of London and which he said came from the Socialist Workers party. He tried to besmirch the Labour party Young Socialist-backed Youth Trade Union Rights Campaign on account of the content of those leaflets. The 25 April strike was not anti-school, anti-teacher or anti-parent. It opposed YTS conscription and the Government who have destroyed the hopes of a generation of school leavers, 500,000 of whom have not worked since they left school under the Tory Government. It is an insult to 15 and 16-year-olds to portray YTS as a passport to jobs.

Mr. Greenway *rose*——

Mr. Nellist: If the hon. Gentleman had been in all evening I should have given way, but time is short. In 1974, 5 per cent. of 16-year-olds not in full-time education were unemployed. That figure rose to 23 per cent. last year, and another 45 per cent. were on YTS. That means that 68 per cent. of 16-year-old school leavers are without a proper job. The majority of the increase has occurred during the past six years.

When Tory Members talk about school leavers being given lessons in politics, they should bear it in mind that the first lesson is given by the Tory Government, who refuse to guarantee them a right to a job when they leave school. The second lesson is coming up, with the so-called Fowler reviews. If YTS is so wonderful, why are the Government proposing to deny 237,000 16 and 17-year-olds the right to supplementary benefit and to conscript them onto that scheme? They are being conscripted onto a scheme which pays £26 a week. If that allowance had been increased in line with inflation or earnings during the past six years, it would have been £40 a week. The Government have robbed people on YTS of £14 a week.

The hon. Member for Ealing, North made allegations of truancy. It was not truancy on 25 April. It was organised, disciplined and responsible political protest. Where was the hon. Gentleman's protest in 1981 when every schoolchild in the country was given a day off school for the royal wedding? What damage did that do to their education? Not one Tory Member protested about every schoolchild having a day off when Charles and Diana got married in 1981. It is a bit ironic that headmasters complained about a half-day strike in England and Wales as disruptive of education and then handed out 10 or 20 times that denial of education by suspending children from school as punishment.

The Youth Trade Union Rights Campaign supported school students in a half-day strike by 15 and 16-year-olds. They are this year's school leavers. The strike was not aimed at 11 and 12-year-olds. Come the summer, 300,000 or 400,000 youngsters who have left school will not find one Tory or Liberal Member of Parliament worrying about the fact that they are permanently out of school, permanently out of education and permanently on the dole.

The strike was in support of Labour party policy established at last year's party conference by the Youth Trade Union Rights Campaign for a minimum allowance of £55 a week on YTS, the right to join a trade union, a safe scheme fully covered by health and safety legislation and the right to a job at the end of the scheme. There will be a growing desire among those youngsters for a right to decide. If the Tories say that they are only to be chucked on the scrap heap of unemployment at 16, I shall maintain that they are old enough to have the vote. There will then be 2·7 million other voices joining those who are rising up against the Government.

It is far better for Labour Members, trade unionists, parents and others to support a half-day strike by young people and to draw them into the Labour trade union movement in opposition to the Government's plans for mass unemployment than to condemn that generation of school students to glue sniffing, heroin addiction or a repetition of the riots of 1981. That is what lies ahead of the kids leaving school this year and it is engendered by the demoralisation and despair of mass unemployment. The responsible action of those youngsters of 25 April brought them into the orbit of the Labour trade union movement.

I issue a warning to the Leader of the House and Tory Members. If the Government do not withdraw their plans for mass conscription onto YTS, come the autumn, two things are likely to happen. First, the protest by school students is likely to be four times the 250,000 who came out in April. Secondly, I have argued for three years that trade unions should ensure that YTS is not a scheme of exploitation of youngsters and that they have decent rates of pay, the right to join unions and to be safe. If, however, the Government introduce mass conscription for two years, my voice will be added to those who say that trade unions should boycott the scheme and ensure that it is brought down. That is responsible political progress against the Government which avoids the despair of drug addiction, suicides and a repetition of the riots of 1981. It deserves the support of every Labour Member.

7.56 pm

Mr. Eric Forth (Mid-Worcestershire): I should like my right hon. Friend to reconsider his proposals for the spring adjournment, because an important matter faces the Government in the context of the European Economic Community. I know that my right hon. Friend is well aware of it and I shall be most interested to receive his response.

My right hon. Friend will know that the committee which rejoices in the name "Ad Hoc Committee for Institutional Affairs", but which is more colloquially known as the Dooge committee, has drawn up a report which is to be considered by the European Council at its meeting next month. The report contains some important recommendations for the reorganisation of the institutional affairs of the EEC. It is based on an assumption that the fault or problem of the lack of what is called progress in the EEC is caused not by lack of political will but by lack of institutional arrangements. I do not want to digress into that argument, but if we work on the assumpiton that the problem of the EEC is institutional—I do not—it will be most important for the Government to take up a position on the matter as early as possible and in as organised a way as possible. I like to think that that will be done with the support of the House. That is why I want the House to have an opportunity to discuss it. I cannot go into any detail in the time available, but I should like to highlight two principal matters.

The first concerns what are called the principles of voting and covers the vexed question of majority voting as against the unanimity or veto principle in the EEC. It is interesting to read the Dooge committee report as opposed to reports of it. Page 25 says:

"The majority of the Committee favour the adoption of the new general principle that decisons must be taken by a qualified or simple majority. Unanimity will still be required in certain exceptional cases, which will have to be distinctly fewer in number in relation to the present Treaties, the list of such cases being restrictive."

That is an intriguing example of Eurospeak, which contains a germ of a problem. In some circles there is a wish to move towards majority voting, with the possibility of a veto in exceptional cases.

More important, under the title of "The method" on page 33, the Dooge committee proposes that a conference of Government representatives of the member states should be convened in the near future. That proposal will face my right hon. Friend the Prime Minister when she goes to Milan. The conference will be asked to negotiate a draft European union treaty based, among other things, on what is known as the Spinelli draft treaty and the Dooge document. The conclusion of the recommendation states:

"The very decision of the Heads of State or of Government to convene such a Conference would have great symbolic value and would represent the initial act of European Union."

I hope that my right hon. Friends the Leader of the House and the Prime Minister will think long, hard and carefully whether to accept the terms of reference of the suggested conference in the terms in which it is put in the Dooge committee report, and to go to such a conference, which will involve a pre-commitment to the idea that we need to progress to the so-called European union. I hope that my right hon. Friend the Leader of the House will respond to those questions this evening.

8 pm

Mr. Alan Williams (Swansea, West): The term normally applied to debates on these occasions is "wide-ranging", but the speech of the hon. Member for Halesowen and Stourbridge (Mr. Stokes) dwarfed our proceedings. In the space of six minutes he managed to cover bishops, defence, embryos, Sunday trading, the economy, the social security review system, lawlessness, violence and morality. It was an exercise in flexibility, if not in profundity. I was saddened for him when I heard his description of the moral chaos and evil society to which he sees our country reduced under the Administration that he supports.

The hon. Gentleman was guilty of a slight understatement when he said that he was sorry that the Government had not reduced taxation much. Reality hardly bears out his comment because taxation, far from being reduced, has increased by £21 billion a year since the Government came to office. The financial chaos produced by the Government is such that one must earn more than £18,000 a year to reap any benefit under their tax cuts. Despite cuts in every other area, they felt able to give £3,000 million a year to the top 5 per cent. income earners. I have no intention of pursuing all the remaining points made by the hon. Gentleman.

The hon. Member for Ynys Môn (Mr. Best) also made an intriguing contribution. He said that investment in the United Kingdom was increasing, but he overlooked the fact that since 1979 it has fallen by 41 per cent., or £3,100 million. It has subsequently recovered a pathetic 7 or 8 per cent., but it is still one third below its 1979 level. The hon. Gentleman said that employment is increasing, but male employment continues to fall. Any increase in jobs, as has been revealed by the current edition of *Lloyds Bank Bulletin*, is in part-time jobs, most of which are for women. Although one is glad to see those opportunities, we are seeing a poor trade-off of part-time jobs being created and full-time jobs disappearing.

I understand why the hon. Gentleman is not eager to return to his constituency and why he would prefer it if we incarcerated him in the House. During the past 12 months unemployment has increased by 9·4 per cent. in his constituency under the Government whom he supports, and it has increased by 16 per cent. since June 1983. Unemployment stands at 22 per cent. in Holyhead. The hon. Gentleman said that Wales had become a land of small businesses, which used not to be true. That is true now because the Tory Government have killed off the larger businesses. According to the latest edition of the *National Westminster Bank Review*, 30 per cent. of manufacturing employment has disappeared since 1979.

The hon. Member for Ealing, North (Mr. Greenway) made an intervention which purported to be in defence of education. It was a bit ripe coming from a supporter of a Government who have done more than any other to destroy public education, force teachers into direct action, which is not their natural instinct, massively downgrade teachers' pay relativities, drive the best teachers from the profession, and leave state schools short of books, while receiving £12,000 million a year in oil revenues from the North sea.

My right hon. Friend the Member for Glasgow, Govan (Mr. Millan) revealed a singularly disturbing position relating to the exploitation of our desperate housing shortage. He highlighted the consequences of the Government's failure to sustain a building programme. The result is that people are thrown into the hands of parasites, such as the Solomons, who sound utterly evil. I hope that they will evenutally get their just desserts. However, that is the reality of the market-place economy. It is exactly the sort of morality that the Government seek to encourage in the economy and which the hon. Member for Halesowen and Stourbridge deplored. We expect the Scottish Office to introduce legislation to ensure that the same protections are available in Scotland through local authorities as are already available in England and Wales.

I shall take the advice of the right hon. Member for South Down (Mr. Powell), who said that we all learn slowly and painfully in Northern Ireland. I admit that I do not claim great expertise in that area, and I shall leave it to the Leader of the House to deal with the right hon. Gentleman's points, most of which were directed at the Government.

We had two speeches about today's announcement of the cuts in British Rail. My hon. Friend the Member for West Bromwich, East (Mr. Snape) apologised to the Leader of the House, because he could not be present for the wind-up. He is presenting medals at a cup final of the unemployed in Birmingham. He and the hon. Member for Swindon (Mr. Coombs) highlighted the tragic position created by the announcement, not only in Swindon, but in Glasgow. As the hon. Gentleman suggested, it is poetically sad that on this, the 150th anniversary of the Great Western railway, we witness effectively the closure of the railway town of Swindon. As a youngster from south Wales travelling through Swindon to London and looking

[Mr. Alan Williams]

at the great yards there, I always saw it as the symbol of railways in the United Kingdom. The House must make it clear to British Rail that we find it utterly unacceptable for it to place orders for 1,500 locomotives overseas. We cannot accept that. It is no good saying that foreign countries have the know-how. As my hon. Friend said, if we do not start to develop the know-how, we shall never get an opportunity in the export markets, to which British Rail Engineering Ltd. is supposedly looking.

It seems strange that, having built the railways of the world, we must now go abroad to buy a few locomotives. We were the workshop of the world, but now we have had our first deficit on manufacturing trade since the Napoleonic revolution. In 1980, the Government inherited a surplus of £1 billion of non-oil visible trade, which in the space of four years they managed to turn into a deficit of £11 billion. I hope that the Government will ensure that whatever help can be given is given to Swindon and Glasgow.

As my hon. Friend intimated, the position is in contrast to the forecasts of BREL as recently as 1981, and is an indictment of our low level of economic activity, against expectations, caused by the Government's policy of continuous deflation.

This has been a fascinating debate. I apologise to those of my hon. Friends whose speeches I have not been able to mention, but I must now give the Leader of the House an opportunity to answer everyone.

8.9 pm

The Lord Privy Seal and Leader of the House of Commons (Mr. John Biffen): I agree with the right hon. Member for Swansea, West (Mr. Williams) that this has been a wide-ranging debate. Therefore, I hope that he will allow me to comment on his speech indirectly through the medium of the speeches made by Back-Bench Members.

I begin with the first contribution to the debate, from my right hon. Friend the Member for South Down (Mr. Powell), about the Northern Ireland Act 1974, the means whereby it is renewed annually and his desire that the Province should be allowed to return to constitutional normality, thus enabling its laws to be made by the House in the same way as laws for the other parts of the Union are made, and that it should possess responsible local government. I have no doubt that, in that context, he would wish us to consider the fact that the Province is now fully represented in the House. Those who have been privileged to come here to represent the Province have done so with such attention and zeal that it gives the most effective demonstration to other hon. Members of the true desire of those from the Province to have the full and unblemished status of members of the Union. I shall communicate his observations to my right hon. Friend the Secretary of State for Northern Ireland.

The right hon. Member for Glasgow, Govan (Mr. Millan) mentioned a problem that affected his constituency, although I suspect that it goes rather wider. It would not surprise me if, in due course, we discovered that the practice was happening outside west central Scotland. He said that the problem was given effective exposure by the investigative techniques of the *Evening Times*. He aired the problem most effectively, albeit to a somewhat thin House. None the less, no one could but be seized of the social issues implicit in what is happening. It would not be appropriate for me to comment on the details, not least because I have been advised that there may be legal proceedings against the company at the heart of the reports, but I understand exactly the points that he made and his anxiety that there should be legislation on the matter. I shall ensure that his comments are reported to my ministerial colleagues in the Scottish Office.

I very much appreciated the remarks of my hon. Friend the Member for Halesowen and Stourbridge (Mr. Stokes). Of course, they excite some hilarity, but every time that someone has something worthwhile to say in the House, it almost certainly excites a reaction. If it is just one more example of the consensual porridge, it passes undigested and unnoticed.

I could pick out several points that my hon. Friend raised, but perhaps he will allow me to confine myself to his concern about powerful forces in society—one could call them the moral forces in society—and about the limited extent to which they can be conditioned by Government or by the police. He is right in that context to point to the tremendous potential power that could be effected by the churches. I was interested to hear him emphasise the fact that the church at parish level was proving much more effective in giving leadership in such matters than was the church at episcopal level. I shall not enter into that highly dangerous controversy, but I shall say this. When one considers the importance of the church in influencing social affairs, I think, among others, of Bishop Temple, whose ability to impart social influence was matched by the extent to which he secured respect in spiritual matters. That is a healthy reminder in the context.

My hon. Friend the Member for Swindon (Mr. Coombs) and the hon. Member for West Bromwich, East (Mr. Snape) mentioned the proposed closures and redundancies affecting British Rail Engineering Ltd. at Swindon and possibly elsewhere. My hon. Friend the Member for Swindon made an effective and moving speech and mentioned the serious constituency interest that is involved. His speech was the more impressive because it mentioned a future in which there was a diversification away from the existing dependence on railways, as well as a proper recognition of the part that the railways have played hitherto.

The hon. Member for West Bromwich, East said that he could not be here for the conclusion of the debate, and I have a note from him to that effect. I am not in a small-minded mood this evening, but he could have confirmed without doubt that he would make the journey by rail. However, he chose not to do so. I say that because there was much discussion about the extent to which we all use the railways.

My hon. Friend the Member for Ealing, North (Mr. Greenway) and the hon. Member for Coventry, South-East (Mr. Nellist) formed a charming partnership, from contrasting positions, in talking about the school strikes and the role of Militant Tendency in promoting them.

Mr. Nellist: Where is he?

Mr. Biffen: The hon. Gentleman's sparring partner explained to me that he cannot be here, and I am sure that we all charitably understand why.

In the absence of my hon. Friend, may I say that I believe he overdoes his anxieties on this problem. I do not look across at Militant Tendency and see its representatives as the Jesuits of Socialism, who say, "Give me the

child and I will give you the man." However, they become a little carried away about their role in the political scene as the leaders of those children's crusades. As I listened to the speech of the hon. Member for Coventry, South-East, my unease was somewhat reinforced. I am one of his greatest fans, and I hope that he will long be here as the acceptable face of Militant Tendency. There is a studied avoidance of subtlety in his comments that I find very encouraging.

The hon. Member for Leeds, West (Mr. Meadowcroft) made a charming and philosophical speech about the importance of pluralism in politics and the problems of dealing with minorities. For a party which believes that it is liberating itself from a minority status, that shows a certain lack of self-confidence. However, I leave that to one side. The hon. Gentleman was right to say that one of the most difficult tasks in the House is balancing our procedures so that minority interests believe that they have legitimate representation. I hope that he will be encouraged by the fact that we shall soon present Standing Orders on Opposition time.

I should tell the hon. Gentleman that the most hard-done-by minority in the House of Commons are Government Back-Bench Members—[HON. MEMBERS: "Hear, hear."] If I cannot play to my own gallery on this occasion, when can I? I make that observation because it is a factor that is overlooked when we try to construct a balance that enables the good conduct of our procedures.

My hon. Friend the Member for Ynys Môn (Mr. Best) made a powerful speech about unemployment and the importance of measures to secure its reduction, not least in his constituency. He explained why he cannot be with us now. His arguments were beguiling, although I was not all that convinced that we should have as much regional differentiation in fiscal matters as he advocated. However, his approach to the problem was constructive, and it enabled him to make in this debate a speech that I am sure he would have made otherwise in an economic debate. He invited us to guess in which debate the speech would have been made if he had not used this useful opportunity for Back-Bench Members.

The hon. Member for Warrington, North (Mr. Hoyle) was worried about the insurance industry. As a good Socialist, he talked about the Insurance Corporation of Ireland rather than about Lloyd's. That point was made by one of my hon. Friends earlier this afternoon, but all aspects of the problem and of our position as a nation harbouring a successful service sector turn upon there being confidence, which occasionally has to be restored by Government involvement. The hon. Gentleman is inviting that, and I shall see that his remarks are put to my right hon. Friend the Secretary of State for Trade and Industry.

My hon. Friend the Member for Derby, North (Mr. Knight) raised the problems of itinerants. I cannot think of any topic more likely to release a flood of letters should one have that particular problem in one's constituency. I speak from recent experience, and I can understand why my hon. Friend has sought this occasion to raise this topic. However, I am anxious not to say anything that means that I shall be the recipient of another dose of correspondence on this matter, but I shall see that my luckless colleague the Secretary of State for the Environment is appraised of the point raised by my hon. Friend.

The hon. Member for Islington, North (Mr. Corbyn) has explained that he cannot be here. I make no complaint, because he is not here to interrupt me. He made a moving speech outlining the tragedies between the communities that have befallen Sri Lanka. I shall see that his speech is drawn to the attention of my right hon. and learned Friend the Foreign and Commonwealth Secretary.

My hon. Friend the Member for Mid-Worcestershire (Mr. Forth) drew the attention of the House not only to the content of the Dooge committee report, but to the fact that the very modalities may imply commitments that are not perceived in the House. I am pleased that he has drawn my attention to that point, and I shall see that it becomes the possession of my right hon. and learned Friend the Foreign and Commonwealth Secretary.

Perhaps it is appropriate that I should conclude with the speech of my hon. Friend the Member for Mid-Worcestershire because it demonstrates the characteristics of these debates. They stretch from perhaps the most mundane, albeit important, constituency interests to the wider international affairs that are at the heart of our proceedings. If the motion is passed, we shall have the chance to go away and have a break of 10 days or so and come back to that fragile period of June and July when all the really hardened parliamentarians look forward to blood sports at their most gory.

Question put and agreed to.

Resolved,

That this House at its rising on Friday 24th May do adjourn until Monday 3rd June, and the House shall not adjourn on Friday 24th May until Mr. Speaker shall have reported the Royal Assent to any Acts which have been agreed upon by both Houses.

Orders of the Day

Administration of Justice Bill *[Lords]*

Order for Second Reading read.

8.22 pm

The Attorney-General (Sir Michael Havers): I beg to move, That the Bill be now read a Second time.

In introducing the Second Reading debate on this Bill in the other place, my noble and learned Friend the Lord Chancellor described the Bill as covering a wide range of disparate subjects with, like Mr. Churchill's blancmange, no central theme. The House will well appreciate the force of this description—the 62 clauses and eight schedules of the Bill will make a number of small, helpful, uncontroversial and unconnected changes as well as, more substantially, extending the Law Society's disciplinary powers and enabling licensed conveyancers who are not solicitors to undertake conveyancing for reward. I will not delay the House with an exposition of the overriding aims of the Bill or of the sources from which its provisions are drawn. Although it has no central theme, it will introduce a number of changes of a good legal housekeeping nature and other changes in the law that I hope will be welcomed in all parts of the House.

A number of moves and proposals are in train to improve the existing system of professional discipline imposed upon solicitors and the handling of complaints against them. The proposals contained in part I are perhaps the most important and immediate of these, but they are by no means the only significant ones.

There is a simple reason for this. The Government do not seek a direct role in this area. We believe that the existence, strength and vitality of the independent legal profession, and public confidence in it, are fundamental to the freedom under the law on which our parliamentary democracy depends. It is therefore to the Law Society that we must look to maintain the high levels of conduct, the standards of service and the collective discipline that we expect from solicitors. It has a central, but far from sole, function in the operation of the present arrangements for preserving those standards, and with that goes an obligation to ensure that those arrangements are working effectively and to propose or make improvements and extensions when that is necessary.

The Law Society is making efforts in three directions. First, over recent years it has set about improving its in-house arrangements. Secondly, it seeks the agreement of Parliament for extending and improving the existing legislation. Thirdly, it is planning for the future.

On the first of these—what the society has itself been doing—there has been criticism that the society has not been as active or as positive in response to criticism of solicitors as it might have been. To some extent, that is the result of the limitations of its statutory role—investigating, adjudicating and "prosecuting" before the solicitors disciplinary tribunal allegations of professional misconduct by a solicitor—which the Bill seeks to extend. In part, it follows from the way in which the society has seen it right to operate that role. For instance, where, as often happens, a case involves allegations of professional misconduct as well as matters that fall to be resolved by a court, the society had until recently taken the view that the professional proceedings should not progress until the court action had been determined.

In many cases that must be right, as simultaneous proceedings would be difficult and carry risk of mutual prejudice. The society has also rightly been very conscious that it is only to a court action that the client can look for damages, and it has been anxious to do nothing that might adversely alter that right. But any such suspension must always involve some delay. The reasons for it are not always understood and it is not invariably necessary. The society has therefore decided that the existence of court action should not be an automatic bar to disciplinary proceedings, each case being considered in the light of its particular circumstances.

The society has also been seeking to improve and strengthen both the resources devoted to handling complaints and their presentation to the public. More staff, of higher grade, have been taken on. Working procedures and management responsibilities have been clarified and strengthened. Work is now assisted by computer. The phrasing of letters to the public and published pamphlets has been reworded, in consultation with the consumer bodies.

The society has recognised the importance for some people of having someone with whom to talk through their problems, and to organise the more complex ones in ways that a complaints system can handle, and it is setting up an interview panel for this purpose.

The quest for improved standards is not confined to this sector. The society is about to publish the first batch of written professional standards covering wide areas of a solicitor's practice, as recommended by the Benson royal commission. Improvements are being sought in professional education both generally and in specialist areas, through initiatives such as the new continuing education service and the development of a practice management service.

The Law Society has therefore demonstrated its desire and ability to discharge its public responsibilities in a determined and up-to-date way within, as it were, its own walls. But much of the disciplinary system is provided for by statute and any change therefore requires primary legislation.

The society has therefore made proposals for changing the statutory provision, and the Government have decided that it would be in the public interest to help forward those proposals by finding space in the legislative programme for them. We have therefore accepted responsibility for the proposals contained in part I of the present Bill.

Perhaps one of the two most far-reaching changes in this part is contained in clause 1, which introduces a new section 44A into the Solicitors Act 1974, making a major addition to the range of available remedies where something has gone wrong between a solicitor and his client.

I think I should point out here that the various sanctions that a solicitor faces are greater in variety and power than those ranged against any other profession. First, the High Court has an inherent jurisdiction over him as one of its officers and may strike him off the roll or penalise him in costs. The keystone of the professional disciplinary system is the statutory solicitors disciplinary tribunal, which deals with cases of conduct unbefitting a solicitor. It has both solicitor and lay members and is independent of any other organ.

The more minor misconduct matters may be dealt with by the Law Society, which has a range of remedies, such as the imposition of conditions on practising certificates. It also investigates and acts in the majority of cases before the tribunal. But that has been the limit of the society's disciplinary role hitherto, and recourse for a financial remedy has been by way of an action for damages before the courts, or seeking to have the bill reduced by the formal process of a remuneration certificate or taxation.

All those measures provide necessarily diverse remedies for what are inevitably diverse problems. But there has been an important gap, because all the measures in this list tend to be of greater use where the problems are serious, and where comparatively large sums of money are at stake. Where this was not so—either because the financial loss has not been great enough to warrant an action for negligence, or perhaps because inadequate service would not even have given rise to a cause of action —there was no help through the courts, and no place in the society's powers for it to assist either.

Clause 1 makes a significant change to that position by extending the society's regulatory powers to give it a wholly new function. Where work has not met the standard which could reasonably be expected of a solicitor, the society will be able to order that he should reduce or repay all or part of his bill, or carry out specified items of work.

The society is already planning to publish—before this new jurisdiction comes into force — written professional standards. Those cannot realistically hope to cover the whole wide and diverse area of practice, but they will cover most areas and provide important clarification of what is expected of a solicitor and, therefore, provide important background to the new jurisdiction.

Failure to comply with the society's order will be a disciplinary matter to be dealt with by the disciplinary tribunal, whose orders are enforceable as if made by the High Court. I should perhaps mention that we hope that it is possible to improve the Bill by simplifying the disposal of cases that give rise to misconduct and the new shoddy work jurisdiction, and an amendment will be brought forward in Committee.

Clause 2 makes a significant contribution to making the society's investigation of complaints more effective by inserting a further new section into the principal Act, under which the society may compel a solicitor to produce his case files. Under the Solicitors Act 1974, that power is restricted to cases where there has been undue delay in dealing with a matter, so that the files can be given to another solicitor to complete the work. It is now extended to cover cases in which it is necessary for the society to examine papers for the purpose of investigating a complaint. That power will provide a useful evidential tool in matters of misconduct, but, equally importantly, will be the starting point in investigating complaints of shoddy work.

Perhaps the other most significant development is in schedule 1. Hitherto, the only involvement in the existing system of persons who are not lawyers has been outside the Law Society. The solicitors disciplinary tribunal must, as I have indicated, sit with at least one lay member. Overseeing the whole operation of the society is, of course, the lay observer, who has powers under the 1974 Act to investigate the society's handling of a complaint and makes an annual report to the Lord Chancellor, which is laid before Parliament.

Under the Act, the society is obliged to consider any report or recommendation received from a lay observer and to notify him of any action taken in consequence. The society has decided that it should take these developments a stage further, believing that it would help in discharging its duties in the public interest to have a wider measure of representation in the committee or committees which investigate and adjudicate on complaints. Schedule 1 provides for the society to appoint to those committees as full members both solicitors who are not members of the council and laymen from outside the profession. It is intended that the Master of the Rolls should make the nominations. In fact, he has already put forward his first list of names in advance of the legislation, and the society has invited those people to take part in meetings. They have been doing so since last November, and have been playing an increasingly valuable role.

Apart from the provisions relating to bad work, the Bill also makes changes in the arrangements relating to practising certificates. Section 12 of the 1974 Act gives the society a discretion to impose conditions upon the annual practising certificate. That discretion can at present be exercised only when a certificate is next applied for, not in relation to the one currently in force.

The power is extended by clauses 3 and 4. First, it will now be exercisable where a solicitor has failed to provide accountants' reports within the time required. Secondly, the Act is amended to make it clear that the society has power to impose as a condition on a certificate specified steps—which may or may not cost the solicitor money. For instance, the society would be able to require that a practice management service should be consulted and its recommendations complied with, or that retraining be undertaken. Thirdly, in circumstances where urgent action is appropriate, the society is now enabled to impose conditions on an existing practice certificate, and it will not have to wait for its expiry to impose them on the next.

Clause 6 and schedule 1 make minor amendments to the existing legislation.

Those are, in brief, the most significant of the immediate steps that the society has taken, or for which it is seeking the approval of Parliament. But that is not all that is in contemplation. The society has drawn up plans, on which it is now consulting interested bodies, for a system of arbitration for small claims for damages, which may well be a useful addition to the existing repertoire of remedies. That—like all the other changes in train—will, however, sharpen the need for dissatisfied clients to be adequately advised of the range of available remedies and to select the one which would be most appropriate. To ensure that that is done, the society is reviewing the operation of its negligence panel, whose ability to provide experienced and sympathetic advice to those who have problems in this area has been one of the more welcome developments over recent years.

The society has commissioned management consultants to advise it on its functions and structure. They have been specifically asked to consider in general the way in which complaints against solicitors are handled. Hon. Members may be aware that the consultants have recently issued a consultation paper, which canvasses a number of options in this area and in others, which are now being evaluated.

All of those show something of the new enterprise in this area, together with a number of major contributions

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to the remedies available to dissatisfied clients, which will be a major improvement in the services available to the public.

Part II of the Bill establishes a framework for enabling non-solicitors to compete with solicitors for conveyancing work. It gives effect to the main recommendations of the Farrand committee's first report, which was published last September. The House will recall that the Farrand committee, as it became known, was established in February of last year following the withdrawal of the House Buyers Bill, which had obtained a Second Reading in this House some two months earlier. The committee was asked to advise on the tests of competence and other requirements needed to ensure adequate consumer protection when non-solicitor conveyancers were permitted to compete for the work.

Despite the untimely death of its original chairman, Professor Street, the committee produced its report remarkably quickly. On all substantial matters, the committee was unanimous in its conclusions. That was a considerable achievement when one remembers the wide variety of interest groups that were represented on the Farrand committee.

The committee's terms of reference, which were of course agreed by the sponsors of the House Buyers Bill, reflected the concern, which I believe is shared by all in this House, that care must be taken to ensure that consumer protection is maintained when competition is extended in the area of buying and selling houses.

The Government are committed to increasing competition wherever possible. That policy applies to the provision of services, such as conveyancing, as well as to consumer goods. We have already made significant progress. During the last year or so, the greater freedom given to individual solicitors to advertise their charges has provided an unprecedented stimulus to increased competition. Charges have fallen by about 30 per cent. The Bill injects a further element of competition by extending the right to undertake conveyancing for reward to properly qualified non-solicitors.

But, in extending competition in that area, we must, of course, be careful not to sacrifice consumer protection. For the vast majority of the population, house purchase represents the single largest investment of their lives. It often involves the commitment of their entire life savings and a substantial portion of current income for many years. It is thus essential to maintain protection from incompetence and dishonesty. Some restrictions of competition in that area are, therefore, necessary.

The approach taken by the Farrand committee is, in our view, the right one. In paragraph 1.35 of its report, it said:

"The risks to the consumer are too great to permit market forces alone to control entrance to . . . the conveyancing market. Our approach in considering the safeguards needed for non-solicitors to undertake conveyancing has thus been to propose certain essential restrictions on competition, although these are intended to go no wider than is necessary to ensure adequate consumer protection."

The rules to be made under part II of this Bill will set the necessary minimum safeguards sufficient to protect the consumer without undermining the impact of greater competition.

Clause 8 establishes the Council for Licensed Conveyancers, which will be responsible for ensuring the competence and integrity of those who seek to practise as licensed conveyancers. The following clauses give the council the requisite powers and responsibilities. It will be for the council to determine such matters as the necessary training and financial requirements and rules of conduct. The rules made by the council will require the Lord Chancellor's concurrence. That will enable us to ensure that the requirements set by the council are neither unduly restrictive nor inadequate to protect the consumer.

It remains our intention to legislate in the next Session with regard to the position of employed solicitors working for banks, building societies and other institutions.

Mr. Robert Maclennan (Caithness and Sutherland): Will the right hon. and learned Gentleman say whether the Government have formed a view of the recommendations in the second Farrand report and whether they will look with favour on the inclusion in the Bill of some of those recommendations, which seem necessary if the benefits of the first report are to be given full effect, particularly to reduce the cost of conveyancing?

The Attorney-General: That is a lengthy report of well over 100 pages, with many extremely detailed recommendations. I suggest that the present measure is large enough as it is. The second report is still under consideration, there being a great deal in it. There is no intention to increase the size of this measure to reflect the second report, which was published only at the beginning of this year.

The form of that legislation—I am speaking of next Session — will take into account the need to protect consumers against prejudice resulting from any conflict of interest and will be drafted in the light of our recent consultations on that subject, which to some extent reflects the anxiety shown on Second Reading of the original measure. Consideration will also have to be given to the differences in Scots law and practice in this area.

Before I leave this subject I should mention clause 5 which falls into part I of the Bill. This clause rationalises the restrictions on conveyancing for reward. First, it extends the restriction to the preparation of the contract —which is the stage at which protection is most needed — and, secondly, it makes it clear that no offence is committed where a qualified person directs and supervises an employee to carry out conveyancing work.

The licensed conveyancing provisions of the Bill will introduce greater competition into the provision of conveyancing services. Solicitors are now competing actively with each other. The Bill injects an additional element of competition, and it does so without lowering the standards of consumer protection.

Mr. Ken Weetch (Ipswich): Last year the Government gave an undertaking in a written answer that they were in favour of banks and building societies undertaking conveyancing. There is considerable speculation in today's press whether that undertaking still holds. Is the right hon. and learned Gentleman prepared to say officially that the undertaking still stands, but that he is considering the method by which it can be brought about, not the principle underlining the issue?

The Attorney-General: I cannot give that undertaking, because, as I said earlier, anxiety was expressed by hon. Members on Second Reading about what could be a conflict of interest and the need to protect the consumer.

I am not saying that every speaker in that debate took that view, but it was expressed clearly and powerfully, for example, by the right hon. and learned Member for Aberavon (Mr. Morris), on behalf of the alliance by the hon. Member for Southwark and Bermondsey (Mr. Hughes) and by many other hon. Members.

Mr. Austin Mitchell (Great Grimsby) *rose*——

The Attorney-General: I am dealing with the last intervention. I promise to give way to the hon. Gentleman.

We want to get this matter right. I can only say that we shall introduce legislation, but that the exact scope of it is not at the moment decided.

Mr. Austin Mitchell: I was alarmed to hear that the right hon. and learned Gentleman could not give an undertaking. But that may be unnecessary because the Solicitor-General has already given such an undertaking. He gave it to me on 12 January 1984 in a letter in which he wrote:

"We are committed to legislation to enable solicitors employed by organisations such as building societies and banks to undertake conveyancing."

On that basis I agreed to withdraw my Bill.

The Attorney-General: The undertaking in writing to which the hon. Gentleman refers — and the hon. Gentleman has played a considerable part in the progress that we have made—was contained in a letter from the Solicitor-General to him which I do not think has been published. That letter, although committing the Government to legislation to enable solicitors employed by organisations such as building societies to undertake conveyancing, sounded several warning notes. For example, it said:

"A consultation paper will be issued early next month . . . So far as conflicts of interest are concerned, our provisional view is that we can rely primarily on appropriate amendments to the Solicitors Practice Rules."

The letter made this important point, which was expressed in the clearest terms to the hon. Gentleman:

"Our view is that, provided the potential conflicts of interest can be avoided, it is right to enable all employed solicitors to do so."

That is to convey. The consultations then took place—

Mr. Austin Mitchell *rose*——

The Attorney-General: I am answering the hon. Gentleman's last intervention. When I have finished, he may intervene again.

The consultations have been taking place. They have reflected largely the anxieties expressed in the House, and, as I say, the scope of that Bill is still under consideration.

Mr. Austin Mitchell: I agree that points were made about the process of consultation and about possible conflicts of interest. However, the impression given in the letter was that those could easily be got round and that they presented no real problems. The letter went on to make points about seeking views.

However, in answer to a parliamentary question, the Solicitor-General did not say "if" about banks and building societies doing conveyancing. He used the word "when." The commitment in the letter dated 12 January, on which the whole agreement was based—it was the foundation on which we built the agreement — was, "We are committed." It is impossible to be more definite than that.

The Attorney-General: "We are committed," said my hon. and learned Friend, but we shall consult, and it is worth re-reading what was said in the debate to see exactly what views were expressed. If one says, "You have given a commitment, and you have said that you will consult, but you have said that you will not stick to the commitment whatever the consultation produces," then one is talking about empty consultation.

It might help if I were to repeat what I said on the subject. I said that the form of that legislation would take into account the need to protect consumers against prejudice resulting from any conflict of interest and would be drafted in the light of our recent consultation. That is the position. That fairly sets it out, and there is nothing that I can add to it.

Mr. Simon Hughes (Southwark and Bermondsey): That is a different argument from that used by the Government, for example, on the measure to abolish the GLC. There they made a commitment which, in spite of any consultation, they regard as unmoveable. The right hon. and learned Gentleman knows the view that I took on the previous occasion. He should now tell the House honestly, "We have changed our position," rather than pretend that the position then and the position now are the same, because they are not.

The Attorney-General: I shall say this just once more, and then I should like to continue my speech. We have not changed our position. We said in the letter to the hon. Member for Great Grimsby (Mr. Mitchell), "This is our intention, but we shall consult." The powerful speech of the right hon. and learned Member for Aberavon would have alerted anyone to the fact that this is not an easy issue and that we must examine it carefully. That is the position now, and that is all I can say about it.

It is also the Government's intention to enable solicitors to act in corporate form rather than simply in partnership with other solicitors as is the case now. Clause 28 will enable licensed conveyancers to operate in this way, and it is right to open up this possibility to solicitors as well. An amendment will be brought forward in Committee.

Part III of the Bill contains provisions relating to legal aid. Clauses 36 to 40, which implement a recommendation of the Royal Commission on legal services, introduce changes in the way in which legal aid complaints relating to solicitors and barristers are handled.

At present legal aid complaints—which arise, by and large, from a practitioner's failure to comply with the legal aid legislation rather than from an assisted person's dissatisfaction with his advisers — are considered by tribunals established under the Legal Aid Act 1974. Those tribunals have been used hardly at all in the last 12 years. That is because, first, the Law Society and the Bar Council regard legal aid complaints as extremely serious matters relating to professional conduct and therefore to be treated as such, and, secondly, there is some concern that the constitutions and procedures of the relevant tribunals might offend against the rules of natural justice. The Bill therefore transfers the jurisdiction to the solicitors disciplinary tribunal and a senate disciplinary tribunal, at the same time empowering those tribunals to reduce or cancel legal aid remuneration or to exclude a practitioner from undertaking further legal aid work.

Such legal aid complaints will usually relate to matters, such as failure to respond to inquiries from the legal aid area office, which do not directly concern the client. The sanctions that the tribunals may impose will therefore be

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intended more to safeguard the interests of the legal aid fund than to give some benefit to the assisted person. He may nevertheless benefit, since the reduction or cancellation of the practitioner's remuneration will reduce the liability of the fund and thus the client may recover some part of any contribution he has paid or be subject to a smaller statutory charge.

These changes will enable legal aid complaints to be considered in a more effective and fairer way and will ensure that the professional disciplinary tribunals will have available a wide range of sanctions.

Clauses 41 and 42 also amend the Legal Aid Act 1974. Clause 41 will enable the Lord Chancellor to align the capital limit of eligibility for assistance by way of representation with that for legal aid proper. That is, the capital limit involved will be £3,000. The difference between the limits is at present £765 and £3,000. Clause 42 overcomes a difficulty in making payments out of the legal aid fund for urgent work done before a legal aid order is granted. That aspect was crying out for reform, and I am sure that that measure is supported by every hon. Member.

Part IV introduces a number of changes relating to the procedures and powers of the High Court and county courts. I do not think that it is necessary for me to go through those on Second Reading, except to point out that clause 48 is a technical revision which corrects a defect in the provisions enacted in 1982 relating to the right of certain financial institutions, such as banks, to deduct a prescribed amount towards the adminstrative expenses they incur in giving effect to the recovery of a judgment debt garnishee order.

Clause 50 will enable the Lord Chancellor to contract out the keeping of the register of county court judgments. That is a task presently carried out by the Lord Chancellor's Department, which can equally appropriately be carried out in the private sector and enable staff to be redeployed to other work in the Department. Clause 50 will therefore enable the Lord Chancellor to enter into an agreement as to the keeping of the register by a body corporate. The Lord Chancellor will still be able to maintain by regulations control over services and fees.

Clause 51 corrects the present anomalous state of affairs under which the High Court and the county courts do not have the same powers to grant lessees relief from forfeiture for non-payment of rent.

The final part of the Bill passes under the description of "Miscellaneous and General"—often known as the rag-bag provisions. I shall not attempt to identify a common purpose for its contents—I do not think that I could—which cover such diverse subjects as limitation periods in defamation actions, appeals to pension appeals tribunals and the constitution of juvenile courts. They have one common feature. They are all helpful, all make the administration of justice more effective and all are, I hope, uncontroversial.

That completes my description of what is in the Bill. I am sorry that it has taken a little time. I have already referred to two new clauses which are to be brought forward in Committee. Two others will be proposed at that time. The first will fulfil an undertaking given by the Lord Chancellor that a new clause would be brought forward which would make provision for the reimbursement of costs incurred by reason of the death or incapacity of a judge. The Lord Chancellor will be empowered to reimburse to each party to the action wasted costs up to a fixed sum. The second will afford magistrates in Northern Ireland a measure of protection from legal action in cases where they have acted without jurisdiction. That will give them protection similar to that which magistrates in England and Wales have.

This Bill will make a number of useful and, I hope, welcome changes in the law. It will increase disciplinary powers over solicitors, for the first time enabling the Law Society to impose sanctions for bad work. That has always been a missing link. The Bill will introduce a welcome increase in competition in conveyancing, but it will still ensure that the interests of the consumer are protected. It will improve the operation of the machinery of justice in a number of varied ways. I therefore commend the Bill to the House.

8.56 pm

Mr. Nicholas Brown (Newcastle upon Tyne, East): I thank the Attorney-General for his exposition of the measures in the Bill. I thank him especially for giving us new information about the Law Society's attitude to the workings of part I. As the right hon. and learned Gentleman said, the two principal proposals are the new measures designed to deal with complaints against solicitors and the proposals designed to increase competition for house conveyancing work.

In principle, the Labour party is in favour of new machinery to deal with complaints against solicitors and of increased competition in house conveyancing work. However, we are unable to give the Bill an unqualified welcome on either of its main proposals. Our most serious reservations are over part I, dealing with complaints against solicitors. Many right hon. and hon. Members know from personal involvement in constituents' cases of the general public's concern about the difficulty in getting to grips with complaints against solicitors. Many right hon. and hon. Members know just how intractable these issues can be. I have a constituency case which, I believe, is a clear-cut negligence case against a firm of Newcastle solicitors. I have been vigorously pressing that case for the past year and a half, yet it is no further forward.

There is a widespread belief among our fellow citizens that members of the legal profession protect themselves from the rest of us. The National Consumer Council commissioned research from MORI to discover attitudes towards the solicitors complaints system. The survey found that only 15 per cent. of those polled thought that solicitors, or a solicitors' body, should investigate compaints. Of the rest of those polled, 24 per cent. opted for an independent body. They were followed by 11 per cent. who favoured some form of Government body, and 10 per cent. who wanted an independent person who was not a solicitor. When asked about the composition of a possible new complaints body, only 3 per cent. of those asked thought that it should consist entirely of solicitors; 60 per cent. thought that it should be composed of solicitors and other people, and 34 per cent. thought that it should be composed of people who were not solicitors. Nearly two thirds thought that it should be a mixed body consisting 50:50 of solicitors and non-solicitors; 36 per cent. thought that there should be a majority of non-solicitors, while a loyal 3 per cent. preferred a majority of solicitors. That is not a sign of public confidence in the present system.

Any new system created to deal with complaints against solicitors should meet the legitimate anxieties of the public. Part I does not do so. It amends section 44 of the Solicitors Act 1974, and it extends the disciplinary sanctions which the Law Society can apply. The Law Society will potentially be able to investigate a wider range of complaints, but there is still no clear definition of the difference between negligence and misconduct. I understood the Attorney-General to say that that matter would be considered. That is a welcome assurance.

The Bill contains no provision for compensation, and as I understand it, that matter will not be considered by the Government. What is far more serious is that the Law Society is left with an intractable duality of functions. It is the solicitors' professional body representing their interests, advising its members and making representations on its behalf. All of that is proper. The Law Society functions like any other trade union, but it also regulates the profession and makes decisions in disciplinary cases involving its members. To make matters worse, the multiplicity of avenues for complaints against solicitors causes confusion. In practice, it wastes the time, money, patience and temper of those complaining against the profession.

Two points stand out clearly. There should be one procedure for dealing with complaints against the profession. It needs to be accessible and to have its own staff and independent investigative powers. It should be able to impose its decisions effectively so that injustices are rectified as far as they can be.

The second point that stands out is that the procedure for dealing with complaints against solicitors cannot be run by their own trade union. As the MORI poll demonstrates, that is widely perceived to be unfair. I can see that any institution dealing with complaints against a professional practitioner needs to have professional advice. I can even see the case for members of the profession serving on the decision-making body. However, there must be a substantial lay involvement from an informed cross-section of our society if the charge of vested interest is to be effectively dispelled. That is the most contentious part of the Bill.

The issues with which we are dealing are no longer merely those of a private consumer seeking resolution of a grievance against the supplier of a service. Since the inception of the legal aid scheme, a substantial portion of legal services is paid for by the taxpayer. Those who have charge of the distribution and expenditure of public funds should be publicly accountable for that charge. Legal aid gives a new dimension to the different interests with a stake in the procedure for investigating complaints against solicitors. The state's duty to protect its citizens is augmented by its duty to protect the fruits of the citizens' taxes.

How likely is it that part I will provide a lasting solution to the problems that it seeks to address? Part I leaves key issues unresolved. It has been superseded, to some extent, by the findings of the report commissioned by the Law Society from Coopers and Lybrand. I have no doubt that we shall be discussing this matter again before too long.

I have mixed feelings about part II. I look forward to exploring what is proposed in more detail in Committee. The Opposition welcome in principle the Government's intention to open conveyancing work to those qualified to undertake it and to end the solicitors' professional monopoly. We welcome those measures.

There is a fear that Parliament will be setting up a new mini-profession which will blunt the competitive edge of the proposals contained in the Bill sponsored by my hon. Friend the Member for Great Grimsby (Mr. Mitchell). I accept that there is a need for proper safeguards for the consumer and an overview of those who undertake conveyancing work. I also accept that the new conveyancers must be regulated by something more than their insurance companies.

I believe that the advertising of services will probably have as much impact on conveyancing fees as the proposals contained in the Bill.

The Attorney-General referred to a major issue which I feel remains outstanding. I am uncertain about the position of banking institutions and building societies under clause 28. I noted carefully what the Attorney-General said about the Government's intention to return to the House with further legislation. The opportunity to do in-house conveyancing must be attractive to those who are providing the mortgage. I can see the point about conflict of interest, and I wonder whether it is possible to make regulations to meet it.

On 16 December 1983 the Solicitor-General gave the House this assurance:

> "We therefore intend to introduce our own legislation where necessary to extend the right of conveyancing, not just of registered land, but of all land, to solicitors employed by, for example, building societies and banks, subject to safeguards."

Later, in response to a question from the hon. Member for Hertford and Stortford (Mr. Wells), he said—I shall quote the whole passage so that there can be no question of leaving bits out:

> "We are satisfied that it is possible and proper to legislate in respect of solicitors employed by building societies. That will need legislation. We think that it is right that solicitors employed by banks should be able to convey. Our mind is not closed to the possibility of solicitors employed by other institutions being permitted to convey, but in some cases there could be an insuperable conflict of interests. We shall investigate the possibilities."—[*Official Report*, 16 December 1983; Vol. 50, c. 1325-26.]

Do the Government stand by that statement in its entirety? There is no suggestion in the statement of any reservations about conveyancing by banks. All the reservations refer to other institutions which may be permitted to do conveyancing work. That seems to be under investigation still, and presumably consultations are taking place.

Mr. Weetch: Is my hon. Friend aware that the National Consumer Council and the Consumers Association have made very strong submissions that there should be adequate safeguards if building societies and banks are to be responsible for conveyancing property?

Mr. Brown: Yes; I am well aware of the submissions of those organisations. I find them persuasive, but until one sees the proposals one is not able to judge whether the safeguards are sufficient. Because of the assurances that have previously been given to the House I thought that there would be proposals for us to see, but there are not. That is why I ask the Attorney-General whether the commitment given to the House still stands, or whether it has been diluted in some way. It is not clear to me where we stand on the issue. Perhaps in the summation the Solicitor-General will be able to clarify the position for me. I cannot believe that the Government are reneging on the assurances that the House has been given. To my

[Mr. Brown]

untutored mind it is not clear whether clause 28 already permits banks to do in-house work. The Attorney-General shakes his head, so I take the point.

I do not wish to go into matters that should be raised more properly in Committee, but I wish to comment briefly on some points. Clause 41 will allow the Government to increase the financially eligible level of capital for an applicant for assistance by way of representation under the legal aid scheme. This is a welcome reform which the Government were right to bring forward. At first sight I thought that the clause which enables the Lord Chancellor to transfer the registry of county court judgments to a company run by the users of that registry, was a concession to the privatisation enthusiasts on the Government Benches, but on a closer examination I see that the proposal has merit and may well result in a more efficient service.

Reducing the time limit for slander and libel actions from six years to three years also has merit. In my view these actions are only for the very rich or the very angry. I am disappointed that the Government did not feel able to undertake a more far-reaching consideration of the present state of the libel and slander laws. I am sure that other hon. Members will be sympathetic to the point of view that we may be missing an opportunity to deal with the issue of misrepresentation in the press and in broadcasting. An accessible independent tribunal which could adjudicate on such complaints would be a welcome reform. In particular, it would give the individual of ordinary financial means access to a remedy which is at present for all practical purposes denied to him.

We seem to be establishing a tradition in legal affairs debates that we comment on what is not in the Bill because it was removed in another place. I shall content myself with saying that the original clause 43, ending a citizen's rights to go to the Court of Appeal when a lower court says that he cannot challenge the decision of a Government body, was ill-considered by the Government. It was almost universally condemned, and I think that we are well rid of it. Although I appreciate the Government's concern to save money, it should not be done at the expense of the citizen.

Two other matters missing from the Bill—I suspect that it was never intended to include them—are the issue of law centre and advice service funding and, separately, other recommendations of the Legal Aid Advisory Committee contained in its 34th report. I accept that law and advice centres are funded from a variety of different sources, but surely the time has come for the Lord Chancellor to take an overview of what is being done and to try to co-ordinate the present endeavours.

With regard to the Legal Aid Advisory Committee recommendations, I think that it would be wrong of Parliament to shelve the results of the review of legal aid eligibility. The report contains some useful ideas which meet criticisms which have been made of the legal aid scheme and which would also enhance the provision of legal services.

The Bill is more to be commended for effort than achievement, and I look forward to making a constructive contribution to its progress through Committee.

9.11 pm

Sir Ian Percival (Southport): I want to say a brief word on part II of the Bill and first to congratulate my right hon. and learned Friend the Attorney-General and his colleagues on having implemented their commitment on licensed conveyancing so quickly, so fully and in such a satisfactory manner.

The preoccupation with banks and building societies has perhaps taken people's minds off what has been done in the Bill. It provides for the matters for which the hon. Member for Great Grimsby (Mr. Mitchell) was principally pressing; it provides for what the hon. Member for Ipswich (Mr. Weetch) has wanted for so long. Now they have got what they wanted. I hope that the hon. Member for Great Grimsby will feel that the taking over of his Bill by the Government has proved a worthwhile exercise and produced a solution which he will find very satisfactory.

I congratulate not only the Government but those who have co-operated with them in producing such a speedy solution—in particular the Farrand committee and the Law Society. We are all very ready to criticise lawyers but we should also be ready to give them a pat on the back when they co-operate so fully and speedily as here to introduce competition in their own field. I hope that we shall not lose sight of the great progress made in that respect, as it was the principal objective of the hon. Member for Great Grimsby.

I congratulate my right hon. and learned Friend and his colleagues in the Government on being so cautious about the risks involved in going any further. Initially, as one remembers, there was a great outcry about the lawyers trying to look after their own interests. That always happens and there is nothing new about it. But when people got over that and had a close look at what was involved in giving powers to the banks and building societies, it was recognised that there really is a conflict of interest to be considered. Some credit must be given to the lawyers. All the lawyers I know who have been interested in the measure have recognised that conflict, and have then set about trying to find an answer to it, and if genuine safeguards to cover that conflict of interest can be found, so be it.

We hear a great deal about consumer interest. It would certainly not be in the interest of the consumer to open up new practices involving a conflict of interest acting to the detriment only of the consumer. There would necessarily be a conflict of interest between the bank or the building society in doing the conveyancing work, and the consumer whom they purport to be serving.

I cannot believe that either the hon. Member for Great Grimsby or the hon. Member for Ipswich want to do something which would be to the detriment of the consumer. Therefore, I hope that they will accept that there is here a serious point to be dealt with. I hope that they will also say that, while everybody should be looking for the answer, they must not and will not try to hustle the Government into doing something unless and until the answer has been found. If they can find it, let them find it. I promise them this. All the lawyers I know would be most interested to hear positive suggestions from those who want to get on faster on how the conflict of interest could be met. If and in so far as they are put forward, and from whatever quarter they come, they will receive the most interested and serious consideration.

Mr. Austin Mitchell: I shall develop this point in my speech. I remind the right hon. and learned Gentleman that the idea of allowing solicitors employed by banks and building societies to do conveyancing was the Government's own idea, not mine. It was also the Government's own decision to extend that power to unregistered as well as registered land.

Sir Ian Percival: Be that as it may, all the more credit that they are now recognising that there is a danger of conflict of interest in all the areas referred to, and so have determined not to do something which could operate to the detriment of the consumer, and not to go ahead until the serious point of that conflict has been resolved.

I for one congratulate the Government upon the Bill. I hope that they will stand fast on this ground. It would be absurd to go ahead unless and until the answer to that conflict is found.

9.16 pm

Mr. Austin Mitchell (Great Grimsby): The Administration of Justice Bill has been described as a blancmange. In fact, it is a curate's omelette in many respects. Even though it has been cooked at a low regulo, and at this time of night, it is good to see the serried ranks of lawyers on the Conservative Benches. I am not sure what the collective noun is—perhaps it is a charge of lawyers, all offering their services free of charge at a time when they are free from their work at the courts. However, the Bill is a mixed bag. I shall start with part I, but the substance of what I have to say concerns part II.

Undoubtedly part I fulfils a long-felt want. There is a growing dissatisfaction with all professions, not just the law, with the lack of redress for abuse. Let me take the medical profession as an example. A doctor who puts his hand on a patient's knee or who makes a sexual advance to the patient can be dealt with for professional misconduct, but a doctor who, through incompetence, kills the patient cannot be dealt with in the same way. If bad professional work is done by people such as doctors and solicitors, the answer is to make a claim for damages or professional negligence. That means getting another solicitor to fight the case, going through the uncertainties of the law. That is an inadequate means of redress. The Bill does something to rectify that. We have something that we should have in all the professions. I am glad to see it coming in the legal profession.

However, the Bill deals with the matter in a limited way. It does not cover arguments over costs. That was what precipitated action in the first place. The Glanville Davies affair, with the gross overcharging that went on then, precipitated much of the concern, yet that problem is not dealt with in this proposed legislation. It was a major scandal. The Law Society failed drastically to live up to its responsibilities, and it was dealt with only by High Court action, with enormous expense and delay. The matter is not covered by the legislation, which is supposed to be bringing the Law Society up to date. It does not provide for lay representation on important Law Society committees, which was a recommendation of the Benson commission. It recommended that laymen should be on the assessment committees reviewing costs, and they are not. Thirdly, it is permissive, because it is up to the Law Society to decide when and how to use it.

Fourthly, it does not solve the basic problem, because the Law Society is two different things—a trade union to advance the interests and purposes of lawyers and a servant of the public interest. When those interests conflict, the society cannot possibly carry out both functions. That is the whole point of asking for an independent means of review for disputes of this kind. A trade union cannot be a regulator and, if it poses as one, it cannot be trusted. That is why there have been so many complaints.

People do not see the Law Society as behaving objectively in the interests of the public. The MORI survey commissioned by the National Consumer Council shows this dramatically. The Law Society is not seen to be fair and it is not trusted. Yet that is the body to which these powers are to be given. Coopers and Lybrand management consultants are carrying out a far-ranging review of this type of problem. If they conclude that the Law Society cannot be both plaintiff and judge in its own case and cannot act as both trade union and protector of the public interest and that the only solution is an independent complaints procedure, all the effort that has gone into this legislation will be wasted. Moreover, what has been done today will stand in the way of the truly radical improvement that we believe is necessary.

There is an interesting contrast between the two parts of the Bill. Part II establishes a council for conveyancers, to be responsible for standards and discipline. Why cannot the legal profession have a body which functions in the same way and with the same semi-independent approach? It is not difficult to achieve. The Legal Action Group has put up a proposal. My hon. Friend the Member for Battersea (Mr. Dubs) introduced the Solicitors (Independent Complaints Procedure) Bill, which I am proud and honoured to have sponsored. The National Consumer Council has produced an excellent report entitled "In Dispute with a Solicitor". Others have suggested an ombudsman, which the insurance industry already has and the banking industry is trying to establish — not to mention the *Daily Mirror*, although that ombudsman will probably be in Liechtenstein.

There must be an independent body of some kind to deal with complaints from outside and to mediate between the interested party and the public. As the National Consumer Council has suggested, a legal council is needed through which all complaints can be channelled — a single, integrated body composed of laymen and solicitors and operating independently with a legal ombudsman. Until that is achieved, the flood of complaints will continue. When I introduced the House Buyers Bill I was astonished and horrified at the deluge of complaints about solicitors all over the country, many involving serious malpractices. One Member of Parliament cannot deal with all those complaints, and it is extremely difficult to get anyone else to deal with them. This Bill takes us only part of the way. We need a proper independent complaints procedure to deal with the problem and to provide the public with the satisfaction of knowing that their complaints will be independently assessed.

Mr. Ivan Lawrence (Burton): How does the hon. Gentleman know how far we need to go before he has seen whether this scheme works?

Mr. Mitchell: I have already pointed out that the danger of an inadequate, halfway-house scheme of this kind is that it will block the further progress that is really needed. The general principle is clear. There must be an

[Mr. Mitchell]

independent body. The Law Society cannot be both trade union and public protector, because that is an impossible role and it is bound to fail. Therefore, we must argue for what is really required rather than what the Bill proposes. That is certainly the view of Labour Members, and that is why the response to part I of the Bill from all the interested organisations whose views I respect, including the Consumers Association, the National Consumer Council, the National Association of Citizens Advice Bureaux, has been to praise with faint damns. The Bill is all right, but it is just not good enough. That has been the general reaction to part I—to welcome the provisions but to stress their inadequacy. That is what we must do with part I.

It is a rare pleasure in opposition to have played a part in the paternity of legislation, and part II springs directly from the House Buyers Bill. I am pleased to acknowledge that fact. Originally the Government tried to praise my measure with faint doubts, perhaps even to kill it. They certainly tried to buy off support for it. But they have now come round to accepting the principle implicit in that measure — the ending of the monopoly and the enfranchisment of conveyancers.

There was no drive from the Lord Chancellor's department to end the conveyancing monopoly. It simply hid behind the Benson recommendations until my Bill was introduced and until, on 16 December 1983, it was carried. The House then expressed itself in favour of ending the monopoly which solicitors enjoyed in relation to house conveyancing. That led to two months of negotiations and discussions, at the end of which I withdrew my Bill in return for what I regarded—and still do so—as a series of absolute commitments, of which this measure is one but only one.

That commitment was to set up the Farrand committee to consider the tests of competence needed for non-solicitor conveyancers. All interested parties sat on that committee, and it did an excellent, rapid and important job. To report in September 1984 was a real achievement, and part II implements its recommendations.

However, not all the detailed qualifications are given. The proposal is to set up a council which will set out the qualifications, establish the standard of competence and all the rest. That is the sensible way of doing things, and it will be done with regard to Farrand's proposals.

I am sure that my hon. Friend the Member for Ipswich (Mr. Weetch) will refer to some of the problems. We have received representations from conveyancers who are already functioning about what will happen to them under the transitional arrangements. It could be argued that the framework is over-elaborate. Indeed, the Law Society and a number of solicitors are now rushing forward to praise what they attacked and condemned less than two years ago. I therefore get a mite suspicious that the framework might be slightly over-elaborate. It is certainly elaborate compared with the proposals in my Bill, which were basically designed to safeguard the money of customers.

There is a further problem about solicitors which can only be resolved afterwards. What will happen if people wish to practise as both solicitors and conveyancers? On 13 February a correspondent in the *Law Society Gazette* spoke of conveyancers as a sub-professional class, and suggested that fully fledged lawyers who wanted to practice as conveyancers should be barred. The consultation paper on the changes in the rules of conduct leaves this option open. Clearly, the Law Society has not yet decided on this matter, but solicitors should be able to register in both capacities, certainly in the early stages. That point should be clarified.

On what terms will conveyancers serve on building society panels? If they do not do so, that will impose an extra cost of about £70 to have the work done again by a solicitor. I see no reason why we should not legislate to provide that conveyancers should serve on building society panels on the same basis and with the same right of entry as solicitors. Personally, I should like to abolish such panels, but as they exist it would be wrong to give solicitors a monopoly and it would be right to put conveyancers on exactly the same footing.

There are problems about advertising. The conveyancing council should be able to compete with the type of advertising that the Law Society is now undertaking on a substantial scale. How will that be funded? Yet on the essentials my view is simple and straightforward. The House has expressed itself clearly as being in favour of the principle of breaking the monopoly and allowing conveyancers to operate, but many hon. Members also made it clear on 16 December that they were in favour of imposing some framework of qualifications as a safeguard for the consumer. It was right that we should delegate the job of deciding what those qualifications should be to a committee representing all the interested parties. In my view, we should accept that committee's decisions. It conducted a vigorous and stringent inquiry.

I cannot agree with many of the points made by my hon. Friend the Member for Ipswich. I see these measures as the logical culmination of our efforts to break the monopoly. It was a case of swings and roundabouts. The legislation represents a balance. Both sides have made concessions. The Law Society wanted conveyancers barred from commercial conveyancing, but the Bill makes no such provision. The Law Society wanted a line to be drawn between conveyancers and any association with estate agents. No such provision appears. What is provided for is a council that will rule in the light of circumstances. That is sensible. There are consumer representatives on the council. Almost half the representatives are not licensed conveyancers. The council will have to act liberally and sensibly because the future of the profession is in its hands, and it will be up to the council to make a success of it. That responsibility will guarantee that the council rules sensibly and that there will be a liberal interpretation of the framework.

Without a healthy, vigorous and profitable profession, everything will have been in vain. With the guidance of the Farrand report, and the representation that is provided for, the council will have the opportunity to regulate sensibly and to modify the regulations in the light of the circumstances of the time and the needs of the profession as it develops. The council will have to make a success of the profession.

There is the vexed question of existing conveyancers. I can see why there is a sense of frustration, but the problem is open to solution in the same way. We must provide for responsibility and public protection. The National Consumer Council believes that the council should be required to exempt those with sufficient practical experience. It will be possible, on a flexible basis, to make sensible arrangements and to consider

deserving cases — people with competence, skill and experience—with a benign eye, and to do them justice. On that basis, I welcome the measure.

However, there is a wider question. We do not establish complete competition just by adding conveyancers to solicitors. We do not break the monopoly by widening it. There is still a monopoly — a monopoly of authorised persons rather than solicitors. There will not be the full and free competition envisaged in the Bill, which is essential if the lot of the house buyer is to be improved.

There is no provision for the establishment of a comprehensive service for the house buyer. It should be possible for one institution — whether solicitors with property centres, as in Scotland, estate agents providing a conveyancing service, or building societies — to provide a comprehensive service for a generation of house buyers many of whom do not share the long middle-class tradition of buying and selling houses with the aid of the family solicitor.

Mr. Richard Ottaway (Nottingham, North): Is not the difficulty that, if we are to protect the consumer, those who do the conveyancing must be qualified in some way and, if there is some form of qualification, a cartel or closed shop is automatically introduced?

Mr. Mitchell: The legislation provides for qualifications. Solicitors employed by banks and building societies to do conveyancing would have qualifications. I am talking about institutional competition and the widened monopoly being broken because organisations employ whom they want. Banks and building societies will employ solicitors to offer a comprehensive service. I do not want the professional monopoly that has prevented all change.

My Bill provided for institutional competition by allowing banks and building societies to do conveyancing on registered land. The Lord Chancellor — this is my interpretation — in an attempt to divert support away from my comprehensive measure, proposed that solicitors could be employed by banks and building societies to do conveyancing on all land. It was a gambler's throw. It failed, but it left us with his proposal.

After Second Reading, and during the negotiations about how to achieve my Bill's objectives, I felt that it was vital to sustain the Chancellor's commitment to widen competition. It remained the central objective, as it had been a central part of the Bill, to ensure that banks and building societies would be able to do conveyancing. I am satisfied that we got a commitment in absolute and inescapable terms. In view of our earlier discussion, I should like to put on record the first commitment given in the Solicitor-General's letter to me of 12 January, the terms of which were inescapable. He wrote:

"We are committed to legislation to enable solicitors employed by organisations such as building societies and banks to undertake conveyancing."

Sir Ian Percival: Does the hon. Gentleman agree that we owe it to the consumer who, as he rightly says, will usually be wholly mystified, to ensure that his conveyancing is not carried out by someone who has an interest in conflict with his? How does the hon. Gentleman suggest that we provide that protection to the consumer if conveyancing is done by the bank or building society which would, as the lender, have an interest in the conflict with the consumer? How does the hon. Gentleman suggest that we provide that safeguard for the consumer?

Mr. Mitchell: I must emphasise that the proposal was the Government's. The Lord Chancellor is highly skilled in legal matters and has legal officers. They will have thought about that problem before the proposal was made. Such ideas are not clutched out of the air by those in government. The had thought about it. The letter continued to give the impression that it was a fairly straightforward matter to resolve. It stated:

"So far as conflicts of interest are concerned, our provisional view is that we can rely primarily on appropriate amendments to the Solicitors Practice Rules."

I agree with that. The letter continues:

"This might be supplemented, in the case of building societies, by a Code of Practice issued by the Building Societies Association and by a statutory requirement for societies to inform clients of the desirability of seeking independent advice where, for instance, the society wishes to impose a special condition on the loan. The Code of Practice, which might be policed by the Director General of Fair Trading or perhaps by the Registrar of Friendly Societies, could also prohibit societies from discriminating against borrowers who chose not to use the Society's conveyancing services."

It is a straightforward matter, and the way around it is not difficult. The Government are committed to legislation to enable solicitors to act in this way. The letter of 12 January is the foundation on which we erected the agreement, and is central to it. Without it, I would not have withdrawn my Bill. The written answer said:

"We will shortly issue a consultation paper on how best to ensure that conflicts of interest and anti-competitive practices do not arise when solicitors employed by banks, building societies and other organisations are permitted to undertake conveyancing."—[*Official Report*, 17 February 1984; Vol. 54, c. 347.]

There is no more absolute commitment than that. It is clear, absolute, straightforward and unequivocal.

Mr. Weetch: Does my hon. Friend realise that, when someone buys a house and employs a solicitor to undertake the conveyancing, that person not only pays his solicitor for the conveyancing but the person, usually the same person, who acts on behalf of the building society to check the deeds and the terms of the loan? In other words, one and the same person acts both for the purchaser and the mortgagee in the form of the building society. There are potential conflicts of interest in that. However, not until this convenient time have they ever been put forward in public.

Mr. Mitchell: My hon. Friend has contributed a major point, which is on my next page of notes. He is absolutely right. Conflicts of interest arise all the time, but the profession has accepted them as part of the norm and done nothing about them. Conflicts of interest must arise in the property centres being set up by solicitors. They are being set up in different parts of the country, and have existed for a long time in Scotland.

Mr. Greg Knight (Derby, North): Does the hon. Gentleman agree that that point is bogus because both the building society and the client have an interest in getting a good title and, therefore, there is no conflict of interest?

Mr. Mitchell: There is a conflict of interest in that the solicitor is wearing two hats and fulfilling two different roles. That is clear. The fact that that argument has not been raised as a point to prevent solicitors from getting two sets of fees, makes it a little difficult to accept that argument when it is raised to prevent banks and building societies from conveyancing. I do not accept that conflict of interest argument.

[Mr. Mitchell]

I am developing the commitment made to me, on the basis of which I withdrew my Bill. The Lord Chancellor said:

"the Government — and I think with the assent of the Opposition—entered into certain commitments as a result of that legislation. We were in honour bound, having entered into those commitments, to do what we had promised to do."—[*Official Report, House of Lords*, 14 January 1985; Vol. 458, c. 825-6.]

Part of the Government's promise was to introduce legislation to allow banks and building societies to undertake conveyancing. There is no escaping that. They cannot fudge it. They are honour bound to fulfil that promise.

Clearly the Law Society will carry on a rearguard action, such as is being staged now, and will make a major point of conflicts of interest. In reality, however, it is a minor matter which affects a minority of cases. It is clear that the conflict of interest point was not raised when the position benefited its members—when they received two fees for doing one job. It can be dealt with straightforwardly by the practice rules, by the Office of Fair Trading and by an insistence that where a conflict of interest arises, the solicitor acting for a building society must tell the customer to consult his own solicitor. It is as easy as that to avoid conflicts of interest.

The minor point of difficulty, which I concede exists, does not obviate the principle, and was accepted, so as not to obviate the principle, by the Government when they persuaded me to withdraw my Bill. I cannot understand why it has become such a major point now.

I did not understand the Attorney-General to say that the Government will not allow banks and building societies to act. He reserved his position in view of the argument that we all know is continuing. But in view of the commitments made, if the legislation is not introduced, it would be dishonest, deceitful, mendacious and untrue. The Government will have conned me into withdrawing my Bill on the basis of promises that will not be fulfilled.

I know nothing of the internal workings of the Government, but some press reports have suggested that the Lord Chancellor, having introduced this proposal to persuade Conservative Members not to support my legislation, is trying to renege on his own commitments. I do not say that: the press does. The reports also say that he is trying to hedge round the legislation so that the principle is implemented in such a way as to make it unattractive to banks and building societies. One newspaper this morning suggested that one building society might do the conveyancing for another building society's customers. How ludicrous that would be. It is so comical that it cannot be seen as implementing the principle to which the Government are committed.

The press reports say that the arguments are continuing, but I believe that the Lord Chancellor is a man of honour. Indeed, Gilbert's Lord Chancellor in Iolanthe said:

"The Law is the true embodiment
Of everything that's excellent.
It has no kind of fault or flaw,
And I, my Lords, embody the Law."

Therefore, it is a monstrous slur on someone who embodies all those qualifications to imply that he is indulging in sordid politicking and trying to rat on specific promises made on his behalf to me, on the basis of which I took action which is now irreversible. I do not understand how the press can assert that a man in such a position would behave in that way. It is a monstrous slur on the integrity of the Lord Chancellor. If the assertions are true —I am sure they are not—they would be a slur, too, on the Solicitor-General, who made those promises to me and who might think that, if they are not fulfilled, it is a resigning matter. His word has been betrayed.

Mr. Weetch: I took it.

Mr. Mitchell: We all took his word. I am glad that the Attorney-General has merely reserved his position, because the legislation must come. It must confer the right to banks and building societies to operate in a way that is attractive to them, and it must widen the range of choice of the consumer. I look forward to that promise being fulfilled unalloyed, unadulterated, unweakened and in its entirety.

For too long house purchase has been a log jam, and the purchaser has been overcharged for conveyancing. That log jam was broken by the House Buyers Bill. Drastic changes resulted from the Bill, and I am delighted with what is happening in the house-buying market. There are new ideas and initiatives and a surge of action and change. It is estimated that conveyancing costs have decreased substantially by 20 to 30 per cent. That is a direct gain from the Bill. We have seen the attempt to try new initiatives, solicitors advertising, progress towards comprehensive services, solicitors taking up the idea of property centres in Wrexham, Crawley, Berwick and Lincoln on the pattern of the Scottish solicitors, computerisation brought into a sector where it is vital and can make a major contribution, conveyancing plans and packages for solicitors to make the whole operation more simple and straightforward, estate agents looking forward to employing conveyancers, and a whole range of choices and changes. It is a shake-up that directly results from the threat of competition. That threat has to be sustained. We are implementing part of it today in the Bill. The next step is to extend it to banks and building societies.

When this comes, it will be a real change, and the House will have made a contribution. We will have done something in this measure, and through the House Buyers Bill, to help our people in the most genuine, straightforward and necessary way. It has done something more relevant to the lives of people and to improving their lot than most of the other things that we discuss in the House. Therefore, I welcome that part of the Bill and the flood of initiatives that will follow.

9.50 pm

Mr. Richard Ottaway (Nottingham, North): I declare an interest as a partner in a firm of solicitors. Before Labour Members jeer, I remind them that I am not part of the Law Society's rearguard action, as I voted for the Bill introduced by the hon. Member for Great Grimsby (Mr. Mitchell) on Second Reading. I also remind him that a substantial number of Conservative Members voted for it.

I welcome the proposals to abolish the solicitors' conveyancing monopoly. It has been described several times today as a monopoly, but I feel that it is more of a cartel. Some 27,000 solicitors amd several thousand firms in competition with each other hardly smacks of monopoly. There can be only one test of whether the cartel should be removed, and that is whether it is in the public interest. It has been clearly demonstrated that the Bill's

changes will result in cheaper conveyancing. I understand that solicitors' charges have dropped by about 30 per cent. since 1983, and that step is clearly in the public interest.

The proposal is that we have a council for licensed conveyancers and I agree with that. It could not be anything else. The standards of the council will be set by the council. As my right hon. and learned Friend the Attorney-General has described, that is required—under clause 8. The clause goes no further, but I suggest that an exam of a similar standard to the solicitors' conveyancing exam should be a fair test if we are to have fair competition.

While I voted for the abolition of the cartel, I voted for the Bill only on a matter of principle. If the Bill had stayed in the same form as that passed on Second Reading, which I think everyone will agree was pretty ropey, I should have voted against it on Third Reading. The hon. Member for Great Grimsby has made much of the negotiations that he had with my hon. and learned Friend the Solicitor-General in the months after he had obtained a Second Reading of his Bill. It is worth pointing out that the hon. Member got his closure motion by only one vote, so he hardly negotiated from a position of overwhelming authority.

Mr. Austin Mitchell: What was the majority for Second Reading?

Mr. Ottaway: I do not know, but I think that it was about 20 or 30.

The hon. Member hardly negotiated from a position of overwhelming authority, particularly when several hon. Members backed him that day simply on a matter of principle and not for the full force of his Bill.

Mr. Austin Mitchell: It is a curious suggestion, if the hon. Gentleman is making it, that commitments of honour can be diluted by an inverse ratio to the size of the majority.

Mr. Ottaway: I am not suggesting that. If the test of whether banks and building societies should have this right had been put to the vote, the hon. Gentleman might have had a different result.

Some of the problems that have been described if banks and building societies are allowed to do conveyancing are problems of conflicts. That has been pointed out by the hon. Member for Ipswich (Mr. Weetch) who gave an example of a solicitor today acting for a borrower and a building society at the same time. However, what is being proposed here is slightly different. The lender's lawyer has never acted for both lender and borrower, because the lender is in a position of strength.

In response to the Government's suggestion that we allow banks and building societies to carry out conveyancing, the Lord Chancellor's Department issued a consultation paper that expressed concern

"that the dominant position of certain lenders in the housing market might enable them to pursue anti-competitive practices."

It relied upon the Competition Act 1980 to protect against some of the unfair practises.

What the paper did not do was consider the suitability of banks and building societies to carry out conveyancing. However, the Benson report did that, and said:

"We consider, therefore, that even if it were possible to devise a suitable system for licensing and supervising conveyancing by building societies and banks that was not cumbersome and expensive such a development would not be in the public interest."

After all, we are talking about the public interest. The Benson report was right. I am not satisfied that the Fair Trading Acts could cater for that position. After all, that would be to ignore human nature. A man may go into a building society and ask for a loan, and on the way out be told, "By the way, we offer a conveyancing service." The chap is rather worried whether he will be given a mortgage, and it would require a very strong-willed person to resist the offer of conveyancing.

The real problem is that the banks and the building societies would be in a dominant position. With their tremendous financial reserves — £3 billion for the building societies — they will set up high-technology conveyancing shops. While in the short term that would be good for the consumer, it would decimate the solicitors' profession.

The local branch of the Law Society in Nottingham carried out a survey of the impact of banks and building societies carrying out conveyancing. A number of firms of solicitors have branch offices dotted around Nottingham. Many of them offer services in deprived and under-privileged areas. In reply to my asking one firm what would happen if it lost 50 per cent. of its conveyancing work, it said:

"competition from Banks and Building Societies could seriously affect the service we provide to the public in the area concerned. I give as an example details of percentages at our Bulwell Office; for the nine months to September, 1984, 50 per cent. of our work is conveyancing which produces 72 per cent. of our costs; legal aid work accounts for 24 per cent. but the costs from that only amount to 12 per cent.

This legally aided litigation work as you would imagine consists of a good deal of matrimonial and criminal work with other civil work included, e.g. accident claims. If the organisations mentioned above were to reduce the level of our conveyancing work then clearly we would not be in a position to provide the service we do now."

That is the most important point in the whole issue about banks and building societies.

Mr. Weetch: The hon. Gentleman is talking about the cross-subsidy that exists in a solicitor's office. Does he believe it fair that a young couple struggling to buy a house and pay the conveyancing costs should, through a charge like that, subsidise someone who is undergoing a divorce?

Mr. Ottaway: I am not suggesting that. We have all agreed that conveyancing charges have dropped. That solicitor was saying that if he lost his work, his business would have to shut down. This is a different matter altogether—he will not be offering any service at all. As the firms of solicitors shut, conveyancing practices will become concentrated in the building societies, and the net result will be a reduction in the level of competition.

The profession is not opposed to the Bill. Those who read the letters columns in the *Law Society Gazette* in 1984 appreciated that many solicitors did not feel hidebound by the stance of the Law Society but were prepared to go out and get business. Many of them were referring to new technology, software programmes and advertising. Indeed, a new lease of life was given to the solicitors' profession, and the hon. Member for Great Grimsby and the Government are to be congratulated on that.

Ordered,

That, at this day's sitting, the Administration of Justice Bill *[Lords]* may be proceeded with, though opposed, until any hour. *—[Mr. Neubert.]*

Mr. Ottaway: The Attorney-General described the miscellaneous provisions at the end of the Bill as covering

[Mr. Ottaway]

a rag-bag of issues, as it were, in that they were all good in principle. Clause 53 is designed to reform arbitration law. Many people involved in arbitration in the City believe that the clause is right in principle but wrong in application. Other provisions in arbitration law provide for a default appointment of an arbitrator, whereas the clause provides for appointment by the court.

As Britain is a worldwide arbitration centre, many arbitrations that take place here concern parties overseas. It will be particularly difficult if one must apply to the court for a default appointment of an arbitrator to serve documents overseas. That will slow up the process and provide extra work for the courts.

I may be told that that issue would be better discussed on Report. I mention it now only because, in a speech yesterday, the Master of the Rolls said that perhaps more emphasis would have to be placed on arbitration to deal with the volume of work that is being experienced in the civil courts. Clause 53 will give the courts more work and will hamper the arbitration process, so it does not seem appropriate in the circumstances.

10.3 pm

Mr. Robert Maclennan (Caithness and Sutherland): The Bill, the provisions of which I broadly welcome on behalf of my right hon. and hon. Friends, is a classic example of the deficiencies of our mode of seeking to introduce law reforms — what one might describe as lawyers' law reforms—in that it is limited in extent and deals with subjects some of which are by no means final in their shape and which, by virtue of their incompleteness, will require our attention before long. The hon. Member for Newcastle upon Tyne, East (Mr. Brown) made much the same point when speaking about part I.

The distinguished legal correspondent of the *Financial Times* today commented on that in connection with the reform of commercial law and in his article almost despaired of the prospects of this country ever having modern commercial law. With respect to the provision of effective amendments to the law governing legal services, the same sort of criticism could be made when one recalls that some of the recommendations of the Evershed committee in 1953, which have commanded widespread support, both among the legal profession and those who represent consumers, still have not been implemented.

The time has come to ask whether we are approaching legislation in these areas in the most effective way. Many of these issues might best be dealt with by a new mode of legislation involving extensive pre-legislative committee hearings, so that a broad measure of consensus could be arrived at, thus avoiding measures of this kind clogging up the legislative machinery of the House. I say this by way of preamble because I am disappointed that the Bill, although long, does not deal with many important matters.

Part I enhances the capacity of the Law Society to deal with complaints against solicitors. This part of the Bill is broadly along the right lines. It is disappointing that the Law Society has not yet received the Coopers and Lybrand report which it initiated. When it does, it may be necessary to look again at the legal framework in which solicitors operate.

Like other hon. Members, I have been struck by the degree of public disquiet at the machinery for making complaints against solicitors. I believe that radical changes are needed. Unless the profession makes the changes itself, the case for an external independent examination of complaints will be strengthened—an examination of the type advocated by the National Consumer Council and a number of other bodies. I have some reservations about that whole hog approach. It would have unfortunate consequences on the organisation of the profession. The Law Society could well become simply a professional trade union, and that would not be in the public interest. Undoubtedly, a larger lay element is desirable, and the Law Society should consider that proposal.

Although I accept the broad framework which has been set out by the Law Society and the Bill, there are some questions about how it will operate in practice. Do the remedies provided fit in with other remedies at law—notably with a damages action for negligence or a solicitor and own client taxation? Let us suppose the Law Society considers that the complaint discloses negligence as well as substandard performance by a solicitor. The wording of the Bill suggests that the client would be advised to take legal action. The legal aid committee might well take a different view and feel that the case did not merit full legal aid.

The Bill's provisions envisage solicitor and own client taxation following a reduction of fees by the Law Society. What is provided is that the bill to be taxed will be the bill as reduced, not as originally presented. If, as a result of taxation, the bill is altered, is the Law Society to alter its determination? That procedure is unlikely to inspire a great deal of confidence. The Bill provides a valuable extension of remedies, but it does not go far enough. There is still no power to award compensation to an aggrieved client.

The Benson committee recommended—perhaps this will be used in terrorem — that a solicitor should undergo some form of compulsory retraining. The Bill does not say anything about the procedures to be exercised by the Law Society. There is a danger that the procedure could be so cumbersome that it would deter potential complainants. The Law Society must address itself to that matter. On the other hand, there is a danger that solicitors will not be able to rely on the procedure. It will be difficult for them to rely upon the independent judgment of the professional purposes committee if its members and staff have already been concerned with the investigation process.

Part II is more complete, and I can give it a more unqualified welcome, notwithstanding the lively and important debate that there has been about the position of banks and building societies. The ending of the property conveyancing cartel, as the hon. Member for Nottingham, North (Mr. Ottaway) put it, is broadly welcomed by both sides of the House.

The movement that has been under way since the House Buyers Bill was introduced in 1983 has had a beneficial effect on conveyancing charges. Whether conveyancing is made cheaper and more efficient will depend not just on the establishment of a new profession but on whether important recommendations contained in the Farrand committee's second report are adopted. For example, it proposed that vendors should be required to supply purchasers with replies to local searches and standard

preliminary inquiries with the draft contract. I acknowledge that many of the recommendations are detailed. It would be sensible to give effect to them, but they will require major legislation.

That is a further illustration of the point that I made earlier about the desirability of considering alternative means of giving effect to what the House is likely to regard as desirable after careful consideration. It is a pity when the Lord Chancellor has so little time available that the Bill cannot take further the reform of the provision of legal services.

There are one or two matters which it would be desirable and in the interests of the consumers of legal services to include in the Bill. I hope that the Attorney-General will reconsider the case made most powerfully in another place by Lord Foot for granting legal aid in defamation cases. I do not propose to rehearse the cogent arguments that were put forward at some length. It is possible that we are in breach of our obligations under the European Convention on Human Rights—there is a case pending at the moment which may determine the point—by denying access to courts by refusing legal aid in such cases.

I should like to see public funds provided to pay the costs of determining points of law of exceptional importance. That is one of the Evershed committee's proposals which has long commanded the support of consumers of legal services and lawyers.

The Benson commission proposed that where the death or incapacity of a judge interrupted a trial or an appeal, the costs should be reimbursed. That is a highly desirable proposal, which should be considered. It has already been around for long enough without any action having been taken on it.

It will be easy for the Minister when he replies to the debate to say that there are many desirable things which the Government would like to see happen but that they cannot all be encompassed in one Bill. I accept that that is a procedural block, but I hope that the Government and those responsible for the machinery of law reform will apply their minds to how to bring about such changes without having to wait, in some cases, for decades.

10.14 pm

Mr. Derek Spencer (Leicester, South): The hon. Member for Ipswich (Mr. Weetch) and the hon. Member for Great Grimsby (Mr. Mitchell) have seen their legislative offspring legitimated by subsequent adoption by the Government. Notwithstanding its new-won respectability, they seem to have reservations about its status. I hope that they will eventually become reconciled to its position and will not, like disappointed fathers, as they seemed to suggest at one stage, either disinherit it or show their disenchantment any further.

I wish to speak not about that aspect but about part I. I am one of those people who have reported a solicitor to the Law Society. The last time I sat as a recorder at the Old Bailey a case was not ready for trial due to the incompetence of a solicitor. He had been similarly incompetent a month earlier in the same case. On that occasion another judge had granted an adjournment and had ordered him to pay the cost thrown away. After I heard what he had to say in chambers, I once again ordered him to pay the costs thrown away and reported him to the Law Society. I await the outcome ot that complaint.

I shall say nothing about the individual case, but it highlights a number of problems that can occur. First of all, defending counsel is unlikely to feel that he is in a position to report a solicitor to the Law Society. Prosecuting counsel and the prosecuting solicitor would hardly feel it appropriate to do so. The defendants were only too pleased to see yet again that their case had been adjourned. If a judge is not to report a solicitor, who can? If the matter is not to be dealt with effectively by the Law Society, who can possibly consult the public interest? If at the end of the day the new procedure does not give satisfaction, I might be a more receptive audience to the private Solicitors (Independent Complaints Procedure) Bill tabled by the hon. Member for Battersea (Mr. Dubs).

There should be no need for dissatisfaction, provided the new provisions in part I are implemented imaginatively. The Master of the Rolls has power under schedule 1 to appoint to the new tribunal people who are not solicitors. In view of the public misgivings created by the Glanville Davies case, I hope he will not shrink from doing that. If we find that the undoubted improvements embodied in part I of the Bill do not allay public misgiving, we will have to come back to the matter, but I think the time is not yet ripe for that.

There has already been an effect on the level of conveyancing fees. As so often in respect of cutting conveyancing fees, Leicester leads the way. We have heard of fees elsewhere being cut by 30 per cent. My inquiries reveal that in Leicester conveyancing fees have been cut by as much as 50 per cent. That is by no means uncommon. I am sure that the hon. Member for Great Grimsby would like to be able to claim that his Bill was responsible for that. If I could give him credit for achieving that objective, I would assuredly give it, but my researches among solicitors reveal that their view is that it is a change in the rules about advertising that has caused a fall in conveyancing fees. When one of their regular customers comes in wanting to have them act for him in house conveyancing, he says, "You have been my family solicitor for years but I see from reading the *Mercury* last week that Mr. Jones round the corner can do it for £145. I don't expect you will be charging much more, will you?" That sort of argument is very difficult to reject, and I understand that it has been one of the principal reasons for a fall in conveyancing fees, which the public find so acceptable.

I can say to anyone who is thinking of evaluating the joys of Leicester that not only do we have a large reservoir of owner-occupied housing available; we also have some of the cheapest conveyancing fees in the country.

10.21 pm

Mr. Ken Weetch (Ipswich): I oppose the Bill, and in doing so I want to concentrate on part II, which deals with the reform of conveyancing. But before I do that I should like to respond to the right hon. and learned Member for Southport (Sir I. Percival) and also to the hon. and learned Member for Leicester, South (Mr. Spencer). They both said, "Since you have lost the issue about banks and building societies, please don't go away and sulk about it." Let me assure them that I intend to do no such thing. My hon. Friend the Member for Great Grimsby (Mr. Mitchell) and I will be back to argue the case. This House is a democratic forum. Although things have gone against us

[Mr. Ken Weetch]

on this occasion, that is not the end of the matter, because in the next Session of Parliament there will be a building societies Bill, and the argument will come up afresh.

When the right hon. and learned Member for Southport says to my hon. Friend and myself, "What you both need to do is to come back to this House with your arguments sharpened to present to us", that is absolutely right. We shall be back to argue that case at a later date, because this is the proper place to do it. I for one accept the challenge: I shall be back.

Sir Ian Percival: I take it that the second half of what the hon. Gentleman said is correcting the first half. I certainly did not say, "Don't go away and sulk." I meant to, and did, throw out a challenge: "Come back with the answer about this conflict of interest and it will be very seriously considered."

Mr. Weetch: The right hon. and learned Gentleman is as courteous as ever, and I accept that.

I wish to concentrate on part II of the Bill. As the House knows, I have had a specialist interest in conveyancing matters in the 12 years that I have been in this House. I have fought the old monopoly very hard because I quickly came to the conclusion, when I thought about it years ago, that what was needed in this area of legal services was a good dose of free competition, and that the sooner we had it the better. I believed that that would find a responsive echo on the other side of the House, but not in all places, for there is a dichotomy of philosophy. There are many hon. Members who believe in free enterprise and many others who believe in the old restrictive practices that the legal profession had yesterday, and still has today. That is an interesting situation in itself.

Before I come to part II, I want to say that I am not at all satisfied with part I, and particularly clause 1, which centres on the discipline of solicitors. Broadly speaking, I believe that clause 1 has missed a very good opportunity to bring about some valuable and far-reaching reform. That clause has missed the boat.

We should now be looking for an approach that separates professional disciplining of solicitors from the framework of the Law Society. It is no longer a satisfactory state of affairs that the solicitors' own professional body, which can be expected to take a partial approach in these matters, should be the body responsible for adjudicating what are adequate professional services and whether certain actions of professional conduct should be disciplined in the public interest. I shall have a great deal more to say about that in Committee. I do not want to develop the argument at this stage. Let me just say that this part of the Bill is totally inadequate as it stands.

The hon. and learned Member for Leicester, South talked about respectability. The efforts of my hon. Friend the Member for Great Grimsby have achieved respectability. As we are on the theme of respectability, I want to do the respectable thing and choose for the theme of my speech on part II, part of the editorial of *The Times* of Friday 3 May. One cannot be more respectable than to quote *The Times* leader in one's favour. It states:

"with the exception of some aspects of trade union behaviour being subjected to new legal inhibitions, the professions and all those other vested interests carry on largely intact."

I wish to oppose part II. Paradoxically enough, in opposing it, I agree with the main aims of the Government, underlying the whole of part II. Broadly speaking, the Government propose to bring more competition to bear on the current conveyancing system, so that house transfer is more cost effective, cheaper and expeditious. In detail, that is to be done by widening the categories of persons who can conveyance property. Having widened the source of supply, prices will eventually come down. That will occur in tandem with encouraging the use of computer technology and structural reform. Those matters are outside the scope of the Bill. Nevertheless, they are widely understood.

Let me concede at the start that in trying to bring that about, the Government have had a difficult task. Such legislation inevitably has to strike a balance between protection and competition, between the old world of legal professionalism and the new opportunities of beneficial commercialism. Unfortunately, the Government have struck the balance in the wrong place. The Bill has too much of the old world and not enough of the new, so much so that it offers very little reform at all.

Let me analyse why that is so. I was not trained as a lawyer; I was trained as an economist, and I look at the problems like that. I look at bringing about a reduction in costs and prices for the benefit of the consumer. I have read the Bill carefully. In the first place, it does nothing to create, promote or safeguard any meaningful competitive structure in conveyancing services. In the long run it does not. Quite the contrary. The Bill has done much to reverse the gains painfully made at common law to break section 22 of the Solicitors Act 1974 which, when I was beginning my struggle against it, was section 20 of the old Solicitors Act 1957. While on the one hand it narrowly widens the class of persons who can provide conveyancing services for fee, gain or reward, that means nothing other than allowing a limited number of outsiders to join the club. In return for that largely illusory improvement, there are very real disadvantages.

The most overwhelming disadvantage is that whereas the solicitors' monopoly currently applies to just one small link in the purchasing chain—preparing and drawing up the transfer deed — under the Bill the monopoly provisions will cover the preparation of the contract for sale and all the other ancillary procedures. A few years after I came to the House in 1976, the famous case of the Property Tranfer Association v. the Law Society decided that all ancillary procedures were free from the monopoly and that only the transfer deed, which often amounted to no more than filling in the blanks on a standard form, was covered by the monopoly. Under this loud-sounding nothing of a Bill, the consumer will have cut the monopolistic ropes only to acquire chains. The Benson proposals, widely regarded as whitewash at the time, have come to pass.

Secondly, there is too much professional superstructure in part II. There is too much clutter, too much regulation and not enough simplicity. If the Department of Trade and Industry is following the Bill at all, for God's sake let it step in now and try to make some alterations. The new Council for Licensed Conveyancers is a pale copy of the old Law Society. We have seen it before. Its better half is just down the road in Chancery Lane and it has been responsible for many years for the unjust burden of conveyancing charges which has been a blight on owner-occupiers for far too long. I note in passing that there is to be no common council for all who do conveyancing. A conveyancing council ought to cover all conveyancers, but

there are to be separate arrangements for licensed conveyancers and for solicitors, thus ensuring that the new council is not just a carbon copy of the Law Society but a permanent poor relation. No doubt that was the intention from the start. I have no doubt, however, that the new poor relation will soon be aping its professional better and entrenching its own restrictive practices as quickly as possible, as professional councils always do. I have always regarded professional bodies of this kind as, in part at least, conspiracies against the layman.

My third criticism relates to a more basic weakness. The Government have put the cart before the horse. They have created a ton of professional machinery before there is any adequate job description or any settled idea of what conveyancers will be asked to do in the future. Everyone is saying that change is in the air with wider use of computers and information technology and improved procedures. Even more fundamental changes may be on the way. I know that the Government are seriously considering how Departmental practices can be changed to achieve greater expedition in these services. As an eternal optimist, I am absolutely certain that in the course of time this will lead to a technical simplification of the whole process of conveyancing so that the qualification needed will be minimal. The absurdity is that in the Bill the Government have built up a monolith of machinery, with all the bits and pieces that go with it, which technical change will render completely irrelevant within a fairly short time.

My fourth criticism — the crowning irony — is that, having erected this elaborate superstructure to ensure that everyone is properly qualified, the Bill sells the pass even before it gets into part II. Clause 5 actually makes it easier for unqualified people to do the work than was the position previously. Unqualified people can now do the work provided they are employees, partners or employers of those entitled to transfer property.

One of the abiding abuses of conveyancing over a long time has been the fact that one has paid for a qualified solicitor to do the work while up and down the country one gets his clerk instead. I would like to count the number of letters from solicitors' clerks who tell me that they have been doing the job for 10, 15, 20 and 30 years without supervision.

There has never been any case law on this subject. A friend of mine, who will now be called a licensed conveyancer, brought a case but it was stopped half way because one of the parties died. As a result, no case law exists on the record to say whether or not it is legal for an unqualified person to do the job. But I can now tell everyone who is unqualified, "Do not worry. They will no longer catch up with you because it is now legal under clause 5."

Two things have emerged from this. First, the consumer has paid monopolistic conveyancing charges to a solicitor but got the services of ancillaries in return. Secondly, and this is one of the great ironies, although the Law Society has always argued that properly qualified people should do the conveyancing, it never really cared whether Joe Soap did it so long as the qualified people took the profit from the transaction. That accounts for my cynical view of conveyancing over the years.

I am not the only person who suspects this legislation. On 5 April, *The Sunday Times* carried an article on the Director General of Fair Trading, who is legally charged with looking at competitive conditions, and I know that over the years he has been interested in conveyancing. That report stated:

"Sir Gordon backed up complaints by the non-lawyer conveyancers themselves that the Bill will not do much to increase competition. This is because the mechanism for licensing conveyancers will be so rigid"—

That is the word I have been looking for since rising to my feet. The Bill is not flexible enough—

"that few non-lawyers will qualify. While he applauds the Bill's aim to protect the consumer he said that this was being achieved at 'the potential cost of erecting barriers which might be high enough to prevent many adequately qualified conveyancers from entering the field'."

That is particularly relevant given that conveyancing as a technical practice will become simpler rather than more complicated.

I wish to answer two points that have emerged from the debate. This is a debating chamber, and I listened carefully to what was said. First, scores of people have written to me since I had a letter published in *The Times* in which I set out my objections to the Bill. I felt that I had to do so because I have supported reform for so long that when it came, and it was the wrong sort, I thought it was incumbent on me to explain myself. I had scores of letters saying, "You are wrong. You have got the wrong end of the stick". The same has been said today, so I shall try to explain myself.

It is said that there already is more competition. I agree, but for how long will it last? The price of conveyancing used to be about 1·25 per cent. of purchase or sale. The fees have dropped. Conveyancing for any size of house can now be £120. I have even seen fees below £100. That is not altogether healthy. There should be a fair price for the job, not a ruinously low one.

I have been told not to worry and that, like spring, competition is in the air and that things will never be the same again. Prices have come down, I admit, but because of factors utterly outside the Bill. The Bill does not safeguard the competitive future. Trying to predict the future is always hazardous, but I believe that present competition is unlikely to last. The scale of charges was abolished in 1972 — the Statutory Instrument was considered in January 1973. When it came in at the end of the last century, the scale of charges was heralded as a competitive miracle. Nobody would be overcharged, it was said, as maximum charges were set down by law. What started as a maximum became a minimum because of restrictive practices and those who went outside the minimum were hammered under the professional rules.

The long-term results of this reform will not be the safeguarding of competition either. I follow changes in the conveyancing world closely, and wonder whether competition really is in the air. Two of the most promising approaches to bringing conveyancing into the 20th century by solicitors have come from groups of youngsters anxious for change and to reduce costs. Good luck to them. I refer to the Homebuyers Group and the Conveyancing Exchange. I have read their literature, learnt their aims, examined their ideas and spoken to some of the people involved. I am impressed by how they have tried to harness the benefits of marketing, attractive packaging and streamlined organisation and advertised benefits for the consumer. That is how the profession should respond to the new position.

What of the Law Society? Apart from the fact that the Bill started in bad faith which has soured my attitude to

[Mr. Weetch]

it, it depresses me. In a debate in the other place the Lord Chancellor, who was talking about clause 1, but who could have been talking about any part of the Bill, because his speech on part II was exactly the same, said that clause 1 "was demanded by the solicitors' profession itself through the Law Society, which is its accredited representative with my office."—[*Official Report, House of Lords*, 14 January 1985; Vol. 458, c. 824.]

I detect the influence of the Law Society in almost every stage of the Bill. I shall produce chapter and verse in Committee to argue that the consultation that took place with consumer organisations was perfunctory.

The Law Society has not only had a malevolent influence but is, at this very moment, trying to stifle the competition being created. The *New Law Journal* of 10 May refers to the Homebuyers Group and the Conveyancing Exchange, which represent people who are looking for new ideas, and trying to make an entry into the market in a controlled streamlined and low-cost way. It states:

"The Homebuyers Group are complaining that they have received no response from the Law Society since submitting details of its scheme over ten weeks ago. This bodes badly for any speedy resolution of outstanding questions."

We may talk of competition, but outside there are powerful counterforces. The same counterforces have had a deadening effect on the Bill.

If I have not made an argument against the Bill in the time that I have had at my disposal, it is no one's fault but my own. I sit down, as I stood up—I oppose the Bill and I shall do so, if I am fortunate enough to be selected for the Standing Committee.

10.47 pm

Mr. Greg Knight (Derby, North): I give a cautious welcome to the Bill. Perhaps I should say that I have no current financial interest to declare. My interest is based on past experience.

I have some sympathy with the comments on part I by the hon. Member for Great Grimsby (Mr. Mitchell). My only regret is that part I does not extend to other so-called professions, such as estate agents and accountants. Hon. Members may receive many complaints about the behaviour of solicitors, but I am sure that many hon. Members will agree that those complaints are matched by complaints about estate agents and accountants, especially when they have managed to get their hands on a deposit or money belonging to a client from another source and have deducted exorbitant charges from it. I accept that the Bill cannot deal with that, but it is a comment worth making.

The impression given earlier was that part II was the first stage of trying to break down the solicitors' monopoly on conveyancing. It is not a first stage, but a further measure in a long series of events and happenings.

Restrictions on undertaking conveyancing on property for reward were introduced in the early part of the 19th century. My recollection does not go back that far, but I remember speaking to an experienced solicitor in 1967, who related a story about conveyancing in Leicester before the second world war. He was an articled clerk at the time. His principal had a completion to do in Loughborough, which is about 15 miles from Leicester. The completion was in the afternoon, so the solicitor took the morning train to Loughborough, booked into a nearby hotel, had lunch, did the completion in the afternoon, stayed the night in the hotel, and got the train back to Leicester the next day. Of course, the client footed the bill for his journey and expenses, as well as paying his fee.

We have moved a long way since then. When I started as an articled clerk, scale fees were in force. Their effect was that charges were high and profits from conveyancing —there is no need to beat about the bush on this—were also high. But with the abolition of scale fees, an element of competition was introduced. Although solicitors were then free to charge as they wished, although they could not advertise, this started the practice, which has accelerated ever since, where by clients would telephone all the solicitors in an area and find out what their prices were. They would even quote the price obtained from one solicitor to another in the hope that he could meet or undercut it. For at least 10 years, conveyancing fees have been decreasing.

The problem is that, for a long time, many solicitors have used conveyancing work to subsidise other areas of activity. Although I accept that the bill is not the vehicle to put things right, I hope that in due course it will be noted that solicitors are still grossly underpaid for court work. After I was admitted in the early 1970s, I remember clearly a man coming in off the streets, bringing with him a summons for speeding, and asking me whether I would represent him. His family solicitor had said that he did not do court work, which was unprofitable; he did only conveyancing. To some extent, that is still the case today. Many solicitors are not paid an adequate return when undertaking court work, especially court work that is paid for by the state under the legal aid scheme. Far too many solicitors still see conveyancing as a means of subsidising other work. I hope that that will not continue.

The greater freedom of recent years, whereby solicitors are allowed to advertise, has given a further impetus to competition. I do not share the views of the hon. Member for Ipswich (Mr. Weetch), who said that the Bill had done nothing to lower solicitors' costs. Of course it has not. It is still a Bill, and not yet an Act of Parliament. History will show that his conclusion on this point was wrong. If, as I hope, the Bill is enacted, the setting up of licensed conveyancers will inject an additional element of competition. I hope that it will do so without sacrificing consumer protection.

It is right to sound a warning. We are talking about protecting the public and ensuring that they get a reasonably priced service and a job done properly. After all, buying one's home is probably the biggest transaction in one's life. It is not correct to draw the analogy of a shopper going from one supermarket to another and buying a tin of beans at the lowest price. We are talking about a transaction that requires skill, judgment and ability, and those who seek to dismiss the fact that those who carry out conveyancing must have some training and expertise are making an incorrect judgment.

I notice that many of the detailed safeguards are left to be dealt with by rules to be made by the Council for Licensed Conveyancers, with the approval of the Lord Chancellor. It will be important to ensure, for the protection of the public, that conveyancers are both experienced and qualified to carry out the work, and I am concerned to see that this is what happens. Will my right hon. and learned Friend tell the House whether the final scheme will ultimately come back to the House for parliamentary approval? I hope that that is to be the case.

I have serious reservations about banks and building societies being allowed to undertake conveyancing work. The hon. Member for Great Grimsby, who unfortunately is not here, and the hon. Member for Ipswich have said that we should not be concerned about this because many solicitors already carry out work for their client and for the building society at the same time. The fact that a solicitor may be getting two fees on what is essentially the same transaction does not necessarily mean that there is a conflict of interest.

The danger in allowing banks and building societies to undertake conveyancing work is that their prime aim is to see that a loan is taken out at the rate of interest that they are charging. If someone is employed full-time for a bank or building society, the interest that he is looking after on its behalf will conflict with the interest of his client. The client needs to be advised not only as to whether good title can be deduced to the property, but on whether he can afford to take out a loan of that size, and whether the property is what he wants, and all sorts of ancillary questions. There is a real danger of a conflict of interest if banks and building societies are allowed to carry out that work.

With those reservations, I welcome the Bill.

10.57 pm

Mr. Alfred Dubs (Battersea): I listened carefully to the Attorney-General when he dealt with part I. I thought that he was altogether too full of praise for the Law Society. His attitude was so uncritical that he described a Law Society rather far removed from the experience of many hon. Members and members of the public.

The Law Society is obviously aware that it is the subject of a great deal of public criticism. That must be why it commissioned the Coopers and Lybrand report. Therefore, I wonder why we are dealing with legislation instigated by the Law Society to make changes to the methods by which complaints are looked at, and the powers of the Law Society in relation to that.

It is likely that the further work that Coopers and Lybrand is carrying out will overtake what we shall do through the Bill. We may wish that we had not embarked on part I until the investigation carried out on behalf of the Law Society has been completed. Would it not be better to wait for the Law Society to complete this process before deciding on reforming legislation on the complaints procedure?

I cannot help feeling that it might be better to drop part I and await the results of the full investigation by Coopers and Lybrand, and then decide how to proceed. I do not suppose that the Attorney-General will accede to that request, but he must agree that there is at least some logic in it, as he may find it embarrassing to put this legislation through and find it overtaken by events.

I would have thought that the Law Society did not have that impressive a track record in this area. A few months ago I introduced a Bill under the ten-minute procedure to deal with complaints against solicitors and to set up an entirely independent system. The publicity that the Bill attracted resulted in my being swamped by an avalanche of letters from people throughout this country and abroad. They were concerned about how the Law Society had handled, or failed to handle, their complaints.

Although I am sure that some of the complaints had little or no foundation, others appeared to be compelling in their criticisms. They came from the rich and the poor and from those whose very lives had been shattered by their experiences. They had an enormous sense of grievance and injustice. It made me feel that the results of the survey, which was quoted earlier, were amply backed by those letters. Quite unusually, not one person wrote to me complaining about or disagreeing with my stand in the Bill. The measure was approved by the House, but it is now stuck in the system—as is the fate of so many private Members' Bills introduced under that system.

However, there was one rather amusing by-product. Sir David Napley, an eminent member of the legal profession and a past president of the Law Society, gave a lecture in February this year for the 1985 Conkerton memorial lecture at the University of Liverpool. It was abbreviated in the *Law Society's Gazette* on Wednesday 20 March. It is the only answer from anyone to do with the Law Society to the request for an independent method of dealing with complaints.

Sir David Napley said:

"The latest attack on the profession comes from some left-wing Member of Parliament."

I take that as a compliment. He went on:

"He has promoted a Private Member's Bill designed to take the powers to deal with complaints against solicitors away from the profession and into the hands of a statutory independent body."

That is accurate so far. He then said—and he goes on the attack:

"Would his time not be better spent in promoting such a body to deal with the public's complaints against Members of Parliament?"

He is talking about all of us, including you, Mr. Deputy Speaker. He continued:

"Here is a body of people, of whom, on entering politics, no training, skill, learning or expertise is required; who are not required to demonstrate or maintain particular standards of integrity; who are subject to no disciplinary process for the management of either their constituents' affairs, or the public generally."

In other words, if it is impossible to answer the case against the Law Society, why not attack the people who are making it and have a good go at Members of Parliament? We are pretty thick skinned, so that does not really matter. All is fair in this activity.

However, Sir David went on to say:

"One recognises that the affair of Glanville Davies and the mistakes which were made poured ammunition into the laps of our enemies."

He can say that again:

"But that apart the profession's record for integrity, probity and ethical conduct generally stands very high. Just as one swallow does not make a summer, so one storm does not make a winter."

I suggest that there he has pretentions to enter the world of literature. He continued:

"The professions' record for doing the right thing should, when they are attacked, be compared by the public with the politicians' record for doing the wrong thing."

No doubt our debate this evening will attract similar attacks.

I welcome the fact that part I contains some improvements in the methods of investigating complaints and the public being given redress. In particular, I welcome the provision for the repayment of fees. Nevertheless, I want to make six criticisms of the proposed system. The first has been mentioned by other hon. Members, but I make no apology for referring to it again. It is that the Law Society inevitably must have a conflict of interest between its duty to defend the profession and its duty to help members of the public when they have a sense of grievance against the profession. I do not see how that conflict of interest can be reconciled, and it certainly is not reconciled in part I.

Secondly, I regret that the powers given to the Law Society in part I are permissive. The society will still have the option of deciding not to proceed with a complaint, and it may take that decision on very wide grounds indeed.

Thirdly under the Bill—this point has not been made so far—the Law Society is given no general obligation to help the complainant. It does not have that obligation now, and the society's booklet is not particularly helpful. When writing to me about the matter generally, people have commented time and again that they feel that the Law Society has not helped them.

Complaining against a member of a profession is difficult, because the average person does not have the necessary skill or knowledge and the Law Society can too easily dismiss a complaint. If the society is to be left with this responsibility—I would prefer it not to be left with it—it should accept a general responsibility to give advice and help to complainants.

Fourthly, the Bill still leaves too many points at which complaints will be handled, if they are handled at all. I should prefer to have one focus for complaints so that the average person may know that if he or she goes there, the complaint, under whatever heading it might be categorised, will be investigated.

Fifthly, I regret that there is no provision for an arbitration scheme dealing with negligence when the sums involved are relatively small. My Bill suggested £2,000. It is too difficult and costly for the public to go to law to try to sue solicitors for negligence when the sums involved are small. They may be important to the people concerned, but they can be described as relatively small in the context of claims of this type. the procedure is too cumbersome when it permits the public simply to be told, "You have the right only to go to court." A simple arbitration scheme would be beneficial.

Sixthly, the Law Society should have a general responsibility to be more forthcoming about the complaints that it receives and what it does with them. The council's report for 1983-84 contains, at page 21, a brief mention, under the heading "Professional Purposes Committee," of the number of inquiries and complaints received. The Law Society has a duty to us and the public to be more forthcoming about the nature of complaints, the way in which they were handled and the outcome.

Although I am no supporter of the present method of dealing with complaints against the police, at least the Police Complaints Board—the successor body to which will, I am sure, do the same—analyses complaints and gives some information about what is going on. The law Society should do likewise, otherwise we shall continue to argue in the dark, as it were, not fully knowing the nature or outcome of complaints.

I would prefer, however, an independent system. I am not certain that we shall manage to achieve that by tabling amendments in Committee. At the very least, the Law Society should be more responsive and sensitive to the criticisms that have been expressed, and I hope that some of the points that I have made will find favour with the Minister.

11.8 pm

Mr. William Cash (Stafford): I welcome the Bill, with some reservations. I shall confine my remarks to part II, which deals with licensed conveyancing, and at the outset I declare my interest. I am a solicitor, and for about 10 years I have been a legal adviser to the Institute of Legal Executives. I played some part in the preparation of evidence to the Farrand committee. I am also a legal adviser to the Society of Company and Commercial Accountants Limited.

The Institute of Legal Executives and its members have played a significant role in the practice and development of the law for decades. It can trace its origins back as far as the 1890s. For almost 100 years, by competent practice, experience and examination, members of the institute have been involved in and engaged in the conveyancing of land in solicitors' offices. The institute was represented on the Farrand committee. For decades it has provided high standards of education, training and examination. The institute welcomes the Bill in principle and its general objectives, but hopes that in Committee it will be amended in a number of respects.

Part II will allow persons who are not solicitors to convey land. The protection of lay members of the public seeking advice from the new licensed conveyancers will depend upon the balance which the Bill strikes between the virtues of competition—but not a free-for-all—and the requirement of competence. The more home owners there are the better, but they must be sure that the purchase of their homes is properly conducted and with effective and full title. Conveyancing is not by any means as simple a transaction as some advocates of licensed conveyancing may suggest.

Part II provides for the establishment of a council for licensed conveyancers. Of concern, however, is the lack of criteria to be laid down by or through Parliament as to what the standards of competence and professional conduct of the licensed conveyancer should be in order to secure adequate protection for the consumer. Should this be left simply to the council and the Lord Chancellor under clause 34, as the Bill provides, or should Parliament retain more direct control over the rules, prescribing standards of training and education by way of statutory instrument?

The radical nature of part II is perhaps overlooked. The house buyer and, at present, purchasers of other interests in land, will be significantly at risk if the standards are found to be inadequate. Insurance will be no compensation, if things go wrong, for those who have lost their home. I am not suggesting that things do not go wrong from time to time under the present arrangements, but with this significant departure from the general rule that only solicitors may convey land. I think that public confidence must be maintaned in the new conveyancers or the Bill will fail in its main objectives.

A similar argument applies to the setting up of the disciplinary committees under clauses 20 and 21, to the code of conduct to be provided under clause 16, to the provision for indemnity and compensation under clause 17, to the accounts which are to be provided for under clause 18 and to interest on client's money under clause 19.

I accept that there must be a degree of flexibility and that it would be unnecessary for every aspect of standards and conduct to be tightly regulated by Parliament, but some retention of control, even as a long stop, is required. I have in mind provisions similar to those in section 27 of the Insurance Brokers (Registration) Act 1977, which reserves to the Secretary of State, after consulting the Insurance Brokers Registration Council, power to approve and vary by statutory instrument, subject to the annulment procedure, rules relating to the code of conduct and other matters such as the method of running bank accounts and the holding of moneys. The making of the rules under that Act is not by way of statutory instrument, but the rules come into effect only when approved by order of the Secretary of State, by statutory instrument.

It will not do for persons to argue that in practice this will not amount to much control. The scrutiny of such instruments in draft is available to the House and may be enforced, especially if the rules are pubished in draft before hand for consultation. Adopting a system along those lines will help to avoid unnecessary mistakes, especially in the initial stages of the development of the profession.

The Institute of Legal Executives already has in place a syllabus and well-developed and tried examinations. It is to be hoped that this will be found to be the most suitable course of study available to those who seek to acquire and develop the professional skills which they will be, or should be, required to have. The quality of service

[Mr. William Cash]

properly to be expected of a licensed conveyancer ought to be that at least of the average of his class, including properly qualified solicitors and fellows of the Institute of Legal Executives.

I am puzzled about why intervention by the council in a licensed conveyancer's practice is apparently unrelated to tests of competence. I accept that there are provisions to control accounts and money under clauses 18 and 19. However, undue delay under schedule 4, paragraph 3 is no more important than incompetence or negligence, and I do not see why intervention by the council should be so selective. Why should not failure to comply with any of the rules lead to intervention?

I notice that under clause 18(4) only so-called "qualified" accountants would be qualified to give accountants' reports on licensed conveyancers' accounts. Licensed conveyancers will often not be limited liability companies, and I should like an assurance that there will be no discrimination against members of the Society of Company and Commercial Accountants by a denial to those of them who are in public practice of the opportunity to make reports on the accounts of licensed conveyancers.

It is ironic that, unsupported by European Community law or anything other than apparent convenience, a provision is included in the Bill which specifically enlarges the freedom of choice to seek professional advice from the legal profession, but which at the same time restricts the freedom of licensed conveyancers to choose their accountants from any firm other than one whose members come from one of the chartered bodies, and a limited range of other authorised accountants, by employing a formula for selection derived from company legislation which will not apply to many, if not most, licensed conveyancers. I should be glad to have an assurance that such discrimination will not be enacted.

Finally, I should be pleased to receive an assurance from my right hon. and learned Friend the Attorney-General that banks and building societies will not be allowed to provide conveyancing services.

In most other material respects I welcome the Bill and support it.

11.16 pm

Mr. John Morris (Aberavon): I am sure that I shall be encouraged by both sides of the House to curtail my remarks. I have little to add to what my hon. Friend the Member for Newcastle upon Tyne, East (Mr. Brown) said. I am grateful to the Attorney-General for his clarification of the Bill.

Part I which relates to the discipline of solicitors is welcome as far as it goes. The tragedy is that it does not go far enough. There is enormous public interest in the profession and a substantial amount of taxpayers' money — a subject warm to the hearts of Conservative Members—is infused into the profession year by year.

The Law Society is the progenitor of these proposals. I ask myself whether they represent the Law Society's thinking now or more accurately its thinking 18 months ago.

The impression I have is that, in addition to the fact that the proposals contained in the Bill are inadequate, the timing is inopportune, because since the Lord Chancellor won a place in the legislative timetable — I suspect sometime last July — for one of his little ewe lambs, matters have moved forward. We have had the interim paper commissioned by the Law Society from Coopers and Lybrand. I shall not weary the House by retailing the nuggets of information that have been revealed from that report. It is clear, however, from a perusal of paragraph after paragraph, that the majority view of people and organisations which have been interviewed by Coopers and Lybrand is that a radical rather than a cautious approach is required.

There is a substantial view that whatever process of investigation of complaints is set up, it should be seen to sufficiently independent of the representational role of the Law Society. That is the point which remains unsatisfied.

Without repeating the points that have been made time after time in the debate, I must pose again the question that will still be asked by the general public — how can a body like the Law Society, which has as its first and bounden duty to look after the professional interests of its members, have an adjudicatory role regarding complaints against its members?

Those roles are incompatible. The public will never be satisfied unless and until there is a division between the trade union function and the investigatory function of the Law Society. One of the matters Coopers and Lybrand pinpoints is how different are the arrangements in the medical profession, for example, where there is a division between the investigative and adjudicatory role and the representational role.

These proposals are untimely. Circumstances have changed. The proposals will satisfy no one. We will be coming back before many more years to set up yet another piece of machinery. Given that the Law Society maintains its concern and has commissioned at great expense Coopers and Lybrand to investigate certain aspects of its position, I wonder whether it is yet too late in the day for this part of the Bill to be withdrawn, for there to be more reflection and for us to have before us a more stable arrangement under which justice could be seen to be done regarding investigation on the one hand and the representation of members on the other.

I cannot see how both functions can be carried out by the same body in such a way as to satisfy the basic criterion of justice being seen to be done. Therefore, the proposals are inopportune. They will be short-lived and as sure as night follows day we will be returning within a matter of years to discuss more stable, more permanent, more effective and more acceptable proposals to ensure that the concern which undoubtedly exists about complaints is properly met. That is my prophecy, and I stand by it.

As regards licensed conveyancers, my hon. Friends the Members for Great Grimsby (Mr. Mitchell) and for Ipswich (Mr. Weetch) can feel proud of the fact that their efforts have resulted in the monopoly being broken. I set out my views in the debate on the Bill tabled by my hon. Friend the Member for Great Grimsby. My interest is to ensure that house transfers are made cheaper and simpler. No doubt my hon. Friend is pleased that one of his ambitions has been achieved.

The hon. and learned Member for Leicester, South (Mr. Spencer) pointed out that advertising in itself and the abandonment of the tariff have brought down costs. With the aid of those two factors and perhaps the catalyst of my hon. Friend's activities, we have gone a great deal of the way to make house transfer cheaper and simpler.

We are only beginning on this road. As in so many instances of law reform we have seen what has happened

in Scotland. As I understand it, solicitors are now allowed to set up property centres. They will undoubtedly move more and more into that field. We shall see whether solicitors enter it or whether the Government eventually endorse the commitment repeatedly made by the Solicitor-General in the House, and in particular on 16 December last.

But whether solicitors enter into the property field and the property shop, or whether the provision is eventually extended to banks and building societies, my prime concern, as I said on the Second Reading of my hon. Friend's Bill, is that the conflict of interest remains. It is not a point that is canvassed in the interests of solicitors; it is a point to be canvassed on behalf of the consumer. Having said that, I welcome the work that has been done by the National Consumer Council to try to resolve that problem. The difficulty it faced was in preparing its work in a vacuum. Until one knows the Government's proposals it is difficult to reach a proper judgment on whether the issue is resolved or not; but it is an important issue.

I praise what has been done already to make house transfers cheaper. I welcome the breaking of the monopoly. But on the most important commercial transaction affecting most people in the land, it is of the utmost importance that as consumers they are well served. I look forward to seeing how the Government deal with that question. I understand that the consultations have been about method. Many of us were not entirely clear about what the Attorney-General said. I am sure that the Solicitor-General will want to add something to make it clear. There have been conflicting reports in the newspapers. It is the Government who made the commitment, and we shall be interested in seeing and studying the results of the battle that is going on between the Lord Chancellor on the one hand and Industry and Environment Ministers on the other.

One of the results of the deliberations in the other place has been the dropping of the original clause 43. The purpose of the clause was to deprive those who sought the help of the courts in judicial reviews; they would have lost their right of appeal. In the other place their Lordships rendered signal service, as they did the other day in regard to the Attorney-General's reference on sentences.

The two proposals emanating from the Lord Chancellor's Department have lacked friends, therefore one wonders at the judgment of those in the Department. These are not party political issues but issues that have been canvassed and found wanting after considerable deliberation.

We shall look closely at the proposals concerning legal aid. The Bill has not, however, dealt with the funding of law centres and their plight. The Lord Chancellor tries to wash his hands of the law centres. He has stated that he has no statutory authority to fund them. With the limitation of expenditure by local authorities, we fear the closing down of the law centres; certainly we shall not see the expansion that many of us would like to see. The battle will continue as to who is to fund the law centres, whether it is the urban aid programme, the Lord Chancellor's Department or some other source. If Ministers are unwilling to take over the sponsorship of existing and future law centres, we shall return to that matter in Committee. I hope that we shall be able to get over the hurdle which seems to depress the Lord Chancellor and deprive him of the will that the needs to ensure that law centres are extended.

I could have gone on for a long time, but I think that I have canvassed some of the main issues that cause concern to me. In due course we shall return to them in more detail in Committee.

11.30 pm

The Attorney-General: I should start with the points that were made by the hon. Member for Great Grimsby (Mr. Mitchell). I notice that his ally in practically every other way, the hon. Member for Ipswich (Mr. Weetch), did not share those expressions of annoyance and irritation, and even had a feeling of being let down.

Much time has been spent on what is not in the Bill, for example, the position of employed solicitors. Reference has been made not only to the letter written by the Solicitor-General but to the written answer by my hon. and learned Friend on 17 February. It is important that I should spend a moment or two going through what was set out in that long written answer to see what has been achieved.

We established the Farrand committee. The composition was agreed with the hon. Member for Great Grimsby, and, I think, the hon. Member for Ipswich, too. There were two limbs in the terms of reference. Farrand reported on time in September, which was very quick. The second limb was the report in January this year. Both reports were published. We said that we would bring forward legislation in the 1984-85 Session, and here it is in the Bill.

The second report, which was in great detail, is now being carefully considered. We said that we would discuss with the Law Society the scope for amending its rules against advertising, and advertising is now permitted, and widespread. We said that we would institute a wide-ranging review of the system of house transfer, seeking to identify ways to simplify and speed it up. That report was published today by the Department of the Environment. We said that we would speed up the extension of land registration and make additional manpower available, and that is well in train. Therefore, we have done a great deal on those matters.

I have been asked not only by the hon. Member for Great Grimsby, the father of this part of the legislation, but by the right hon. and learned Member for Aberavon (Mr. Morris), about part II. The only way that I can make clear what the Government's and my view is, is to repeat what I said about three hours ago. It remains our intention to legislate in the next Session with regard to the position of employed solicitors working for banks, building societies and other institutions. That obviously means estate agents and such like. The form of that legislation will take into account the need to protect consumers against prejudice resulting from any conflict of interest and will be drafted in the light of our recent consultations on that subject. That is all that can be said.

I read again today the right hon. and learned Gentleman's powerful and effective speech on Second Reading of the private Member's Bill, in which he expressed the view that the Government clearly have in their mind, in saying that we have not yet reached a decision although we undertake to legislate in the next Session of Parliament. With respect, that is as far as we can go.

It is our duty to take account of the need to protect the consumer. Its importance was very much stressed by my right hon. and learned Friend the Member for Southport

[The Attorney-General]

(Sir I. Percival). But we shall legislate in the next Session. We are taking full time to consider, in the light of what we have learnt, so that we can see exactly what form it should take. There is no need for those decisions to be rushed because the vehicle for legislation will be available next year, and we want to get it right. I am sure that the anxieties that have been expressed this evening are deeply felt.

The hon. Member for Newcastle upon Tyne, East (Mr. Brown), who spoke from the Opposition Front Bench, stressed the need to have an entirely independent tribunal. It seems that various parties have been peering into crystal balls to foretell what Coopers and Lybrand will recommend. I do not know what its recommendation will be. As far as I know, it has not even reported to the Law Society as yet. If it recommends an entirely independent tribunal, it will do so against the background of the Government having a completely open mind. A fair amount of work would be involved as there is a great deal of inter-relation between the courts—negligence actions can come into court—and a professional body that is bound to be regulatory and to enforce its own rules. If the consultant's report contains the recommendation that there should be an independent tribunal, the Government will maintain their open mind.

It has been suggested by several of those who have participated in the debate that we are wasting our time with part I, as we may have to throw it overboard in the light of Coopers and Lybrand's recommendation. It would please me more than almost anyone else—I shall have the conduct of the Bill in Committee—if I could get rid of part I. Its consideration in Committee will obviously take a long time. However, I cannot do that. Even if we assume that Coopers and Lybrand will produce such a recommendation and that the mechanics can be properly formulated, as I am sure they can, it will take some time to find the right vehicle to implement it. If we abolish part I, we shall not have the less important improvements that will flow from it. Surely it is better to have them than to have nothing. Even if we have to make changes by legislating again for an independent tribunal, we shall not have wasted our time in Committee by sending to the House a Bill which provides a measure of improvement, if not the great improvement that some believe the independent tribunal would provide. I am entirely open-minded on the issue, and so are the Government.

The hon. Member for Great Grimsby is especially concerned about employed solicitors—I feel that I have dealt with that matter to the fullest extent possible—and asked me to take up the issue of building societies making use of licensed conveyancers. The Government intend to table an amendment to the Bill that will facilitate the use of licensed conveyancers by building societies in the same way that societies currently use a panel of solicitors. Every building society has provisions within its rules which allow it to use solicitors. The amendment will ensure that the societies' rules can be changed quickly and easily. I hope that I have met the hon. Gentleman's point satisfactorily.

The hon. Member for Great Grimsby was interrupted in the middle of his speech by the hon. Member for Ipswich. He told us that he intended to raise, on the next page as it were, the question of the solicitor who is acting for the purchaser and then acts for the building society. First, the solictor is not employed. The conflict of interest that has always concerned us arises when the employed solicitor has an overriding duty to his employer. That is a problem that we must overcome when we introduce legislation next year. If the solicitor is not employed, he will not have a duty to an employer. Much more important —this is a technicality on which I have been briefed—a solicitor does not act for the building society until the terms of the loan have been agreed. He is thus not acting for both sides when their interests may be in conflict.

My hon. Friend the Member for Nottingham, North (Mr. Ottaway) spoke of the negotiations that I have discussed and pointed to the huge powers that the banks and the building societies have upon issues that involve conflicts of interest.

The hon. Member for Caithness and Sutherland (Mr. Maclennan) criticised the commercial law, but the Commercial Courts have been so successful as to be almost embarrassing. As the hon. Member for Newcastle upon Tyne, East knows, a great many contracts made outside the United Kingdom, in which neither party is British, now specify that the contract should be subject to English law so that the parties can use our splendid Commercial Court system. This has been something of an embarrassment, in that there are now fairly serious delays as a result of the success of the system.

The hon. Gentleman said that part I was broadly on the right lines but that we might have to look at it again in the light of the Coopers and Lybrand recommendations. I think that I have said all that I can on that aspect.

My hon. and learned Friend the Member for Leicester, South (Mr. Spencer) gave an interesting illumination of why conveyancing fees had gone down, particularly in his area. I can almost see the effect on the old family solicitor in his black coat and striped trousers of the comment, "Young Mr. Jones down the road will do it for £140." I am sure that that is a very effective weapon.

The hon. Member for Ipswich made it clear in his recent letter to *The Times* that he intended to oppose the Bill. He has said that he will be back again to argue the case, and I welcome that. I emphasise to the hon. Member for Newcastle upon Tyne, East and to the whole House that we are not in any way seeking to hold up employed solicitors to protect solicitors. We are doing this because we are concerned about the conflict of interest and we welcome any help from anybody. My door really is always open if anyone wants to come and discuss an effective way of removing the risk of conflict of interest. For example, there is the kind of suggestion made by my hon. and learned Friend the Solicitor-General in his letter to the hon. Member for Great Grimsby.

The hon. Member for Ipswich went on to suggest that the tribunal was too much an in-house tribunal. I remind the House that the Solicitors' Disciplinary Tribunal, as opposed to the one that deals with less serious offences, is entirely appointed from members designated by the Master of the Rolls, one third lay people and two thirds from the solicitors' profession.

The hon. Member for Ipswich also said that the Bill did nothing to create a competitive structure, that it was too rigid and cluttered and lacking in simplicity. Interestingly, however, that part of part II was based entirely on the recommendations of Professor Farrand and his committee, which was widely representative of various consumer bodies, including the Consumers Association and the National Consumer Council and a number of very

interesting people. That committee's report set out the very terms that we have put into part II and the work of that committee was entirely approved and agreed by the sponsors of the original House Buyers Bill.

There is one thing that one can always say about the hon. Member for Ipswich. There is no way in which his sincerity on this can ever be doubted.

My hon. Friend the Member for Derby, North (Mr. Knight) wanted me to undertake that the final scheme would be submitted for parliamentary scrutiny. I am afraid that I cannot give that undertaking, but there is the safeguard that all the rules made by the council must be approved in terms by the Lord Chancellor.

The hon. Member for Battersea (Mr. Dubs), who succeeded in introducing a Bill which then got locked up somewhere, perhaps in the drains of the House, asked me again and perhaps more clearly than anyone else what will be the position if Coopers and Lybrand says that we have to go down a different route, and suggested that we should drop part I and wait for that report. I should love to do so, but I believe that there are advantages and improvements in part I and it would take some time to work things out even if such a recommendation were made by Coopers and Lybrand. Everyone seems so sure that that will be the case, but I certainly do not know what Coopers and Lybrand are going to say and I do not think that anyone else knows either.

I agree about the conflict of interest between the defence of the profession and the individual, but we must make it clear, as did the right hon. and learned Member for Aberavon, that there is no duty on the Law Society to defend the solicitor. It has a duty to defend the profession, and that should be done by enforcing the rules on conduct. That is how the profession is properly defended.

The hon. Gentleman's six points were extremely well thought out. Most of them require no legislation, and I shall personally ensure that they are drawn to the attention of the president of the Law Society.

I have already spoken about the rules and how they can be enforced and, indeed, tightly controlled by the Lord Chancellor. I notice that the right hon. and learned Member for Aberavon and his Front Bench colleagues could not resist twisting my tail about clause 43. That is not in the Bill, and it will not go in, but I suppose it was an opportunity which was much too good to resist. We need no longer worry about that.

I thank all hon. Members who have participated in an extremely interesting debate which went completely across party lines. I look forward to the Committee and to seeing as many of those hon. Members as possible with me. In the meantime, I commend the Bill to the House.

Question put and agreed to.

Bill accordingly read a Second Time and committed to a Standing Committee, pursuant to Standing Order No. 42 (Committal of Bills).

ADMINISTRATION OF JUSTICE *[LORDS] [MONEY]*

Queen's Recommendation having been signified—

Resolved,

That, for the purposes of any Act resulting from the Administration of Justice Bill *[Lords]*, it is expedient to authorise the payment out of money provided by Parliament of—

(a) any sums required by the Lord Chancellor—

(i) for making grants to the Council for Licensed Conveyancers established by the Act, or

(ii) for making payments by way of reimbursement of additional costs incurred by parties to proceedings in consequence of the incapacity or death of any judge or other person presiding or assisting at the proceedings;

(b) any increase attributable to the Act in the sums payable under the Legal Aid Act 1974 out of money so provided.—*[Mr. Garel-Jones.]*

Highway Code (Bicycles)

Motion made, and question proposed, That this House do now adjourn.—*[Mr. Garel-Jones.]*

11.46 pm

Mrs. Virginia Bottomley (Surrey, South-West): This debate, taking place during national bike week, provides the opportunity to call for greater awareness of the needs of cyclists, and in particular to ask that much more reference should be made to bicycles in the Highway Code when it is next revised.

The House will be pleased that my hon. Friend the Minister of State will be responding, as she has demonstrated over several years her obvious professional and personal interest in road safety generally and her concern for the welfare of cyclists in particular. Her achievements were recognised by the organisers of this year's National Bike Week when she was given an award for being

"the person who has done most to bring cycling into the public eye".

It was not only as a result of the £1 million safety poster campaign last autumn, but her persistent and long-term commitment to cycling.

National Bike Week this year marks the centenary of the modern bicycle. It has been organised by six national cycling and transport organisations — the Cyclists' Touring Club, the Cycle Campaign Network, Friends of the Earth, Transport 2000, the British Cycle Federation and RoSPA. More than 400 events have been organised, including fun rides, competitions and cycle maintenance sessions nationwide to encourage people to take up cycling and to cycle in safety. I am sure that hon. Members will be aware of the activity over the years of the all-party Friends of Cycling Group to draw attention to the needs of cyclists at Westminister, especially the efforts of the hon. Member for for Easington (Mr. Dormand) and my hon. Friend the Member for South Hams (Mr. Steen).

My experience of cycling is not as extensive as my hon. Friends'. Like others, I bicycled to school in my youth, although I am told that I covered many more miles in my childhood years as a passenger on my mother's bicycle. Sadly, she has now hung up her bicycle clips, having remarkably passed her driving test at a distinguished age to the delight and, I confess, great surprise, of her family.

Hearing my mother discuss the Highway Code with a granchild who satisfied the Department of Transport's driving test examiner at at similar time provided me with a clear example of the difference between the generations in their awareness of cycling based largely on their own experiences.

A lost generation of motorists who grew up in the 1960s and early 1970s never learnt to ride a bike, and, therefore, do not fully appreciate the hazards which cyclists face in, for example, avoiding a pothole in the road or negotiating large roundabouts. There is a special need to educate that group.

The present edition of the Highway Code was published in 1978. It was prepared earlier in the 1970s when cycling was at a low ebb. That might partially explain why, in the current edition, there is not one bicycle in any of the pictures and diagrams of everyday situations. Earlier editions gave greater prominence to bicycles—the 1946 and 1959 editions show bicycles on the cover. It is only fair to add that the 1949 version has several horses and carts as well. Highlighting bicycles provides a forceful message that the Highway Code is intended for cyclists like other road users and draws the existence of cyclists to the attention of motorists as having equal rights and needs while being specially vulnerable.

There has been a dramatic increase in the use of cycles since the low point in 1974. According to Department of Transport statistics, cycle mileage for 1974 was 3·84 billion km and was almost 50 per cent. greater 10 years later at 5 billion km. Cycle sales have virtually quadrupled in 15 years to 2·05 million in 1984. That makes encouraging news for my right hon. Friends the Secretaries of State for Trade and Industry and for Employment. In 1983, more bicycles than cars were sold. It is estimated that there are 15 million bicycles in the country.

Growing concern about personal health, fitness and heart disease in the past 10 years have contributed to the growth in the use of cycles, as did the 1974 oil price shock which caused many people to reconsider their travel arrangements. The bicycle is now widely used as a quick and effective form of personal transport as well as for leisure. There is a clear appeal to conservationists—the bicycle has been said to be the most efficient means yet devised of converting human energy into propulsion. There has, however, been a corresponding increase in cycle casualties. Whatever might be the rights and wrongs of an incident, the cyclist is most at risk. Each year, some 300 cyclists are killed and 6,000 are seriously injured—one third of them under 15. There is good reason to believe that Government statistics based on police records significantly under record the problem.

A recent report by the Cyclists Touring Club, which has its headquarters in Godalming in my constituency, established that cycling accidents are greatly under reported. It found that only one in four accidents are reported to the police and that only one half of accidents involving hospital treatment are reported.

Much can be done in a local community to make cycling safer. In my constituency, I have been most impressed by the work of the Farnham Committee for International Youth Year, which has taken a constructive and practical approach to drawing the needs of cyclists to the attention of the public and those responsible for transport policy. Surrey county council has recently adopted a new policy containing measures to assist cyclists. The policy aims to reduce accidents involving cyclists and motor vehicles through the introduction of a variety of schemes such as the provision of cycle routes, dual cycle/pedestrian paths, recreational cycle routes and traffic management schemes.

I welcome programmes such as the national cycle proficiency scheme and RoSPA's "Cycleway" to increase education and training and to remind parents of their responsibilities. Families should be aware that giving a child a bike at Christmas, like a pet, requires their ongoing supervision and commitment. The encouragement of high standards of cycle safety and practice are crucial. Quite apart from the need for a sympathetic attitude from transport authorities and for education and training for cyclists, much more needs to be done to provide advice for motorists. A comprehensive study of the responsibility for cycle accidents was carried out by the Metropolitan police, who found that, in two out of three adult cycling accidents, the motorist was at fault. The all too frequent explanation of the motorist is, "I just did not see him." Safety for all

road users is centred on the Highway Code. A number of simple proposed amendments to the Highway Code could redress the balance in favour of cyclists. I congratulate the Cyclists Touring Club on its preparatory work drawing up those proposals. The short section in the Highway Code consisting of a mere nine paragraphs entitled "Extra Rules for Cyclists" should be strengthened. Equally important, is the provision of advice to increase motorists' awareness of cyclists and guidance on how to treat cycles.

At present that is almost entirely lacking. For example, when overtaking cyclists, motorists should be advised to give them at least one metre's clearance, and more, if they are travelling at speed. Particular driving circumstances in which cyclists should be considered should be highlighted. For example, on roundabouts motorists should be especially watchful for slow-moving traffic already on the roundabout. Too frequently a motorist notices a fast moving car but fails to see a cyclist. Similarly, when joining or leaving major roads and long slip roads, or when turning out of minor roads, a bicycle is too easily overlooked.

A motorist should not overtake a cyclist and immediately turn left. The bicycle is probably going faster than he thinks. That is particularly dangerous and the cause of too many accidents. Motorists should be reminded that at night cyclists are especially vulnerable. Many motorists fail to realise that cyclists can be blinded by oncoming undipped headlights. Motorists need to be reminded to leave space for cyclists, for example, between lanes of traffic on busy one-way streets.

Following the recommendation of the Transport Select Committees and the practice in earlier editions of the Highway Code, the reintroduction of a foreword to the Highway Code is required to remind all road users of their responsibilities for the safety of others, especially the more vulnerable groups—pedestrians, children, cyclists and the elderly.

I shall quote two paragraphs, the first of which is from the 1946 edition of the Highway Code. It states:

"The provisions of the code are a simple summary of the best and widest experience. Each provision, whether it relates to a legal requirement or to discretionary behaviour, has been included because of its importance in preventing road accidents.

It is my sincere hope that all road users, whether pedestrians, drivers or riders, will study the Code and respect its provisions. To do so is, in fact, a moral duty. If observance of the provisions of the Code and the spirit of tolerance and consideration underlying them, became a habit, road accidents would rapidly decrease. They are a social evil which can only be overcome by the co-operation of everyone."

The 1959 edition states

"Accidents on our roads do not just happen; they are *caused* —sometimes by a faulty vehicle, sometimes by road conditions, but nearly always by simple human error. These mistakes, which take lives, are made because in most cases we simply do not realize what we are doing until it is too late.

In other words, our conduct on the roads is not what it needs to be for present-day traffic. This H Code is for the ordinary road user: it sets out in the simplest language the code of behaviour which is a 'must' if we are ever to make an impression on the totals of road accidents. If we could ensure that for the coming year every road user obeyed the Code, we should save a great many lives—perhaps our own."

The Highway Code is a set of provisions containing advice on how to travel safely on the roads, and how to allow others to do the same. Everyone has a duty to care for all other road users as well as himself.

There is an urgent need to revise the code, to remind road users of their responsibility for the safety of others, to reassert the need for mutual respect and tolerance on the road and, above all, to redress the balance giving greater emphasis to cyclists and their needs.

11.58 pm

The Minister of State, Department of Transport (Mrs. Lynda Chalker): I congratulate my hon. Friend the Member for Surrey, South-West (Mrs. Bottomley) on her choice of this important and topical subject. It is important because cycling is a growth area, and topical because this is national bike week. I was pleased to receive the handsome chain wheel, to which my hon. Friend referred, and was sorry not to be able to go to receive it in person. I hope that we shall all continue to do what we can to ensure that safe cycling is well promoted.

The debate gives me the opportunity to consider the cycle content of the Highway Code. I must tell my hon. Friend that the Highway Code is but a part of the wide range of measures and advice that can be given. First, let me set out some of the background to our approach to cycling and cycle provision. Cycling has always been popular with the young. In recent years, it has become more popular with adults. I am told that bike sales now outnumber car sales. The reasons are clear. Cycling is a cheap, personal and healthy way to travel. For many local journeys, it can be the quickest. On those grounds alone, I am glad to see the increase in cycling popularity.

However, there is a price. As cycling becomes more popular, so the accident toll increases. It is a major road safety problem. My hon. Friend drew attention to the depressing casualty figures. The numbers of those killed have remained at similar levels for some years, but injuries are increasing. As my hon. Friend said, injury figures are under-reported. That is why the Transport and Road Research Laboratory is carrying out a hospital-based study of cycle accidents for the Department. My hon. Friend quoted from the 1946 Highway Code. I noted with concern that in that year more than 800 cyclists were killed. We must never reach that level again.

There is no magic way to reduce cycling casualties. We are all involved in it. The Government's role is clear. We should set the framework for safer cycling, and provide information, help and advice to local authorities in developing their policies for cyclists. My starting point is the cycling policy statement in 1982. Since then, we have made good progress, including legislation for cycle tracks, regulations on cycle standards and new signs for cyclists. My Department considers the provision of cycle facilities on trunk roads each time it considers a trunk road scheme. There are cycling officers in all the regional offices, and we encourage local authorities to provide cycle facilities on their roads. There is a programme of innovative local schemes.

My hon. Friend paid tribute to last year's successful national publicity campaign. I also want to see cycleway encouraged further; that is why I am considering it with my right hon Friend the Secretary of State for Education and Science. The more young people who are properly trained as cyclists, the safer they will be as adult cyclists.

We know that there is still much more to be done. I was delighted to host the recent conference on "Ways to Safer Cycling". There we reviewed progress and considered possibilities for the future. I hope that the report on the conference will stimulate further discussion. What I said then still applies. We need more initiatives. My

[Mrs. Lynda Chalker]

Department has given the lead, but, as cycling is a local activity, so the local authorities will wish to develop new initiatives.

But we need ingenuity, too. Many of the 21 innovatory cycling schemes now being introduced show great ingenuity, and tackle the problems to which my hon. Friend referred, including provisions to cross busy roads, negotiate junctions and cope with roundabouts, and the shared use of cycle paths. They all tackle local problems with local solutions. I shall always remain ready to consider proposals for new schemes and new ideas that will improve cycling safety.

Beyond those more straightforward measures are the five cycle demonstration projects, which offer comprehensive provision of routes for cycling in urban areas. I am pleased to say that the first scheme will be officially opened tomorrow by the mayor of Stockton-on-Tees. Others will follow in Canterbury, Nottingham, Bedford and Exeter.

Although we are doing much more now than we used to, and much of what I have said offers better and safer means of travel for cyclists, we must see what more can be done. But at the end of the day, what is better and safer depends on better and safer behaviour by all road users. We cannot say, as some cyclists do, that motorists must take all the blame for cycle accidents; and we certainly cannot say, as some motorists do, "If only there were no cyclists." We must live together on our congested streets, and there must be more give and take, perhaps not only between cyclists and motorists but among all road users, whatever their vehicles, or even if they are on foot. That will not be achieved by Government alone. It depends on each of us as an individual road user.

We need to do more than update the Highway Code. I know that my hon. Friend fully recognises this. Tonight she put a case for an up-to-date Highway Code with clarity. I am aware of the revisions proposed by the Cyclists Touring Club.

I shall say a few words about the Highway Code. In recent years, it has been revised about every 10 years. On past performance, we would be due to make a revision around the end of the decade.

The code is addressed to all road users. My hon. Friend makes a plea for more references to motorists' responsibilities to cyclists. She is right to say that in past editions of the code, there have always been such references. Indeed, in the current edition there are more than in earlier editions, although I accept that cyclists did not get a picture to themselves.

There is also more detailed advice in the Department's manual "Driving", and a picture, and in the advice to motorists planning their driving test.

As I told my hon. Friend in reply to her question on Monday, I am now considering the timing of the next revision of the Highway Code. There are two new factors. The first is our new ability to update the legislative sections of the code on reprinting. This power was introduced in 1982 and amendments have been made four times already. The second is our review of road safety policy. This is going on at present and will reflect the views of the Select Committee on Transport. The review will be looking at all possible ways to improve road safety. We are paying particular attention to the needs of the most vulnerable road users—motor-cyclists, pedestrians and cyclists.

While the review is still in progress, I would not want to embark on a major revision of the code, but for the future we should perhaps be considering a different format for the code, as well as different content. Perhaps it is on the respective responsibilities of different road users for each other's safety that we should be placing more emphasis. I shall include my hon. Friend's suggestions in my future thinking. I hope that we shall begin work before long. There will then be extensive discussions and consultations before a new code is produced. I assure the House that it will be a full revision. This will take time, for it will need to reflect all aspects of road user behaviour in today's—and tomorrow's—environment.

The debate has centred not just on the cycling content of the Highway Code but on the progress that we are making towards safer cycling. I know and recognise that we still have along way to go, but I hope that my hon. Friend will recognise that the role of the Department is only part of the picture. I agree with her that there is a case for revising the Highway Code, but that too is only one part of the picture.

I have taken my hon. Friend's specific points on board. I assure her that these will be taken into account when we move forward in our planned revision of the whole code.

Valuable work is being done by all the organisations concerned with cycling, particularly the CTC, which is making other road users more conscious of the bike and the need to give it a wide berth when overtaking it. As a result of that teamwork, we shall have safer, and therefore more enjoyable, cycling.

Question put and agreed to.

Adjourned accordingly at nine minutes past Twelve midnight.

House of Commons

Friday 17 May 1985

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PETITIONS

Animal Experiments

9.35 am

Mr. Roland Boyes (Houghton and Washington): I have the honour to present a petition containing more than 500,000 signatures of United Kingdom residents who oppose the use of the LD50 test on animals. The signatures have been collected nationwide and indicate the strength of feeling against that barbaric, obnoxious and, above all, unnecessary test.

The LD50 test is an acute toxicity test and is administerd without pain relief. The purpose of the lethal dose 50 test is to determine the level needed to kill 50 per cent. of the animals in any test, and the animals suffer greatly.

I am pleased to associate myself with the petition.

To lie upon the Table.

Buses

Mr. Russell Johnston (Inverness, Nairn and Lochaber): I have the honour to present a petition on behalf of the Highland region branch of the National and Local Government Officers Association. That branch has carefully considered the White Paper on buses and the Transport Bill, and its considered view is that legislation based on those is highly undesirable; that concessionary fares for the elderly, the disabled and others in special need could disappear; that the strict safety standards needed for public service vehicles would not be upheld; that continuity, reliability and stability of services would end; that there would be particular problems for persons in rural areas; that poor services would be left, they would no longer link and they would become less frequent.

The petition concludes:

Wherefore your petitioners pray that your honourable House reject any legislation to implement the proposals of the White Paper on Buses and the Transport Bill.

And your Petitioners as in duty bound will ever pray etc.

To lie upon the Table.

Orders of the Day

Local Government (Access to Information) Bill

As amended (in the Standing Committee), considered.

New Clause 3

CONSEQUENTIAL AMENDMENTS AND REPEALS

'(1) The enactments mentioned in Schedule *(Consequential amendments)* to this Act shall have effect with the amendments there specified, being amendments consequential on the provisions of this Act.

(2) The enactments mentioned in Schedule *(Repeals)* to this Act are hereby repealed to the extent specified in the third column of that Schedule.'.—*[Mr. Squire]*

Brought up, and read the First time.

9.37 am

Mr. Robin Squire (Hornchurch): I beg to move, that the clause be read a Second time.

Mr. Speaker: With this we shall discuss the following amendments:

No. 42, in clause 2, page 21, line 16, leave out from beginning to end of line 17.

No. 44, in clause 4, page 21, line 24, at beginning insert

'Except for this section and section *(Consequential amendments and repeals)* in so far as it relates to paragraph 2 of Schedule *(Consequential amendments)*'.

No. 47, new schedule—*Consequential amendments*—

'Defamation Act 1952 (c. 66)

1.—(1) The Schedule to the Defamation Act 1952 (by virtue of which, among other things, newspaper reports of all proceedings at meetings of local authorities and their committees are privileged unless admission to the meetings is denied to representatives of newspapers and other members of the public) shall be amended as follows.

(2) At the beginning of paragraph 13 (interpretation) there shall be inserted "(1)" and for the definition of "local authority" in that paragraph there shall be substituted the following "'local authority' means—

(a) any principal council, within the meaning of the Local Government Act 1972, any body falling within any paragraph of section 100II(1) of that Act and any local authority, within the meaning of the Local Government (Scotland) Act 1973;

(b) any authority or body to which the Public Bodies (Admission to Meetings) Act 1960 applies; and

(c) any authority or body to which sections 23 to 27 of the Local Government Act (Northern Ireland) 1972 apply;

and any reference to a committee of a local authority shall be construed in accordance with sub-paragraph (2) below."

(3) After paragraph 13(1) there shall be added the following sub-paragraph—

"(2) Any reference in this Schedule to a committee of a local authority includes a reference—

(a) to any committee or sub-committee in relation to which sections 100A to 100D of the Local Government Act 1972 apply by virtue of section 100E of that Act (whether or not also by virtue of section 100II of that Act); and

(b) to any committee or sub-committee in relation to which sections 50A to 50D of the Local Government (Scotland) Act 1973 apply by virtue of section 50E of that Act."

Defamation Act (Northern Ireland) 1955 (c.11, N.I.)

2.—(1) The Schedule to the Defamation Act (Northern Ireland) 1955 (which makes similar provision to the Schedule to the Defamation Act 1952) shall be amended as follows.

[Mr. Speaker]

(2) At the beginning of paragraph 13 (interpretation) there shall be inserted "(1)" and for the definition of "local authority" in that paragraph there shall be substituted the following—

"'local authority' means—

(a) any authority or body to which sections 23 to 27 of the Local Government Act (Northern Ireland) 1972 apply;

(b) any principal council, within the meaning of the Local Government Act 1972, any body falling within any paragraph of section 100II(1) of that Act and any local authority, within the meaning of the Local Government (Scotland) Act 1973;

(c) any authority or body to which the Public Bodies (Admission to Meetings) Act 1960 applies;

and any reference to a committee of a local authority shall be construed in accordance with sub-paragraph (2) below."

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(a) to any committee or sub-committee in relation to which sections 100A to 100D of the Local Government Act 1972 apply by virtue of section 100E of that Act (whether or not also by virtue of section 100II of that Act); and

(b) to any committee or sub-committee in relation to which sections 50A to 50D of the Local Government (Scotland) Act 1973 apply by virtue of section 50E of that Act."

Public Bodies (Admission to Meetings) Act 1960 (c.67)

3.—(1) The Public Bodies (Admission to Meetings) Act 1960 shall be amended as follows.

(2) In section 1(1), the words "local authority or other", shall be omitted and for the words "an authority or other body" there shall be substituted the words "a body".

(3) Section 2(2) shall be omitted.

(4) In the Schedule (which defines the bodies to which the Act applies) for paragraph 1*(a)* there shall be substituted the following paragraph—

"*(a)* parish or community councils, the Council of the Isles of Scilly and joint boards or joint committees which discharge functions of any of those bodies (or of any of those bodies and of a principal council, within the meaning of the Local Government Act 1972, or a body falling within paragraph *(a)*, *(b)* or *(c)* of section 100II(1) of that Act)".

(5) In paragraph 1 of the Schedule, paragraphs *(aa)* and *(ab)* (as inserted by the Local Government Act 1985) and *(d)* shall be omitted.

(6) In paragraph 1*(h)* of the Schedule, for the words "police authorities" there shall be substituted the words "bodies to which sections 100A to 100D of the Local Government Act 1972 apply, whether or not by virtue of section 100E or 100II of that Act".

(7) In paragraph 2 of the Schedule, paragraphs *(a)*, *(b)*, *(c)* and *(f)* shall be omitted.

Police Act 1964 (c. 48)

4. In section 3 of the Police Act 1964 (police authorities for combined areas) after subsection (3) there shall be inserted the following subsection—

"(3A) Meetings of a combined police authority which is (as well as one which is not) a body corporate are open to the public, and documents relating to such meetings are open to inspection by the public, in accordance with the provisions of Part VA of the Local Government Act 1972."

Local Government Act 1972 (c. 70)

(5) In section 100 of the Local Government Act 1972 (which applies the Public Bodies (Admission to Meetings) Act 1960 in relation to all committees of local authorities)—

(a) in subsection (2), the words from "to any committee constituted" to "101(9) below and" shall be omitted; and

(b) at the end of that subsection there shall be added the words "or section 100E(3)*(a)* or *(b)* below (whether or not by virtue of section 100II below)".

Local Government Finance Act 1982 (c. 32)

6. In section 18 of the Local Government Finance Act 1982, in subsection (5) (auditor's report to be supplied to members and newspapers) after the word "excluded" there shall be inserted "*(a)*" and at the end of that subsection there shall be added the following words, that is to say, "or under section 100B(6) of the 1972 Act (which makes similar provision); or

(b) from the documents open to inspection by members of the public under section 100B(1) of the 1972 Act (agenda and reports open to the public before a meeting);

and Part VA of the 1972 Act shall have effect in relation to the report as if in section 100C(1)*(d)* of that Act (by virtue of which only so much of a report as relates to proceedings open to the public is open to public inspection after the meeting) the words 'so much of' and from 'as relates' onwards were omitted.

(6) In subsection (5) above, 'the 1972 Act' means the Local Government Act 1972.".'.

No. 48, new schedules—*Repeals*—

Chapter	*Short title*	*Extent of repeal*
8 & 9 Eliz. 2 c. 67.	Public bodies (Admission to Meetings) Act 1960	In section 1(1), the words, "local authority or other". Section 2(2). In the Schedule, paragraph 1*(aa)*, *(ab)* and *(d)*and paragraph 2*(a)*, *(b)*,*(c)* and *(f)*.
1972 c. 70.	Local Government Act 1972.	In Section 100(2) the words from "to any committee constituted" to "101(9) below and".
1973 c. 65.	Local Government (Scotland) Act 1973.	Section 44.'.

Mr. Squire: It may be somewhat strange that the first group of amendments that we tackle consists exclusively of consequential amendments arising from other amendments. That may need explaining to people outside the House, but the tell-tale clue is the magic words "new clause 3", which enables various repeals to take place.

It may be for the general benefit of the House if I cite but one example rather than stumble at considerable length through all my notes. The Defamation Act 1952 currently provides that newspaper reports of proceedings at meetings of local authorities and their committees are privileged unless access to the meeting is denied to representatives of the press and members of the public. As a direct result of various clauses in the Bill, the 1952 Act will be extended so that there will be qualified privilege for newspaper reports of all proceedings of sub-committee meetings of local authorities as well as meetings of the local authority and its committees, in exactly the same circumstances as before.

That is but an example of the effects of the amendments. I shall go into greater detail only if so requested by hon. Members.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

Clause 1

ACCESS TO MEETINGS AND DOCUMENTS OF PRINCIPAL COUNCILS AND CERTAIN COMMITTEES AND SUB-COMMITTEES

Mr. Squire: I beg to move amendment No. 1, in page 1, line 8, leave out 'PRINCIPAL COUNCILS' and insert 'CERTAIN AUTHORITIES'.

Mr. Speaker: With this it will be convenient to take the following amendments: No. 25, in page 10, line 32, at end insert—

'*Application to new authorities, Common Council, etc.*

100II—(1) Except in this section, any reference in this Part to a principal council includes a reference to—

(a) the Inner London Education Authority;

(b) a joint authority;

(c) the Common Council;

(d) a joint board or joint committee falling within subsection (2) below;

(e) a combined police authority which is a body corporate.

(2) A joint board or joint committee falls within this subsection if—

(a) it is constituted under any enactment as a body corporate; and

(b) it discharges functions of two or more principal councils;

and for the purposes of this subsection any body falling within paragraph *(a)*, *(b)* or *(c)* of subsection (1) above shall be treated as a principal council.

(3) In its application by virtue of subsection (1) above in relation to a body falling within paragraph *(a)*, *(b)*, *(d)* or *(e)* of that subsection, section 100A(6)*(a)* above shall have effect with the insertion after the word "council" of the words "(and, if the meeting is to be held at premises other than those offices, at those premises)".

(4) In its application by virtue of subsection (1) above, section 100G(1)*(a)* above shall have effect—

(a) in relation to a joint authority or a combined police authority, with the substitution for the words from "ward" onwards of the words "name or description of the body which appointed him"; and

(b) in relation to a joint board or joint committee falling within subsection (2) above with the omission of the words from "ward" onwards.'.

No. 28, in page 11, line 11, at end insert—

'"principal council" shall be construed in accordance with section 100II above.'.

No. 45, in page 21, line 25, leave out clause 5.

Mr. Squire: This group of amendments concerns extensions of the Bill to various new bodies such as joint authorities, ILEA, including the new form of the Inner London education authority, and combined police authorities. Amendment No. 1 deletes the words "PRINCIPAL COUNCILS" and inserts "CERTAIN AUTHORITIES" in recognition of the fact that part VA when linked with amendment No. 25 will apply to bodies other than principal councils as defined under section 270 of the Local Government Act 1972.

Amendment No. 25 adds new section 100II to the Local Government Act 1972. Under subsection (1), the Bill's provisions are extended to the new ILEA, joint authorities created under parts III and IV of the Local Government Bill, the Common Council of the City of London and the joint bodies which are bodies corporate—for instance, the joint planning boards in respect of national park areas constituted under schedule 17(I) of the 1972 Act and combined police authorities which are bodies corporate.

The amendment does this by treating these bodies as principal councils for the purposes of the Bill. The application to combined police authorities which are bodies corporate stems from the fact that, of the 10 combined police authorities, nine are bodies corporate under section 3(1) of the Police Act 1964 and one—Hampshire and the Isle of Wight—is a committee of the constituent county council under section 3(4) of the Police Act 1964. At present, therefore, the provisions of the Bill apply to the latter but not to the other combined police authorities which are bodies corporate and therefore not committees.

It would be anomalous to have one combined police authority subject to the Bill's provisions and not the others. By extending the provisions to combined police authorities which are bodies corporate, the amendment recognises the anomaly which exists as a result of the extensions of the provisions of the 1960 Act to section 101(9) committees by section 100 of the 1972 Act.

Mrs. Angela Rumbold (Mitcham and Morden) *rose*——

Mr. Squire: I hope that my hon. Friend can restrain herself for a moment, because I may well deal with her question in the balance of my opening comments.

Subsection (2) defines the joint board or joint committee as one

"constituted under any enactment as a body corporate"

which

"discharges functions of two or more principal councils'.

It includes as a principal council for this purpose the new ILEA, the joint authority and the Common Council of the City of London.

Mrs. Rumbold: I understand my hon. Friend's comments on the way in which the provisions dealing with bodies corporate will apply to this Bill. Does my hon. Friend expect that at some time in the future the Bill will be extended to those authorities that are not bodies corporate, such as the district health authorities and the new water authorities? I believe that that would be a highly desirable move.

Mr. Squire: Even at this relatively early hour my hon. Friend has touched on a matter which I am sure will strike a sympathetic chord among hon. Members on both sides of the Chamber. Were I to follow my hon. Friend with a deliberation on the advantages and disadvantages of her suggested course of action, I would be rapidly ruled out of order by you, Mr. Speaker, because my Bill cannot extend to all those bodies. I am, however, happy to join my hon. Friend in expressing a wish that there should be legislation in due course to extend these measures to bodies such as those that she described.

Subsection (3) modifies the requirement in new section 100A(6)*(a)* that

"public notice of the time and place of the meeting should be given by posting it at the offices of the council"

by providing that notice should also be given at the premises where the meeting is to be held, if it is not held at the council's offices. While principal councils under the 1972 Act will have prominent, well-known offices, the offices of some of the bodies introduced by subsection (1) of the amendment may be less conspicious. For example, a joint board's offices might simply be a room in the council's offices.

Subsection (4) provides the necessary modifications to the requirement under new section 100G(1)*(a)* — to maintain a register stating

"the name and address of every member of the council for the time being and the ward or division which he represents"

in relation to a joint authority or combined police authority which is a body corporate and in relation to a joint board or joint committee. Similar modification is not required in respect of ILEA, where it will be possible to state the division which the elected member represents, or in relation to the Common Council of the City of London, where there are electoral wards. The effect of the modifications is that for joint authorities and combined police authorities the body which appointed the member must be registered. For joint authorities, the body will be a London borough.

Amendment agreed to.

9.45 am

Mr. Squire: I beg to move amendment No. 2, in page 2, line 12, leave out paragraph *(b)* and insert—

'*(b)* information the disclosure of which to the public is prohibited by or under any enactment, other than the Data Protection Act 1984, or by the order of a court'.

Mr. Deputy Speaker (Mr. Harold Walker): With this it will be convenient to take the following amendments: No. 21, in page 9, line 14, at end insert—

'(2B) The Data Protection Act 1984 (and, in particular section 26(1) of that Act) shall have effect as if the following words were added at the end of section 34(5) (personal data exempt from non-disclosure provisions in certain cases), namely, "or

(c) made in the course of proceedings which, by virtue of section 100A(1) of the local Government Act 1972, are open to the public at a meeting of a principal council or a committee or sub-committee of a principal council ('principal council' and 'committee or sub-committee of a principal council' being construed in accordance with Part VA of that Act)".'.

No. 29 in clause 2, page 12, line 10, leave out paragraph *(b)* and insert—

'*(b)* information the disclosure of which to the public is prohibited by or under any enactment other than the Data Protection Act 1984, or by the order of a court.'.

Mr. Squire: The amendment concerns an important area of data protection and trade secrets. Amendment No. 2 replaces section 100A(3)*(b)* by deleting the words

"obtained by or furnished to the authority in pursuance of any power or duty conferred or imposed by or under any enactment where",

and adding the words

"other than the Data Protection Act 1984, or by the order of a court".

The existing section 100A(3)*(b)* forbids disclosure of information protected by the law and specifically collected by a council. One purpose of the amendment — the reason for deleting those words—is to cover information of the type incidentally collected by a council and not simply obtained by or furnished to it in pursuance of a power or duty. An example is in relation to the various prohibitions on disclosure of trade secrets. Under various Acts an officer of a local authority has the power to enter a factory. He may incidentally gain information about trade secrets. If so, the Acts impose a criminal offence on his disclosing that information except in the course of his duties. It is therefore necessary for section 100A(3)*(b)* to be wide enough to prevent disclosure of such information incidentally obtained.

The other purpose of the amendment—the addition of the words

"other than the Data Protection Act 1984, or by the order of a court"—

is, in the case of the Data Protection Act 1984, to make it clear that the category of confidential information under section 100A(3)*(b)* does not cover information the disclosure of which is prohibited by that Act.

Mrs. Rumbold: I am grateful to my hon. Friend for giving way yet again. I am sorry if I am being a bit of a pest, but it is important to clarify what is being said. Local authority officers may not fully comprehend what my hon. Friend is saying. Earlier this week, it was drawn to my attention that a local authority officer might have access to secret trade information which is gathered by, say, the chemical industry. The officer might not recognise that the information could pose a danger if the contents were exposed to public scrutiny. The contents might be in danger of being misinterpreted by the people reading it. Does my hon. Friend intend that explanatory notes will go out to authorities to emphasise the importance of making this part of the Bill fully understood by those who will have to operate under it?

Mr. Squire: My hon. Friend has touched on a serious point. I hope that she will accept, with her wide experience in local government prior to becoming a Member, that local authorities in general have been very responsible in handling trade secrets and allied matters. I submit that the number of occasions on which a body corporate can complain that its trade secret has been released is small. I am sure that that will continue, because local authorities act responsibly. I, too, by chance, have had discussions with the chemical industries on this matter. They will be happier with the position that results from this amendment. As my hon. Friend says, they were concerned not just about trade secrets but about licence details and so on, for dangerous chemicals, and the fact that such information might fall into unauthorised hands. It is important that the local authority should be protected in that way.

I cannot tell my hon. Friend the exact form in which local authorities may be advised, but I have strong indications that one or more local authority associations are likely, following the passage of the Bill into law, to be advising their members as to the areas to which authorities should be paying attention.

Amendment No. 21 adds a new subsection (2B) to section 100H, which in effect amends the Data Protection Act 1984. The purpose of that Act is to prevent the disclosure of personal data or information extracted from that data. Disclosure in breach of the provisions of the Data Protection Act 1984 is a criminal offence and may also lead to the registrar removing the name of a data holder from the register. It is an offence to hold data without being registered. Data are defined as information recorded in a form in which it can be processed by equipment operating automatically in response to instructions given for that purpose.

Section 34 of the Data Protection Act contains exemptions from the disclosure provisions. There is an exemption if the disclosure is required by or under any enactment. Accordingly, it is considered that disclosure in any documents required to be made available under the Bill—minutes, reports, background papers and so on—would not contravene the provisions of the Data Protection Act 1984. However, section 100A merely deals with whether the public have a right to attend a meeting; it does not deal with what is required to be said or disclosed at meetings. The Bill allows the public to be excluded, depending on the information which may be disclosed at the meeting. It should not depend on whether or not that information has been extracted from data. Accordingly, the amendment is necessary to provide that the disclosure of information extracted from data in the course of a council meeting is not a contravention of the Data Protection Act 1984.

Finally, in the case of a reference to the "order of a court", if somebody had given a local authority information in confidence, he may in the right circumstances be able to obtain an injunction from the court against the authority, if it appeared that the authority were intending to disclose the information without proper cause. An example might be the details of a secret chemical process, in the circumstances that I mentioned earlier.

If an order is made, it is right that the public should be excluded from a meeting during discussion of the item of business in which the information is likely to be disclosed. In many cases, it is likely that the information would fall into the categories of exemption under schedule 12A, so the authority would already have the power to exclude the public. The amendment is necessary to cover information which may not be covered under schedule 12A and to make it clear that the public should be excluded.

Amendment agreed to.

Mr. Squire: I beg to move amendment No. 97, in page 4, line 11, at end insert—

"(3A) An item of business may not be considered at a meeting of a principal council unless either—

(a) a copy of the agenda including the item (or a copy of the item) is open to inspection by members of the public in pursuance of subsection (1) above for at least three clear days before the meeting or, where the meeting is convened at shorter notice, from the time the meeting is convened; or

(b) by reason of special circumstances which shall be specified in the minutes, the chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.".

Mr. Deputy Speaker: With this it will be convenient to take amendment No. 95, in clause 2, page 14, line 11, at end insert—

"(3A) An item of business may not be considered at a meeting of a local authority unless either—

(a) a copy of the agenda including the item (or a copy of the item) is open to inspection by members of the public in pursuance of subsection (1) above for at least three clear days before the meeting or, where the meeting is convened at shorter notice, from the time the meeting is convened; or

(b) by reason of special circumstances, which shall be specified in the minutes, the chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.".

Mr. Squire: I meant to say earlier that hon. Members will no doubt have noticed that, for each of the references to English legislation, there is a parallel reference to Scottish legislation. If I do not immediately refer to that on each and every occasion, I am sure that on balance hon. Members will be prepared to assume that each of the amendments is being moved in parallel in that sense. I am sure that my hon. Friend the Under-Secretary of State for the Environment, who is on the Front Bench, will be particularly relieved to have that piece of information.

The sponsors and I have had a number of discussions with local authority associations to try to find a form of words which would cover urgent business but, by the same token, not create a form of words through which it would be possible to drive the proverbial coach and four by allowing matters to be tabled at the last minute, and thus in practice to frustrate one of the purposes of the Bill, which is to allow members of the general public an opportunity to see reports and agendas in advance of the meetings.

The amendment introduces a new subsection (3A) of section 100B. It provides:

"An item of business may not be considered at a meeting of a principal council unless either—*(a)* a copy of the agenda including the item (or a copy of the item) is open to inspection by members of the public in pursuance of subsection (1) above for at least three clear days before the meeting or, where the meeting is convened at shorter notice, from the time the meeting is convened; or *(b)* by reason of special circumstances, which shall be specified in the minutes, the chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency".

The effect of the amendment is to prohibit the consideration of any late item of business unless it has been open to public inspection in accordance with paragraph *(a)* or unless

"by reason of special circumstances . . . the chairman of the meeting is of the opinion that the item of business should be considered at the meeting as a matter of urgency".

In the latter case, the reason for considering the item of business must be specified in the minutes. It takes account of the views expressed by the local authority associations, which, in relation to the difficulties which could arise in connection with the preparation of the summary report after the exclusion of exempt information, consider that the word "record" would be more appropriate than the word "account".

Mr. Dafydd Wigley (Caernarfon): Does the hon. Member not feel that in paragraph *(b)* of amendment No. 97 the provision for the opinion of the chairman to be the only deciding factor as to whether there are "special circumstances" leaves the matter wide open, and could remove the safeguards which he is trying to build into the Bill?

Mr. Squire: The hon. Member has been an assiduous supporter of the Bill and it is good to see him here with us this morning. He makes a valid point. There is inevitably, perhaps, an area of compromise here. Whatever the form of words upon which we were to settle, we would have to recognise that there would need to be at the very least the right to take matters as a matter of urgency, and that ultimately the interpretation of that would lie, so to speak, in the self-same hands of councillors and officers, as suggested by the amendment.

I recognise what the hon. Member says as being a possibility, but I hope that in the post-legislation atmosphere in which we shall be operating councillors and members of the public will be able to highlight such matters, particularly if they seemed to be taking place as a matter of course, and thus shame the relevant authority into behaving in a more responsible manner. As I said, I accept what the hon. Member says as being possible. It is equally a possibility in several other clauses. All I can do is to set a framework and hope that the House will recognise the problems under which we operate.

Mrs. Rumbold: I share the concern that has been expressed about paragraph *(b)* of the amendment, not because I do not think that it is necessary—indeed, I think it is exceedingly necessary — but from my experience in local government I know that there are occasions when certain items are put to a chairman and that, if they are not taken through committee at the time in question, they inevitably cause delay to the work of the local authority and affect the good management of the local authority in general. I believe that some provision such as this is necessary in the Bill. I am merely concerned that the phrasing of the provision may be open to misinterpretation. I can offer no solutions whatever.

My other concern is that the amendment does not specifically refer to those matters which might be brought before a committee, in the opinion of the chairman, as a matter of urgency, and which are also matters which would be taken in private by the local authority. That is a device that those of us who have years of experience in local government could easily use if we wished to exclude information from the eyes of the general public.

[Mrs. Rumbold]

I wish to draw attention to those matters. As my hon. Friend the Member for Hornchurch (Mr. Squire) has already said, it is impossible to stop up every gap in any legislation. The possibilities of misuse should be fully understood at the beginning, so that local authorities know that we in the House would take a rather dim view of a local authority that did not put into practice the spirit of the Bill. That important point should be made. The intention encapsulated in the amendment is important and should not be used and abused by local government, easy though that might be.

10 am

Mr. John Fraser (Norwood): I should like to ask the hon. Member for Hornchurch (Mr. Squire) why what is provided in amendment No. 97 is not applied to sub-committees, unless I misunderstand the Bill. I have seen open examples of this in the past few days. The use of sub-committees is much more open to abuse than meetings of principal councils. Indeed, the more one applies pressure on the main meetings of the council, the more business is hidden away in a committee, and the more one applies pressure to the committee, the more business is hidden away in sub-committee. Had the hon. Gentleman thought of applying the same principle to sub-committees as is contained in amendment No. 95?

Mr. Squire: I sympathise with the hon. Member for Norwood (Mr. Fraser) trying to puzzle his way through some of the amendments, because they are complex. My clear understanding is that elsewhere we have agreed that a meeting of a principal council will include, in this context, a committee and sub-committee — for the reasons that the hon. Gentleman rightly gives, that the provision must apply to all meetings, not merely the council meeting itself. I accept his point and assure him that my understanding is that the matter is covered.

Amendment agreed to.

Mr. Squire: I beg to move amendment No. 3, in page 5, line 25, leave out from 'not' to 'of' in line 26 and insert 'provide members of the public with a reasonably fair and coherent record'.

Mr. Deputy Speaker: With this it will be convenient to take the following amendments: No. 4, in page 5, line 29, leave out from beginning to end of line 30 and insert 'the part, as the case may be, which provides such a record without disclosing the exempt information'.

No. 30, in clause 2, page 15, line 25, leave out from 'not' to 'of' in line 26 and insert 'provide members of the public with a reasonably fair and coherent record'.

No. 31, in clause 2, page 15, line 29, leave out from beginning to end of line 30 and insert 'the part, as the case may be, which provides such a record without disclosing the exempt information'.

Mr. Squire: As keen-eared listeners will have noted and kindly not pointed out, I inadvertently referred to amendment No. 3 in my speech on amendment No. 97. I am grateful to the House for not pulling me up.

This is a minor group of amendments. Amendments Nos. 3 and 30 have the effect of deleting the words "reasonably fair and coherent account" and substituting "reasonably fair and coherent record". Amendment No. 4 is consequential.

The purpose of these minor amendments is to take account of the views of local authority associations. Throughout the proceedings on the Bill there have been detailed discussions with local authority associations, which I have much welcomed. I should like to pay tribute to them. Their advice has been invaluable and their co-operation, as we have gone through each stage of the Bill, has been critical. They felt that in connection with the preparation of the summary after the exclusion of exempt information the word "record" would be more appropriate than the word "account".

Amendment agree to.

Amendment made: No. 4, in page 5, line 29, leave out from beginning to end of line 30 and insert 'the part, as the case may be, which provides such a record without disclosing the exempt information'.—*[Mr. Squire.]*

Mr. Squire: I beg to move amendment No. 5, in page 6, line 40, leave out from 'council' to end of line 43.

Mr. Deputy Speaker: With this it will be convenient to take the following amendments: No. 6, in page 7, line 8, leave out '(if any)'.

No. 7, in page 7, line 21, leave out from beginning to end of line 34 and insert—

'(3) Any reference in this Part to a committee or sub-committee of a principal council is a reference to—

(a) a committee which is constituted under an enactment specified in section 101(9) below or which is appointed by one or more principal councils under section 102 below; or

(b) a joint committee not falling within paragraph *(a)* above which is appointed or established under any enactment by two or more principal councils and is not a body corporate; or

(c) a sub-committee appointed or established under any enactment by one or more committees falling within paragraph *(a)* or *(b)* above.

(4) Any reference in this Part to a constituent principal council, in relation to a committee or sub-committee, is a reference—

(a) in the case of a committee, to the principal council, or any of the principal councils, of which it is a committee; and

(b) in the case of a sub-committee, to any principal council which, by virtue of paragraph *(a)* above, is a constituent principal council in relation to the committee, or any of the committees, which established or appointed the sub-committee.

No. 8 in page 7, line 40, leave out from 'council' to end of line 42.

No. 14, in page 8, line 10, leave out from beginning to end of line 22.

No. 22, in page 9, line 38, leave out from 'of' to 'and' in line 40 and insert 'a committee or sub-committee of a principal council'.

No. 26, in page 10, line 33, at end insert—

'"committee or sub-committee of a principal council" shall be construed in accordance with section 100E(3) above;

"constituent principal council" shall be construed in accordance with section 100E(4) above'.

No. 27, in page 11, line 11, leave out from beginning to end of line 19.

No. 41, in clause 2, page 21, line 4, after 'below', insert 'other than a committee constituted under the enactment specified in paragraph *(d)* of that section'.

No. 71, in the schedule, page 23, line 45, leave out 'or constitued by'.

No. 72, in the schedule, page 24, line 1, leave out from beginning to end of line 10 and insert—

'*(b)* in the case of a committee, to—

(i) any constituent principal council;

(ii) any other principal council by which appointments are made to the committee or whose functions the committee discharges; and

(iii) any other committee or sub-committee of a principal council falling within sub-paragraph (i) or (ii) above; and

(c) in the case of a sub-committee, to—

(i) the committee, or any of the committees, of which it is a sub-committee; and

(ii) any principal council which falls within paragraph *(b)* above in relation to that committee.'.

Mr. Squire: Although many amendments are in this group, only a couple are what might be termed major amendments. All the others are consequential. These amendments deal with the definition of committees, sub-committees and so on. Amendment No. 5 deletes the words in section 100E(1)*(b)* relating to committees or sub-committees constituted under an enactment specified in section 101(9) of the Local Government Act 1972. The purpose of the amendment is to simplify the definition of a committee or sub-committee of a principal council. That has been made possible because of the extension of the Bill to cover other bodies — for example, the Common Council of the City of London and combined police authorities. It means that the Bill now covers all committees and sub-committees constituted under the enactment specified in section 101(9) of the 1972 Act as well as all committees constituted under section 102 of that Act.

Amendment No. 7 deletes the words after subsection (2)*(c)* in section 100E and also subsection (3) of section 100E, and replaces them with new subsections (3) and (4). New subsection 100E(3) defines which committees and sub-committees of a principal council are covered by the Bill. They are, first, in paragraph *(a)*.

"a committee . . . constituted under an enactment specified in section 101(9)"

of the 1972 Act, or a committee or joint committee appointed by principal councils only under section 102 of the 1972 Act; secondly, in paragraph *(b)*, joint committees established by two or more principal councils under enactments other than those covered by paragraph *(a)*; and, thirdly, in paragraph *(c)*, sub-committees established

"under any enactment by one or more committees falling within paragraph *(a)* or *(b)*".

New subsection 100E(4) replaces the existing section 100E(3) in defining what a constituent principal council means in relation to a committee or sub-committee.

The purpose of the amendment is to introduce another part of the simplification of drafting in relation to committees and sub-committees. It applies the Bill to joint committees established by two or more principal councils under enactments other than section 102 of the 1972 Act. That is because there are several Acts, apart from that section of the 1972 Act, which empower councils to set up joint committees. All those Acts cannot be listed comprehensively as many are local Act powers; for example, the Humber Bridge Act 1973 and the Clifton Suspension Bridge Act 1980. New section 100E(3)*(c)* will cover joint sub-committees set up by two committees. An example is joint social services sub-committees under section 4 of the Local Authority Social Services Act 1970.

All the other amendments are consequential and, despite my delivery, and not necessarily having said so, I assure the House that these are clarifying and simplifying amendments.

Amendment agreed to.

Amendments made: No. 6, in page 7, line 8, leave out '(if any)'.

No. 7, in page 7, line 21, leave out from beginning to end of line 34 and insert—

'(3) Any reference in this Part to a committee or sub-committee of a principal council is a reference to—

(a) a committee which is constituted under an enactment specified in section 101(9) below or which is appointed by one or more principal councils under section 102 below; or

(b) a joint committee not falling within paragraph *(a)* above which is appointed or established under any enactment by two or more principal councils and is not a body corporate; or

(c) a sub-committee appointed or established under any enactment by one or more committees falling within paragraph *(a)* or *(b)* above.

(4) Any reference in this Part to a constituent principal council, in relation to a committee or sub-committee, is a reference—

(a) in the case of a committee, to the principal council, or any of the principal councils, of which it is a committee; and

(b) in the case of a sub-committee, to any principal council which, by virtue of paragraph *(a)* above, is a constituent principal council in relation to the committee, or any of the committees, which established or appointed the sub-committee.

No. 8, in page 7, line 40, leave out from 'council' to end of line 42.—*[Mr. Squire.]*

Mr. Squire: I beg to move amendment No. 9, in page 8, line 4, after '1', insert '1A'.

Mr. Deputy Speaker: With this it will be convenient to take the following amendments: No. 49, in the schedule, page 22, line 12, at end insert—

'1A. Information relating to a particular employee, former employee or applicant to become an employee of, or a particular officer, former officer or applicant to become an officer appointed by—

(a) a magistrates' court committee, within the meaning of section 19 of the Justices of the Peace Act 1979; or

(b) a probation committee appointed under paragraph 2 of Schedule 3 to the Powers of Criminal Courts Act 1973'.

No. 59, in the schedule, page 23, line 4, after '1', insert '1A'.

Mr. Squire: This group of amendments is concerned with magistrate and probation committee employees. They add paragraph 1A to schedule 12A, part I, paragraph references already in section 100F(2). At the moment, a councillor may not automatically see documents which disclose exempt information of a description falling within this paragraph. Paragraph 1A of schedule 12A, part I, covers information relating to employees of magistrates courts and probation committees. It is needed because county councils are the paying authority for those committees and may therefore have to discuss information relating to a particular employee of such a committee.

Such information would not be exempt under paragraph 1 of part I of the schedule because the persons concerned are employees not of the local authority but of the committees referred to. I see no reason for councillors having an automatic right to see papers on those matters, any more than they have an automatic right to see them on employee matters. Therefore, with this simple amendment I am bringing employees in magistrates courts and probation committees into line with all other staff.

Amendment agreed to.

Mr. Squire: I beg to move amendment No. 10, in page 8, line 4, after '8', insert '8B'.

Mr. Deputy Speaker: With this it will be convenient to take the following amendments: No. 52, in the schedule, page 22, line 31, leave out

'or *(b)* a collective agreement'.

No. 53, in the schedule, in page 22, line 32, at end insert—

'8B. Information relating to any consultations or negotiations, or contemplated consultations or negotiations in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office-holders under, the authority.'

No. 62, in the schedule, in page 23, line 19, leave out from 'services' to end of line 20.

No. 63, in the schedule, in page 23, line 20, at end insert—

'5. Information falling within paragraph 8B of Part I above is exempt information if and so long as disclosure to the public of the information would prejudice the authority in those or any other consultations or negotiations in connection with a labour relations matter arising as mentioned in that paragraph.'

No. 65, in the schedule, in page 23, line 30, leave out from beginning to end of line 31.

No. 68, in the schedule, in page 23, line 33, at end insert—

'" labour relations matter" means—

(a) any of the matters specified in paragraphs *(a)* to *(g)* of section 29(1) of the Trade Union and Labour Relations Act 1974 (matters which may be the subject of a trade dispute, within the meaning of that Act); or

(b) any dispute about a matter falling within paragraph *(a)* above;

and for the purposes of this definition the enactments mentioned in paragraph *(a)* above, with the necessary modifications, shall apply in relation to office-holders under the authority as they apply in relation to employees of the authority.'

No. 75, in the schedule, in page 25, line 5 at end insert—

'9A. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office-holders under, the authority.'.

No. 83, in the schedule, in page 25, line 33, at end insert—

'5. Information falling within paragraph 9A of Part I above is exempt information if and so long as disclosure to the public of the information would prejudice the authority in those or any other consultations or negotiations in connection with a labour relations matter arising as mentioned in that paragraph.'.

No. 85, in the schedule in page 25, line 40, leave out from beginning to end of line 41.

No. 88, in the schedule, in page 25, line 43, at end insert—

'"labour relations matter" means—

(a) any of the matters specified in paragraphs *(a)* to *(g)* of section 29(1) of the Trade Union and Labour Relations Act 1974 (matters which may be the subject of a trade dispute, within the meaning of that Act); or

(b) any dispute about a matter falling within paragraph *(a)* above;

and for the purposes of this definition the enactments mentioned in paragraph *(a)* above, with the necessary modifications, shall apply in relation to office-holders under the authority as they apply in relation to employees of the authority.'.

Mr. Squire: We now come to industrial relations matters, although I hope that we shall not use the opportunity to break out into any unofficial action.

These amendments restrict the automatic right of a councillor to see documents falling within paragraph 8A of schedule 12A, not least because, as with the previous group of amendments, there is currently no automatic right —I stress the word "automatic"—to see papers on these matters.

Amendment No. 53 provides more comprehensively than the existing provision in paragraph 8 of part I of the schedule for exempt information in respect of labour relations matters. It covers:

"Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office-holders under, the authority."

The term "labour relations matter" is defined in part III of the schedule.

Amendments Nos. 52, 62 and 65 are consequential.

Amendment No. 63 adds a new paragraph to part II of the schedule qualifying paragraph 8B of part I. Paragraph 8B includes information relating to consultations or negotiations in connection with labour relations matters as exempt information. New paragraph 5 provides that information is exempt under paragraph 8B only so long as its disclosure to the public would prejudice the authority in consultations or negotiations referred to in that paragraph or arising under it.

In short, information is capable of protection under paragraph 8B only so long as disclosure would prejudice the authority in relevant consultations or negotiations. With your wide experience of these matters, Mr. Deputy Speaker, I am sure that you and other hon. Members will appreciate that there are various stages in industrial relations negotiations and that matters which may be deemed exempt and confidential at one stage may be expected to become non-confidential and able to be released at a later stage. While the local authority as employer is considering its position, it seems right that it should be protected in this way.

Amendment No. 68 defines the term "labour relations matter" used in paragraph 8B of part I of the schedule. The definition reads:

"'labour relations matter' means—

(a) any of the matters specified in paragraphs *(a)* to *(g)* of section 29(1) of the Trade Union and Labour Relations Act 1974 (matters which may be the subject of a trade dispute, within the meaning of that Act); or

(b) any dispute about a matter falling within paragraph *(a)* above".

I wished to achieve a generally accepted definition and I submit that that set out in the Trade Union and Labour Relations Act 1974, regardless of the way in which individual Members may feel about the Act itself, is a useful bench mark in this respect. Amendment No. 68 further provides:

"for the purposes of this definition the enactments mentioned in paragraph *(a)* above, with the necessary modifications, shall apply in relation to office-holders under the authority as they apply in relation to employees of the authority."

This provision is necessary because section 29(1) of the 1974 Act deals with disputes between employers and workers.

Subject to those comments, the remaining amendments are consequential and, I submit, clarify what is and is not to be regarded as an industrial relations matter.

Amendment agreed to.

Mr. Squire: I beg to move amendment No. 11, in page 8, line 4, leave out 'and 9' and insert '9 and 10'.

Mr. Deputy Speaker: With this it will be convenient to take amendment No. 12, in page 8, line 4, after 'of', insert 'Part I of'.

Mr. Squire: This is the third and final group of amendments dealing with restrictions on council

members' automatic rights. It deals with a small but important aspect concerning the prevention of crime. Paragraph 10 of part I of schedule 12A concerning the prevention of crime is being added to the list of categories of exempt information which councillors may not automatically see.

10.15 am

The purpose is to prevent a councillor investigating on behalf of an interested constituent and beyond his remit as a member of a functioning committee or subcommittee legal advice available to the council of which he is a corporate member. I do not suggest for one moment that this land is peopled with councillors who would act in that way, but it is clearly possible that a member of the public facing potential criminal proceedings by a local authority might, through his or her local councillor, seek to obtain information surrounding that in a way which might frustrate the enforcement of the law and the punishment of criminal activity. To protect that position, but recognising that this places some small restraint on councillors' lawful activities, it seems right and proper that councillors should not have automatic access to such information. The purpose of amendment No. 11 is to make that clear.

Amendment agreed to.

Amendment made: No. 12, in page 8, line 4, after 'of', insert 'Part I of'.—*[Mr. Squire.]*

Mr. Squire: I beg to move amendment No. 13, in page 8, line 6, at end insert—

'(2A) The Secretary of State may by order amend subsection (2) above—

(a) by adding to the description of exempt information to which that subsection refers for the time being; or

(b) by removing any description of exempt information to which it refers for the time being.

(2B) Any statutory instrument containing an order under subsection (2A) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.'

Mr. Deputy Speaker: With this it will be convenient to take the following amendments: No. 24, in page 10, line 30, leave out from begining to 'subject' in line 31 and insert—

'(4) Any statutory instrument containing an order under this section shall be'.

No. 33, in clause 2, page 17, line 45, at end insert—

'(2A) The Secretary of State may by order amend subsection (2) above—

(a) by adding to the descriptions of exempt information to which that subsection refers for time being; or

(b) by removing any description of exempt information to which it refers for the time being.

(2B) Any statutory instrument containing an order under subsection (2A) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.'.

No. 40, in clause 2, page 20, line 10, leave out from beginning to 'subject' in line 11 and insert—

'(3) Any statutory instrument containing an order under this section shall be.'.

Mr. Squire: I hope that the House is not becoming bored with this near-monologue. These amendments cover important areas and I am grateful for the patience of the House.

Amendment No. 13 gives the Secretary of State power to amend section 100F(2) relating to the whole area of exempt information. It provides that the Secretary of State may, by negative resolution order, vary the categories of exempt information in schedule 12A which councillors may not automatically see. The purpose of the amendment is perhaps obvious, in that section 100I gives the Secretary of State power, by negative resolution order, to vary the categories of exempt information in schedule 12A. Section 100F(2) dealing with councillors' rights, or lack of them, clearly relates to certain paragraphs in part I of schedule 12A and there is a need to be able to vary those references as well.

Amendment agreed to.

Amendment made: No. 14, in page 8, line 10, leave out from beginning to end of line 22.—*[Mr. Squire.]*

Mr. Squire: I beg to move amendment No. 15, in page 8, line 30, at end insert—

'(1A) A principal council shall maintain a list—

(a) specifying those powers of the council which are for the time being delegated, otherwise than temporarily, to officers of the council and exercisable accordingly from time to time by those officers; and

(b) stating the title of the officer to whom each of those powers is for the time being so delegated;

and for the purposes of this subsection powers are delegated "temporarily" if they are delegated for a specified period not exceeding six months.'.

Mr. Deputy Speaker: With this it will be convenient to take the following amendments: No. 17, in page 8, line 37, after 'above', insert

'the list maintained under subsection (1A) above'.

No. 34, in clause 2, page 18, line 12, at end insert—

'(1A) A local authority shall maintain a list—

(a) specifying those powers of the authority which are for the time being delegated otherwise than temporarily, to officers of the authority and exercisable accordingly from time to time during that period by these officers; and

(b) stating the title of the officer to whom each of these powers is for the time being so delegated;

and for the puposes of this subsection powers are delegated "temporarily" if they are delegated for a specified period not exceeding six months.'.

No. 36, in clause 2, page 18, line 21, after 'above', insert

', the list maintained under subsection (1A) above'.

No. 43, in page 21, line 18, leave out Clause 3.

Mr. Squire: I know that my hon. Friend the Member for Mitcham and Morden (Mrs. Rumbold) will be following this closely, as the purpose is to amend the new clause introduced by her and accepted by the Standing Committee with regard to the delegated powers of officers.

The amendment provides:

"(1A) A principal council shall maintain a list—

(a) specifying those powers of the council which are for the time being delegated, otherwise than temporarily, to officers of the council and exercisable accordingly from time to time by those officers; and

(b) stating the title of the officer to whom each of those powers is for the time being so delegated;

and for the purposes of this subsection powers are delegated "temporarily" if they are delegated for a specified period not exceeding six months".

I do not suggest that six months is necessarily ideal. As always, there is no doubt a range of opinion. After discussion with the local authority associations, however, and especially in view of difficulties that may arise in the summer holiday period, my initial proposal of three months was replaced by a six-month period, which was regarded as better and safer.

The amendment replaces the present clause 3, which would be impracticable in that it would cover every type of delegation made by a council, including the thousands of temporary delegations. The amendment seeks to

[Mr. Squire]

overcome the problem by limiting the list to delegations made for a period exceeding six months and by excluding delegations to do something on one occasion only.

The list is open to public inspection at the council offices by virtue of consequential amendment No. 17. Many authorities already publish the information in any event, but I remind the House, and especially hon. Members who were not members of the Standing Committee, that the purpose of these provisions is to ensure that there is a regular opportunity for members of the council to review the delegated powers being exercised by officers and to establish whether they are inadequate, sufficient or excessive vis-à-vis their own powers and those exercised by other local authorities.

Mr. Wigley: The hon. Gentleman referred to amendments Nos. 15, 17 and 43, which stand in his name. Has he any comments to make on amendments Nos. 34 and 36, which do not stand in his name? When dealing with previous batches of amendments he has similarly not referred to amendments that have been tabled by others. Does this mean that the amendments will not be moved, or does it mean that he accepts them?

Mr. Squire: I am not sure whether the hon. Gentleman was in his place when I referred to amendments Nos. 34 and 36. They represent the Scottish equivalents — not that I would ever suggest that anything in Scotland could ever be an equivalent — of the proposed English and Welsh legislation of which I am speaking.

Mrs. Rumbold: When I was in local government, I was one of the few who believed in delegation. I should have welcomed a great deal more of it. I believed that the locally elected members were there to determine policy and that, once policy had been determined, it was not sensible for them to spend hours of public time and considerable public money scrutinising every decision that they had made when that work could well have been delegated to officers.

I am concerned about the amendment — I am probably not understanding it fully—as it provides that delegated powers will have to be reviewed over a period. I accept that it is proper that delegated powers should be published—that is what I wanted in the first place—but the idea of consistent and continuous review concerns me.

Experience has told me that if individuals are given opportunities to claw back responsibilities which they have delegated in the past, they will often think to themselves, "Perhaps it would be quite nice to have that bit back again." This extends — in my view, needlessly — the work that is done by local authorities, and leads them to expend more public money unnecessarily, thus encouraging those who would otherwise be pursuing matters of major policy to delve into minor matters that are better given to those who are employed by the authorities and paid by them.

I am worried that local authorities, and especially elected members, spend far too much time trying to duplicate the work of those whom they employ. For this reason, I am slightly concerned that the proposed amendment to the original idea, which provides an opportunity to scrutinise what has been delegated, should imply that the elected members might claw back some of their earlier responsibilities.

Mr. Squire: I accept that with this amendment, as with many others and as with the Bill itself, there is a question of balance. My hon. Friend the Member for Mitcham and Morden (Mrs. Rumbold) is right to emphasise that. In taking the entirely neutral view that all hon. Members take when considering the activities of local authorities, it would be fairly easy for me to produce a list of authorities which seem at first sight to give excessive delegated powers to officers. That list could be balanced by a second list of other authorities where individual councillors seem to regard themselves as equivalent to officers, as evidenced by the time that they sit in the council offices and the energies that they there expend.

Being an old-fashioned thing, I tend to side with what I take to be the implications of my hon. Friend's intervention. I accept that the essential role of councillors is to take strategic decisions and that council officers are there to administer and to carry out councillors' decisions. If the amendment is accepted, it will not seek to impose any particular balance. It will allow councillors to review the delegated powers to ascertain whether they are doing too much or too little.

Amendment agreed to.

Mr. Squire: I beg to move amendment No. 16, in page 8, line 31, leave out from beginning to end of line 35 and insert—

'(2) There shall be kept at the offices of every principal council a written summary of the rights—

(a) to attend meetings of a principal council and of committees and sub-committees of a principal council, and

(b) to inspect and copy documents and to be furnished with documents,

which are for the time being conferred by this Part, Part XI below and such other enactments as the Secretary of State by order specifies.'

Mr. Deputy Speaker: With this it will be convenient to take the following amendments: No. 18, in page 8, line 37, leave out 'made' and insert 'kept'.

No. 35, in Clause 2, page 18, line 13, leave out from beginning to end of line 19 and insert—

'(2) There shall be kept at the offices of every local authority a written summary of the rights—

(a) to attend meetings of the authority and of committees and sub-committees of the authority, and

(b) to inspect and copy documents and to be furnished with documents,

which are for the time being conferred by this Part, Part XI below and such other enactments as the Secretary of State by order specifies.'.

No. 37, in Clause 2, page 18, line 21, leave out 'made' and insert 'kept'.

Mr. Squire: The amendment is directed to a summary of the public's rights and the powers of the Secretary of State to amend. It provides for a principal council to keep in its offices

"a written summary of the rights . . . to attend meetings of a principal council and of committees and sub-committees of a principal council, and . . . to inspect and copy documents and to be furnished with documents which are conferred"

by part VA, as proposed, and part 11 of the 1972 Act and such other enactments as the Secretary of State may by order specify. The amendment will replace section 100G(2) and represents a compromise when set against my original intention that the Bill should oblige councillors to publish a summary of the public's right of access to information under all enactments. I now accept that such a requirement would not be practicable in view of the diversity of legislation involved.

The amendment widens the summary of rights to the extent of adding an order which gives the Secretary of State power to specify which enactments other than the Bill and part 11 of the 1972 Act are to be covered. I understand that my right hon. Friend the Secretary of State for the Environment has it in mind to issue such an order should the Bill become law, and that that will be done after discussions with relevant local authority associations.

The Parliamentary Under-Secretary of State for the Environment (Mr. William Waldegrave): I confirm that my right hon. Friend the Secretary of State for the Environment will exercise his power as my hon. Friend has said and will make an order that will list the relevant enactments. It is important that the consultations that precede the making of such an order should be widespread both with the local authority associations and with other interested parties.

The consultations which my right hon. Friend will undertake might be somewhat extended to cover consultations with local authorities about further information which might be made available by the Department to help with the working of the Bill, which we hope will shortly be an Act. Without making any specific commitments, may I say that there may be room for consideration of advice from my Department. The Government have made strenuous efforts to reduce the number of circulars sent to local authorities, on the ground that circulars are part of the nannying that local authorities, on the whole, do not want. However, in the context of a new enactment, we shall discuss with authorities whether it would be helpful to them to be given some advice and explanation. I am sure that my hon. Friend will be willing to take part in such discussions.

I congratulate my hon. Friend on the great skill and care with which he has wended his way through extremely complex amendments. Of course, there are plenty more to come. I congratulate him also on the progress that he is making. The speed with which we are progressing represents the fact that my hon. Friend, my officials and those concerned with the Bill in general have worked together closely and effectively. Our consideration of the Bill this morning is really the tip of the iceberg. A great deal of work had to be done to enable us to make such speedy progress, and I congratulate my hon. Friend.

Amendment agreed to.

Amendments made: No. 17, in page 8, line 37, after 'above', insert

'the list maintained under subsection (1A) above'.

No. 18, in page 8, line 37, leave out 'made' and insert 'kept'.—*[Mr. Squire.]*

10.30 am

Mr. Squire: I beg to move amendment No. 19, in page 9, line 6, after 'may', insert 'subject to subsection (2A) below'.

Mr. Deputy Speaker: With this it will be convenient to consider the following amendments: No. 20, in page 9, line 14 at end insert—

'(2A) Subsection (2) above does not require or authorise the doing of any act which infringes the copyright in any work except that, where the owner of the copyright is a principal council, nothing done in pursuance of that subsection shall constitute an infringement of the copyright.'.

No. 38, in clause 2, page 18, line 34, after 'may', insert 'subject to subsection (2A) below'.

No. 39, in clause 2, page 18, line 42, at end insert—

'(2A) Subsection (2) above does not require or authorise the doing of any act which infringes the copyright in any work except that, where the owner of the copyright is a local authority, nothing done in pursuance of that subsection shall constitute an infringement of the copyright.

(2B) The Data Protection Act 1984 (and, in any particular, section 26(1) of that Act) shall have effect as if the following words were added at the end of section 34(5) (personal data exempt from non-disclosure provisions in certain cases), namely,", or

(d) made in the course of proceedings which, by virtue of section 50A(1) of the Local Government (Scotland) Act 1973, are open to the public at a meeting of a local authority (within the meaning of that Act) or a committee or sub-committee of a local authority in relation to which sections 50A to 50D of that Act apply by virtue of section 50E of that Act";'.

Mr. Squire: In responding to the comments made on the last amendment by the Minister, for which I thank him, it might be of interest to hon. Members to know that we are now slightly past half way through the amendments that have been tabled, which news will be treated either with horror or amazement, according to taste.

This is another important group of amendments because it is concerned with the whole question of copyright, and the amendment introduces a new subsection to cover copyright. It provides that there is no duty to supply copies where to make a copy would infringe the copyright in the document. It does not apply where the owner of the copyright is the principal council, as copyright will not be infringed if the owner of the copyright consents to the copy. Councils should not be allowed to refuse to furnish copies by refusing to give that consent.

The purpose of the amendment is to prevent the Bill from overriding copyright law. An example of how that could happen, were the amendment not accepted, would be copies of plans with which councils are supplied in connection with applications for planning permission or building regulation approval. The architect will own the copyright in such plans, and his copyright would be infringed if the council reproduced the plans, for example, by supplying copies to the public pursuant to the rights in section 100D or to councillors pursuant to section 100F.

Mrs. Rumbold: Will the amendment help to do away with the nonsense that goes on in the education world, when people who take copies of music from which children sing in schools are uncertain whether they must pay copyright dues to the Performing Right Society?

Mr. Squire: Up to now I have regarded my hon. Friend's interventions as helpful. I regard any intervention that expects me to make an immediate judgment on anything involving not merely children but teachers to be so loaded with implications that I hesitate to commit myself. I cannot comment on the subject. Sheltering perhaps behind a predictable response, I can only tell my hon. Friend that nothing that I am proposing here will affect the existing position.

Although my hon. Friend says that I am highlighting an existing abuse, I fear that I am not tackling it in this measure, so that, if the position is unsatisfactory, that may continue to be the case following the passage of my Bill.

Mr. Waldegrave: My hon. Friend the Member for Hornchurch (Mr. Squire) must have been astonished at some of the areas in which his Bill has had to make him become expert, though I doubt if, when he set out on this route, he thought that he would have to become an expert

[Mr. Waldegrave]

on copyright law. That shows how complex is legislation of this kind, and I congratulate him again on wending his way through it.

Copyright law is one of the most complex matters with which my hon. Friend has had to wrestle in the Bill. The point to be resolved is whether the measure, in providing for local government information to be open to the public, should override existing copyright law, or whether that law should remain unaffected. There are two schools of thought on that.

The Government believe that my hon. Friend is wise to have opted, at least for the time being, for the latter course and to have left the present law unaffected. That seems to be the right decision in the context of the Bill. The rights and interests of a significant number of third parties, other than local authorities and persons wishing to have information, would be affected by a change in the copyright law.

My hon. Friend the Member for Mitcham and Morden (Mrs. Rumbold) mentioned architects as one example. It would not be practicable to assess the precise merits or demerits of such a change without consulting properly the kinds of bodies that would be expected to represent the interests of those who would be likely to be affected.

Mrs. Rumbold: In the education world a dispute has been going on for a number of years about the way in which copyright operates in relation to educational information for children in schools. That issue has presented, and still presents, many problems, and although I am now some distance from the argument, two or three years ago there were great problems in that area. While I accept that they are probably best not dealt with in the context of this measure, I hope that the Minister has taken note of the point.

Mr. Waldegrave: I too remember, although with less depth of experience than my hon. Friend, this problem when we served together on the national advisory body for local authority higher education, and I recall it being a matter that affected polytechnics. I also have some tangential contact with it now because of my responsibility for the ordnance survey, which gives various copyright privileges to schools; for example, its maps are important.

I will follow up my hon. Friend's remarks with Government colleagues who are more directly responsible in this area. While it does not affect the Bill, it is an important issue and I will ask colleagues to write to my hon. Friend to clarify the position, and I will send her details of the ordnance survey practice, which is important in this context.

If we were to have made changes to the existing copyright law in the Bill, we should have wanted to consult, for example, the Royal Institute of British Architects, the Royal Institute of Chartered Surveyors, the British Property Federation, the Joint Contracts Tribunal and the Law Society; and I have no doubt that we should want to add others to the list.

In the time available for the preparation of the Bill, and with the many other complicated matters with which my hon. Friend the Member for Hornchurch has had to deal, there has not been a chance—it would not have been realistic to expect him to have had the chance—to consult in the necessary depth on this issue, and in the time remaining to him it would be impossible for him to do that.

I am glad, therefore, that my hon. Friend is agreeing that it is sensible for his Bill to maintain the existing position, rather than to tackle a matter the ramifications of which could prove even more intricate than those with which he has had to deal. The course that he is recommending to the House is therefore sensible.

Amendment agreed to.

Amendments made: No. 20, in page 9, line 14, at end insert—

'(2A) Subsection (2) above does not require or authorise the doing of any act which infringes the copyright in any work except that, where the owner of the copyright is a principal council, nothing done in pursuance of that subsection shall constitute an infringement of the copyright.'.

No. 21, in page 9, line 14, at end insert—

'(2B) The Data Protection Act 1984 (and, in particular, section 26(1) of that Act) shall have effect as if the following words were added at the end of section 34(5) (personal data exempt from non-disclosure provisions in certain cases), namely, "or

(c) made in the course of proceedings which, by virtue of section 100A(1) of the Local Government Act 1972, are open to the public at a meeting of a principal council or a committee or sub-committee of a principal council ('principal council' and 'committee or sub-committee of a principal council' being construed in accordance with Part VA of that Act)".'.

No. 22, in page 9, line 38, leave out from 'of' to 'and' in line 40 and insert

'a committee or sub-committee of a principal council'.—*[Mr. Squire.]*

Mr. Squire: I beg to move amendment No. 23, in page 10, line 13, at end insert—

'(6) The rights conferred by this Part to inspect, copy and be furnished with documents are in addition, and without prejudice, to any such rights conferred by or under any other enactment'.

Mr. Deputy Speaker: It will be convenient for the House to consider at the same time amendment No. 91, in clause 2, page 19, line 41, at end insert—

'(6) The rights conferred by this Part to inspect, copy and be furnished with documents are in addition, and without prejudice, to any such rights conferred by or under any other enactment.'.

Mr. Squire: This is a minor amendment designed to avoid doubt that the rights under the Bill to inspect copy, and to be furnished with photocopies of documents, should be additional to, and without any prejudice to, rights to inspect documents under any other enactments. For example, the Local Government Finance Act 1982 has a number of provisions in that respect.

Amendment agreed to.

Amendments made: No. 24, in page 10, line 30, leave out from beginning to 'subject' in line 31 and insert—

'(4) Any statutory instrument containing an order under this section shall be'.

No. 25, in page 10, line 32, at end insert—

'Application to new authorities, Common Council, etc.

100II—(1) Except in this section, any reference in this Part to a principal council includes a reference to—

(a) the Inner London Education Authority;

(b) a joint authority;

(c) the Common Council;

(d) a joint board or joint committee falling within subsection (2) below;

(e) a combined police authority which is a body corporate.

(2) A joint board or joint committee falls within this subsection if—

(a) it is constituted under any enactment as a body corporate; and

(b) it discharges functions of two or more principal councils;

and for the purposes of this subsection any body falling within paragraph *(a)*, *(b)* or *(c)* of subsection (1) above shall be treated as a principal council.

(3) In its application by virtue of subsection (1) above in relation to a body falling within paragraph *(a)*, *(b)*, *(d)* or *(e)* of that subsection, section 100A(6)*(a)* above shall have effect with the insertion after the word "council" of the words "(and, if the meeting is to be held at premises other than those offices, at those premises)".

(4) In its application by virtue of subsection (1) above, section 100G(1)*(a)* above shall have effect—

(a) in relation to a joint authority or a combined police authority, with the substitution for the words from "ward" onwards of the words "name or description of the body which appointed him"; and

(b) in relation to a joint board or joint committee falling within subsection (2) above with the omission of the words from "ward" onwards.'.

No. 26, in page 10, line 33, at end insert—

'"committee or sub-committee of a principal council" shall be construed in accordance with section 100E(3) above;

"constituent principal council" shall be construed in accordance with section 100E(4) above'.

No. 27, in page 11, line 11, leave out from beginning to end of line 19.

No. 28, in page 11, line 11, at end insert—

'"principal council" shall be construed in accordance with section 100II above.'.—*[Mr. Squire.]*

Clause 2

ACCESS TO MEETINGS AND DOCUMENTS OF LOCAL AUTHORITIES AND CERTAIN COMMITTEES AND SUB-COMMITTEES IN SCOTLAND

Amendments made: No. 29, in page 12, line 10, leave out paragraph *(b)* and insert—

'*(b)* information the disclosure of which to the public is prohibited by or under any enactment other than the Data Protection Act 1984, or by the order of a court.'.

No. 95, in page 14, line 11, at end insert—

'(3A) An item of business may not be considered at a meeting of a local authority unless either—

(a) a copy of the agenda including the item (or a copy of the item) is open to inspection by members of the public in pursuance of subsection (1) above for at least three clear days before the meeting or, where the meeting is convened at shorter notice, from the time the meeting is convened; or

(b) by reason of special circumstances, which shall be specified in the minutes, the chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.'.

No. 30, in page 15, line 25, leave out from 'not' to 'of' in line 26 and insert

'provide members of the public with a reasonably fair and coherent record'.

No. 31, in page 15, line 29, leave out from beginning to end of line 30 and insert

'the part, as the case may be, which provides such a record without disclosing the exempt information'.—*[Mr. Squire.]*

Mr. Squire: I beg to move amendment No. 32, in page 17, line 43, leave out '6, 8 and 9' and insert

'5, 7, 9 to 11 and 13 of Part I'.

This is a simple amendment designed to cover the Scottish position concerning members' rights. It is identical to the matter discussed on amendments Nos. 11 and 12.

Amendment agreed to.

Amendments made: No. 33, in page 17, line 45, at end insert—

'(2A) The Secretary of State may by order amend subsection (2) above—

(a) by adding to the descriptions of exempt information to which that subsection refers for the time being; or

(b) by removing any description of exempt information to which it refers for the time being.

(2B) Any statutory instrument containing an order under subsection (2A) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.'.

No. 34, in page 18, line 12, at end insert—

'(1A) A local authority shall maintain a list—

(a) specifying those powers of the authority which are for the time being delegated otherwise than temporarily, to officers of the authority and exercisable accordingly from time to time during that period by these officers; and

(b) stating the title of the officer to whom each of these powers is for the time being so delegated;

and for the purposes of this subsection powers are delegated "temporarily" if they are delegated for a specified period not exceeding six months.'.

No. 35, in page 18, line 13, leave out from beginning to end of line 19 and insert—

'(2) There shall be kept at the offices of every local authority a written summary of the rights—

(a) to attend meetings of the authority and of committees and sub-committees of the authority, and

(b) to inspect and copy documents and to be furnished with documents,

which are for the time being conferred by this Part, Part XI below and such other enactments as the Secretary of State by order specifies.'.

No. 36, in page 18, line 21, after 'above', insert

', the list maintained under subsection (1A) above'.

No. 37, in page 18, line 21, leave out 'made' and insert 'kept'.

No. 38, in page 18, line 34, after 'may', insert

'subject to subsection (2A) below'.

No. 39, in page 18, line 42, at end insert—

'(2A) Subsection (2) above does not require or authorise the doing of any act which infringes the copyright in any work except that, where the owner of the copyright is a local authority, nothing done in pursuance of that subsection shall constitute an infringement of the copyright.

(2B) The Data Protection Act 1984 (and, in any particular, section 26(1) of that Act) shall have effect as if the following words were added at the end of section 34(5) (personal data exempt from non-disclosure provisions in certain cases), namely,", or

(d) made in the course of proceedings which, by virtue of section 50A(1) of the Local Government (Scotland) Act 1973, are open to the public at a meeting of a local authority (within the meaning of that Act) or a committee or sub-committee of a local authority in relation to which sections 50A to 50D of that Act apply by virtue of section 50E of that Act";'.

No. 91, in page 19, line 41, at end insert—

'(6) The rights conferred by this Part to inspect, copy and be furnished with documents are in addition, and without prejudice, to any such rights conferred by or under any other enactment.'.

No. 40, in page 20, line 10, leave out from beginning to 'subject' in line 11 and insert—

'(3) Any statutory instrument containing an order under this section shall be.'.

No. 41, in page 21, line 4, after 'below', insert

'other than a committee constituted under the enactment specified in paragraph *(d)* of that section'.

No. 42, in page 21, line 16, leave out from beginning to end of line 17.—*[Mr. Squire.]*

Clause 3

LIST OF DELEGATED POWERS

Amendment made: No. 43, in page 21, line 18, leave out Clause 3.—*[Mr. Squire.]*

Clause 4

EXTENT

Amendment made: No. 44, in page 21, line 24, at beginning insert

'Except for this section and section *(Consequential amendments and repeals)* in so far as it relates to paragraph 2 of Schedule *(Consequential amendments)*'.—*[Mr. Squire.]*

Clause 5

APPLICATION

Amendment made: No. 45, in page 21, line 25, leave out Clause 5.—*[Mr. Squire.]*

Clause 6

COMMENCEMENT

10.45 am

Mr. Squire: I beg to move amendment No. 46, in page 21, line 28, leave out 'take effect' and insert 'come into force'.

This is a drafting amendment that alters the wording to what I am advised is the standard terminology.

Amendment agreed to.

New Schedule

'CONSEQUENTIAL AMENDMENTS

Defamation Act 1952 (c. 66)

1.—(1) The Schedule to the Defamation Act 1952 (by virtue of which, among other things, newspaper reports of all proceedings at meetings of local authorities and their committees are privileged unless admission to the meetings is denied to representatives of newspapers and other members of the public) shall be amended as follows.

(2) At the beginning of paragraph 13 (interpretation) there shall be inserted "(1)" and for the definition of "local authority" in that paragraph there shall be substituted the following "'local authority' means—

(a) any principal council, within the meaning of the Local Government Act 1972, any body falling within any paragraph of section 100II(1) of that Act and any local authority, within the meaning of the Local Government (Scotland) Act 1973;

(b) any authority or body to which the Public Bodies (Admission to Meetings) Act 1960 applies; and

(c) any authority or body to which sections 23 to 27 of the Local Government Act (Northern Ireland) 1972 apply;

and any reference to a committee of a local authority shall be construed in accordance with sub-paragraph (2) below."

(3) After paragraph 13(1) there shall be added the following sub-paragraph—

"(2) Any reference in this Schedule to a committee of a local authority includes a reference—

(a) to any committee or sub-committee in relation to which sections 100A to 100D of the Local Government Act 1972 apply by virtue of section 100E of that Act (whether or not also by virtue of section 100II of that Act); and

(b) to any committee or sub-committee in relation to which sections 50A to 50D of the Local Government (Scotland) Act 1973 apply by virtue of section 50E of that Act."

Defamation Act (Northern Ireland) 1955 (c.11, N.I.)

2.—(1) The Schedule to the Defamation Act (Northern Ireland) 1955 (which makes similar provision to the Schedule to the Defamation Act 1952) shall be amended as follows.

(2) At the beginning of paragraph 13 (interpretation) there shall be inserted "(1)" and for the definition of "local authority" in that paragraph there shall be substituted the following—

"'local authority' means—

(a) any authority or body to which sections 23 to 27 of the Local Government Act (Northern Ireland) 1972 apply;

(b) any principal council, within the meaning of the Local Government Act 1972, any body falling within any paragraph of section 100II(1) of that Act and any local authority, within the meaning of the Local Government (Scotland) Act 1973;

(c) any authority or body to which the Public Bodies (Admission to Meetings) Act 1960 applies;

and any reference to a committee of a local authority shall be construed in accordance with sub-paragraph (2) below."

(3) After paragraph 13(1) there shall be added the following sub-paragraph—

"(2) Any reference in this Schedule to a committee of a local authority includes a reference—

(a) to any committee or sub-committee in relation to which sections 100A to 100D of the Local Government Act 1972 apply by virtue of section 100E of that Act (whether or not also by virtue of section 100II of that Act); and

(b) to any committee or sub-committee in relation to which sections 50A to 50D of the Local Government (Scotland) Act 1973 apply by virtue of section 50E of that Act."

Public Bodies (Admission to Meetings) Act 1960 (c.67)

3.—(1) The Public Bodies (Admission to Meetings) Act 1960 shall be amended as follows.

(2) In section 1(1), the words "local authority or other" shall be omitted and for the words "an authority or other body" there shall be substituted the words "a body".

(3) Section 2(2) shall be omitted.

(4) In the Schedule (which defines the bodies to which the Act applies) for paragraph 1*(a)* there shall be substituted the following paragraph—

"*(a)* parish or community councils, the Council of the Isles of Scilly and joint boards or joint committees which discharge functions of any of those bodies (or of any of those bodies and of a principal council, within the meaning of the Local Government Act 1972, or a body falling within paragraph *(a)*, *(b)* or *(c)* of section 100II(1) of that Act)".

(5) In paragraph 1 of the Schedule, paragraphs *(aa)* and *(ab)* (as inserted by the Local Government Act 1985) and *(d)* shall be omitted.

(6) In paragraph 1*(h)* of the Schedule, for the words "police authorities" there shall be substituted the words "bodies to which sections 100A to 100D of the Local Government Act 1972 apply, whether or not by virtue of section 100E or 100II of that Act".

(7) In paragraph 2 of the Schedule, paragraphs *(a)*, *(b)*, *(c)* and *(f)* shall be omitted.

Police Act 1964 (c. 48)

4. In section 3 of the Police Act 1964 (police authorities for combined areas) after subsection (3) there shall be inserted the following subsection—

"(3A) Meetings of a combined police authority which is (as well as one which is not) a body corporate are open to the public, and documents relating to such meetings are open to inspection by the public, in accordance with the provisions of Part VA of the Local Government Act 1972."

Local Government Act 1972 (c. 70)

(5) In section 100 of the Local Government Act 1972 (which applies the Public Bodies (Admission to Meetings) Act 1960 in relation to all committees of local authorities)—

(a) in subsection (2), the words from "to any committee constituted" to "101(9) below and" shall be omitted; and

(b) at the end of that subsection there shall be added the words "or section 100E(3)*(a)* or *(b)* below (whether or not by virtue of section 100II below)".

Local Government Finance Act 1982 (c. 32)

6. In section 18 of the Local Government Finance Act 1982, in subsection (5) (auditor's report to be supplied to members and newspapers) after the word "excluded" there shall be inserted "*(a)*" and at the end of that subsection there shall be added the following words, that is to say, "or under section 100B(6) of the 1972 Act (which makes similar provision); or

(b) from the documents open to inspection by members of the public under section 100B(1) of the 1972 Act (agenda and reports open to the public before a meeting);

and Part VA of the 1972 Act shall have effect in relation to the report as if in section 100C(1)*(d)* of that Act (by virtue of which only so much of a report as relates to proceedings open to the public is open to public inspection after the meeting) the words 'so much of' and from 'as relates' onwards were omitted.

(6) In subsection (5) above, 'the 1972 Act' means the Local Government Act 1972.".'.—*[Mr. Squire.]*

Brought up, read the First and Second time, and added to the Bill.

New Schedule

Repeals

Chapter	*Short title*	*Extent of repeal*
8 & 9 Eliz. 2 c. 67.	Public bodies (Admission to Meetings) Act 1960	In section 1(1), the words, "local authority or other". Section 2(2). In the Schedule, paragraph 1*(aa)*, *(ab)* and *(d)*and paragraph 2*(a)*, *(b)*,*(c)* and *(f)*.
1972 c. 70.	Local Government Act 1972.	In Section 100(2) the words from "to any committee constituted" to "101(9) below and".
1973 c. 65.	Local Government (Scotland) Act 1973.	Section 44.'. — *[Mr. Squire.]*

Brought up, read the First and Second time, and added to the Bill.

Schedule

Exempt Information

Amendment made: No. 49, in page 22, line 12, at end insert—

'1A. Information relating to a particular employee, former employee or applicant to become an employee of, or a particular officer, former officer or applicant to become an officer appointed by—

(a) a magistrates' court committee, within the meaning of section 19 of the Justices of the Peace Act 1979; or

(b) a probation committee appointed under paragraph 2 of Schedule 3 to the Powers of Criminal Courts Act 1973'.—*[Mr. Squire.]*

Mr. Squire: I beg to move amendment No. 50, in page 22, line 24, at end insert '(other than the authority)'.

Mr. Deputy Speaker: With this it will be convenient to take the following amendments: No. 60, in page 23, line 8, leave out from 'paragraph' to end of line 9 and insert 'if it is required to be registered under—

(a) the Companies Act 1985;

(b) the Friendly Societies Act 1974;

(c) the Industrial and Provident Societies Acts 1965 to 1978;

(d) the Building Societies Act 1962; or

(e) the Charities Act 1960.'

No. 67, in page 23, line 33, at end insert

'"financial or business affairs" includes contemplated, as well as past or current, activities'.

No. 73, in page 24, line 36, at end insert '(other than the authority)'.

No. 80, in page 25, line 21, leave out from 'paragraph' to end of line 22 and insert

'if it is required to be registered under—

(a) the Companies Act 1985;

(b) the Friendly Societies Act 1974;

(c) the Industrial and Provident Societies Acts 1965 to 1978; or

(d) the Building Societies Act 1962;

No. 87, in page 25, line 43, at end insert—

'"financial or business affairs" includes contemplated, as well as past or current activities.'.

Mr. Squire: This is an important area. It concerns the information that may or may not be released by a local authority in respect of business and financial matters or other information coming into the authority's possession.

Amendment No. 50 makes it clear that the words "any particular person" in paragraph 6 of part I of the schedule, which term includes the body corporate, do not include the local authority in question. The financial or business affairs of the local authority will thus not be exempt information.

Amendment 60 is most important. It amends paragraph 2 of part II of the schedule, and qualifies paragraph 6 of part I, which makes

"Information relating to the financial or business affairs of any particular person"

—including a company—exempt information. Paragraph 2 of part II as it stands provides that such information

"is not exempt information unless it was obtained by the authority in the course of negotiations for a contract."

I have had a number of discussions on this area. I am satisfied that the wording needs clarification for the benefit of local authorities as well as for those who deal with them. The amendment removes the reference to "negotiations for a contract" and provides instead that information is not exempt under paragraph 6 of part I if it is required to be registered under the Companies Act 1985 or other specified enactments. The intention is that information about the financial or business affairs of a person or company shall be exempt unless it is already required to be publicly available by virtue of the specified enactments. The amendment thus widens considerably the category of exempt information under paragraph 6 of part 1 of the schedule.

Hon. Members of a more radical nature may be disappointed, but I hope not. It seems to me to be a fair compromise to require that information that is already required to be made public, under, for instance, the Companies Act 1985, should fairly and properly still be regarded as public information even though it may have come into the hands of the local authority by another route.

We would be treading in very difficult territory if we suggested that information not otherwise required to be made public by a company under any existing legislation should none the less be subject to deliberate or accidental release by a local authority—so far as one can legislate for the accidental. That would bring in a number of other questions that I cannot cover in this measure.

I hope that hon. Members will realise that, although it is a compromise, the route suggested in amendment No. 60 has the advantage of clarity, which must be very important, especially to local government officers dealing with requests.

Amendment No. 67 inserts a definition of "financial or business affairs", which term is used in paragraph 6 of part 1 of the schedule. It defines the term to include

"contemplated, as well as past or current, activities".

[Mr. Squire]

It would thus include the forward planning of a person or company with regard to financial or business matters, details of which had been disclosed to the local authority. The amendment is designed to avoid doubt on that point.

Mrs. Rumbold: This is a very important group of amendments. I admit that I am marginally disappointed by my hon. Friend's compromise, although I accept that information that can now be disclosed under the Companies Act 1985 is—if there must be a compromise—the right information to be subject to disclosure.

Local authorities face certain difficulties in their negotiations with companies, especially in relation to development. Many local authorities today are in the business of development, especially urban authorities that are anxious to redevelop and improve their towns because of the age of the buildings and the new requirements of the community. Today, nearly all those negotiations are carried on not only with private sector companies, some of them major ones, but also with financial institutions in order to secure funding for the project.

Such negotiations could be completely undermined if they were dragged out into the open long before the concluding negotiations had been undertaken by the local authority, the funding institution and the developer. At such a stage, such negotiations are very delicate. People are often in competition. The local authority is charged with responsibility for getting not only the best development for its town but also the best deal for the people whom it represents. The authority is both seeking finance from financial institutions and making a contribution from public funds, by donation or negotiation of land.

It is therefore important that safeguards should be built in to enable local authority officers, if not local authority members, to participate in the early stages of negotiation and, to some extent, the medium-term stages, in a climate that provides for stability and sensible negotiation. No financial institution, and certainly no private developer, will risk putting plans on the table if those plans could be undermined immediately by competitors because of disclosure at an early stage of the development proposals.

Let us suppose that a local authority wished to build a new public library, block of offices or shopping centre. If design and development were disclosed at an early stage the local authority officers could not make progress, especially as they are charged with looking after the public sector, as well as protecting those who come to them from the private sector in terms of the way in which finance is to be arranged. I make those points clear, because it is important that they should be put on the record and so that the Bill, which I hope will shortly become an Act, will be understood as well as possible.

Having said those few words, I hope that my hon. Friend the Member for Hornchurch (Mr. Squire) will acknowledge that I accept his compromise, but with some reluctance.

Amendment agreed to.

Mr. Squire: I beg to move amendment No. 51, in page 22, line 30, leave out from 'acquisition' to third 'or' in line 31 and insert

'or disposal of property or the supply of goods or services'.

Mr. Deputy Speaker: With this, it will be convenient to take the following amendments: No. 66, in page 23, line 31, at end insert—

'"disposal", in relation to property, includes the granting of an interest in or right over it'.

No. 74, in page 25, line 3, leave out from 'acquisition' to the end of line 5 and insert

'or disposal of property or the supply of goods or services'.

No. 86, in page 25, line 41, at end insert—

'"disposal" in relation to property, includes the granting of an interest in or right over it,'.

Mr. Squire: This group of amendments is fairly simple and essentially tidies up the wording, leaving out "acquisition" and inserting

"or disposal of property or the supply of goods or services".

The effect is to delete the word "development" in paragraph (8)*(a)*. It is unnecessary to refer to "development", since that is encompassed within

"the supply of goods or services".

It is also, in a sense, undesirable, because "development" is not referred to in paragraph (7). It is preferable that paragraphs (7) and (8) should refer to the same matters in this respect.

Amendment agreed to.

Amendments made: No. 52, in page 22, line 31, leave out

'or *(b)* a collective agreement'.

No. 53, in page 22, line 32, at end insert—

'8B. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office-holders under the authority.'—*[Mr. Squire.]*

Mr. Squire: I beg to move amendment No. 54, in page 22, line 32, at end insert—

'8A. The identity of the authority (as well as of any other person, by virtue of paragraph 6 above) as the person offeing any particular tender for a contract for the supply of goods or services.'.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 70, in page 23, line 38, at end insert—

'"tender for a contract" includes a written statement prepared by the authority in pursuance of section 9(2) of the Local Government, Planning and Land Act 1980 (estimated cost of carrying out functional work by direct labour)'.

No. 92, in page 25, line 5, at end insert—

'9A. The identity of the authority (as well as of any other person, by virtue of paragraph 6 above) as the person offering any particular tender for a contract for the supply of goods or services.'.

No. 94, in page 26, line 6, at end insert—

'"tender for a contract" includes a written statement prepared by the authority in pursuance of section 9(2) of the Local Government, Planning and Land Act 1980 (estimated cost of carrying out functional work by direct labour)'.

Mr. Squire: These amendments cover direct labour organisations. As has been remarked, we are certainly covering a range of areas today. As I believe my hon. Friend the Minister has said, it is quite extraordinary how many other aspects of life have been drawn into a Bill that started with very simple intentions.

Amendment No. 54 inserts a new paragraph (8A) into part I of schedule 12A. It provides that the identity of the authority as the person offering any particular tender for a contract for the supply of goods or services shall be exempt information. The intention is to put the authority in the same position as any private contractor in this

respect, where the authority's direct labour organisation puts in a bid in an endeavour to secure work which the authority wishes to have carried out.

The words in parentheses—

"(as well as of any other person, by virtue of paragraph 6 above)"—

make it clear that the identity of a private contractor tendering for a contract is exempt information under paragraph (6) of part I of schedule 12A. Contractors are generally concerned that the amount of their tender, where it is unsuccessful, should not be revealed and it is the practice of many authorities to publish lists of unsuccessful tenders and tenders in a way that prevents the two from being related.

The term "tender for a contract" in new paragraph (8A) is defined in part III of the schedule to include a written statement prepared by the authority in pursuance of section 9(2) of the Local Government, Planning and Land Act 1980. That is the section covering the estimated cost of carrying out functional work by direct labour. The reason for this is that the local authority cannot enter into the contract with itself, in the form of its direct labour organisation. The direct labour organisation cannot, therefore, tender for a contract, but under the terms of section 9(2) of the 1980 Act it puts forward a statement of estimated cost.

Amendment agreed to.

Mr. Squire: I beg to move amendment No. 98, in page 22, line 33, leave out paragraph 9 and insert—

'9. Any instructions to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with—

(a) any legal proceedings by or against the authority, or

(b) the determination of any matter affecting the authority,

(whether, in either case, proceedings have been commenced or are in contemplation).'

Mr. Deputy Speaker: With this, it will be convenient to discuss amendment No. 93, in page 25, line 6, leave out paragraph 10 and insert—

'10. Any instructions to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with—

(a) any legal proceedings by or against the authority, or

(b) the determination of any matter affecting the authority,

(whether, in either case, proceedings have been commenced or are in contemplation).'

Mr. Squire: So far we may have discussed subjects that have led us to enter rather dangerous waters—or perhaps, if I am lucky today, I should say that have led us to walk on rather dangerous waters—but this group of amendments, which seeks to look at the whole question of legal privilege, may well, in the opinion of many non-barristers and lawyers, lead us into the most dangerous waters of all.

In essence, the amendment represents a small extension of legal privilege. It substitutes a new paragraph (9) for the existing one. As one might expect me to say, it follows, again, considerable consultation. I thank my hon. Friend the Minister most warmly for the fulsome co-operation of his staff at the Department of Employment——

Mr. Waldegrave: The Department of the Environment.

Mr. Squire: I apologise for that mistake. I was not suggesting that my hon. Friend had been transferred. His staff have been of outstanding assistance to me in relation to this and many other amendments under discussion.

The addition of the opening words

"Any instructions to counsel and any opinion of counsel whether or not in connection with any proceedings"

marginally widens the extent of the legal privilege; while the addition of the words in the added sub-paragraph *(b)* makes information exempt not only where legal proceedings are in train or contemplated, as in sub-paragraph *(a)*, but also where a matter affecting the authority is for determination, or a determination is contemplated other than in a court of law. Sub-paragraph *(b)* applies only where the determination of the matter rests with some person or body other than the authority. It is intended to give the authority privacy in preparing its case for an inquiry, such as a compulsory purchase inquiry, or in making written representations, or representations before somebody appointed by the Secretary of State to hear them.

In an area in which many people could dance on the head of the proverbial pin, the amendment nevertheless represents another reasonable compromise which protects the legitimate interests of counsel to be able to take and discuss possible courses of action without revealing that prematurely, and also grants the public access to information to which they have a right to expect access.

Mr. James Wallace (Orkney and Shetland): I hope that I am not dancing too finely on the head of a pin, but perhaps the hon. Member for Hornchurch (Mr. Squire) could clear up one point. It is difficult to interrelate some of the amendments. The House has already agreed to amendment No. 32, and it would appear that members of a council would not necessarily have the right to receive advice on exempt information.

A recent case involving Strathclyde regional council was the subject of some notoriety or prominence in the press. The auditor of the local government accounts advised the leader of the council that certain payments made under social work legislation to miners and their families were illegal. A report was drawn up by the director of social work, and the leader of the council discussed it privately with the leader of the Conservative group, the leader of the alliance and with the Scottish nationalist groups on the council. Apparently, other members of the council were not made aware of the contents of the report.

Would members of the council still not have the right to see such a report? The leader of Strathclyde regional council interpreted the position as meaning that, when the auditor made a report to him, it was to him personally and not to the council. He thought that it was his duty not to divulge it to the council. Under the legislation, would members of the council be able to exercise a right to see the terms of such an auditor's report, as well as the report drafted in response to it from the director of social work?

Mr. Squire: In responding to that important point, I should perhaps underline that the protection that the amendment seeks to give arises only where legal action is in train or is contemplated. The hon. Gentleman will be well aware that in such conflicts, legal action will, or will not, be ultimately involved. But the point that he has made

[Mr. Squire]

is important, and I confirm that the information will be exempt information being in the category that is initially protected from the automatic right of councillor access.

I invite the hon. Gentleman, although I do not think I need to, to glance at authorities other than his own, where I fear that he will readily see that the opposition party—I make no allegations about the nature of that opposition because I am not even sure that it will always be other than my own — could, or just one councillor could, by obtaining the sort of information that we are talking of here, where legal action is contemplated but the matter has not been resolved, prevent the local authority from carrying out a proper and reasonable discussion of its actions on behalf of the community. That would have the net effect of frustrating what, arguably, many would want, because of premature disclosure.

As I have already said, this is an area in which, however many lawyers we have, we shall always have one more judgment. However, I hope that the hon. Gentleman will recognise that timing is important as well as access. In time, if something untoward happens, the fact of that would need to be reported, because where the action is passed it would be a matter of record and would then be published. I regret that I cannot comment in detail on the Strathclyde matter.

Amendment agreed to.

11 am

Mr. Squire: I beg to move amendment No. 55, in page 22, line 35, at end insert—

'9A. Information relating to the proposed service by the authority of a notice under any enactment.'

Mr. Deputy Speaker: With this it will be convenient to take the following amendments: No. 64, in page 23, line 20, at end insert—

'6. Information falling within paragraph 9A of Part I above shall cease to be exempt information by virtue of that paragraph if—

(a) the notice there referred to is served; or

(b) the authority finally decides not to serve the notice in question.'

No. 76, in page 25, line 9, at end insert—

'10A. Information relating to the proposed service by the authority of a notice under any enactment.'.

No. 84, in page 25, line 33, at end insert—

'6. Information falling within paragraph 10A of Part I above shall cease to be exempt information by virtue of that paragraph if—

(a) the notice there referred to is served; or

(b) the authority finally decides not to serve the notice in question.'.

Mr. Squire: This is another important but small amendment, which covers the serving of notices by a local authority. It inserts a new paragraph 9A in part I of schedule 12A. The effect is to make information relating to the proposed service by the authority of a notice under any enactment exempt information. The intention is to enable the authority to consider the case for such a notice — for example, an enforcement notice under the planning Acts — and reach a decision in the matter without the person on whom it would be served becoming aware of it in advance in circumstances where, perhaps not unnaturally, he or she might take steps to thwart the authority's purpose. The provision is thus designed to protect the authority's action, not the person against whom the action might be taken.

The paragraph is qualified by new paragraph 6 of part II of the schedule to ensure that the information is exempt only for as long as the authority's action might be prejudiced as I have described.

Amendment agreed to.

Mr. Squire: I beg to move amendment No. 90, in page 22, line 36, after 'action', insert 'taken or'.

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 56, in page 22, line 36, leave out 'by the authority'.

No. 57, in page 22, line 38, leave out paragraph 11.

No. 77, in page 25, line 10, leave out 'by the authority'.

No. 96, in page 25, line 10, after 'action', insert 'taken or'.

No. 78, in page 25, line 12, leave our paragraph 12.

Mr. Squire: The amendment deals with crime prevention matters which arise as a consequence of the Bill. The three amendments seek to tidy up and clarify.

Amendment No. 90 inserts the words "taken or" after "action", so that the paragraph will read:

"action taken or to be taken in connection with the prevention, investigation or prosecution of crime".

The effect of the amendment is that action already taken, as well as that which it is proposed to take for the purposes stated, will be exempt. If that were not so, the purpose of taking such action might be frustrated by the subsequent leaking of specific information.

Amendment No. 56 deletes the words "by the authority" in paragraph 10, so that any information that the authority might have about action to be taken, whether by the authority or anyone else—for example, the police—is exempt information. The amendment is designed to provide for sensitive operational information — for instance, intended police action on a series of drug raids —which the chief constable might wish to convey to the local authority but could hardly do so if it were to become public knowledge.

Amendment No. 57 deletes paragraph 11 of part I of schedule 12A which designates as exempt information arrangements for the security of premises or persons. I, and those whom I have consulted, feel that that paragraph is unnecessary in that the matters that it covers fall completely within paragraph 10—action in connection with the prevention, investigation or prosecution of crime.

Amendment agreed to.

Amendments made: No. 56, in page 22, line 36, leave out 'by the authority'.

No. 57, in page 22, line 38, leave out paragraph 11.

—[Mr. Squire.]

Mr. Squire: I beg to move amendment No. 58, in page 22, line 39, at end insert—

'12. The identity of a protected informant'.

Mr. Deputy Speaker: With this it will be convenient to take the following amendments: No. 69, in page 23, line 38, at end insert—

'"protected informant" means a person giving the authority information which tends to show that—

(a) a criminal offence,

(b) a breach of statutory duty,

(c) a breach of planning control, as defined in section 87(3) of the Town and Country Planning Act 1971, or

(d) a nuisance,

has been, is being or is about to be committed.'

No. 79, in page 25, line 13, at end insert—

'13. The identity of a protected informant.'.

No. 89, in page 26, line 6, at end insert—

'"protected informant" means a person giving the authority information which tends to show that—

(a) a criminal offence,

(b) a breach of statutory duty,

(c) a breach of planning control, as defined in section 84(2) of the Town and Country Planning (Scotland) Act 1972, or

(d) a nuisance,

has been, is being or is about to be committed.'.

Mr. Squire: I would be the first to say that I do not find the words "protected informant" the choicest. I have struggled without success to find words that would convey the relevant meaning, but I regret that I have failed to do so. "Protected informant" is the best that I have been able to come up with.

The amendment adds a new paragraph 12 to part I of the schedule. It makes the identity of a protected informant exempt information. The term "protected informant" will be defined in part III, paragraph (2) of the schedule, under amendment No. 69. It means

"a person giving the authority information which tends to show that—

(a) a criminal offence,

(b) a breach of statutory duty,

(c) a breach of planning control . . . or

(d) a nuisance,

has been, is being or is about to be committed."

Mr. Matthew Parris (Derbyshire, West): Will my hon. Friend consider that the words "rat" or "canary" might be more suitable for what he seeks to describe?

Mr. Squire: I am conscious, as I know that my hon. Friend is, that the animal lobby in the House and outside is strong. Were I to follow his suggestion, I am sure that I would receive even more letters than I might receive as a result of putting into statute the words "protected informant".

The purpose of the provision is to prevent persons in a position to give the authority information that it requires from being inhibited from doing so by fear that their identity will become known to the person committing the offence.

Mrs. Rumbold: The only thing that worries me about this is that it could lead to a considerable increase in the number of what I would describe as mischievous informants, who might think that they were raising issues which might fall into the categories that have been listed as a criminal offence or a breach of statutory duty or, more worringly, a breach of planning control or nuisance. In my experience as a member of a local council and a Member of the House, there are a number of such people around who sadly find little else to do but to try, rather mischievously, to stir up trouble. I hope that my hon. Friend will consider that point when he looks at the provision for a protected informant.

Mr. Squire: As I have come to expect from her, my hon. Friend makes a valid point. She will know that laws already exist to which people who persistently or outrageously behave in that way will be subject. Behind the rather jocular way in which I have spoken so far, all hon. Members will recognise that some letters should go to the local authority because they show for the first time that something serious may be taking place. Indeed, we have received a few such letters ourselves. If someone suggested to a local authority that a serious crime had been committed, it would be outrageous if the identity of that person were revealed. Therefore, we need to extend protection in that area to ensure that the source of such information continues.

Amendment agreed to.

Amendments made: No. 59, in page 23, line 4, after '1', insert '1A'.

No. 60, in page 23, line 8, leave out from 'paragraph' to end of line 9 and insert

'if it is required to be registered under—

(a) the Companies Act 1985;

(b) the Friendly Societies Act 1974;

(c) the Industrial and Provident Societies Acts 1965 to 1978;

(d) the Building Societies Act 1962; or

(e) the Charities Act 1960.'—*[Mr. Squire.]*

Mr. Squire: I beg to move amendment No. 61, in page 23, line 12, after 'would', insert 'be likely to'.

Mr. Deputy Speaker: With this it will be covenient to take amendment No. 82, in page 25, line 25, after 'would', insert 'be likely to'.

Mr. Squire: This is a simple amendment which inserts the words "be likely to" after "would", so that information is exempt so long as disclosure would be likely to give advantage to a person entering into a contract with the local authority. The amendment is designed to provide a more easily satisfied test than the absolute certainty that disclosure would confer such an advantage.

Amendment agreed to.

Amendments made: No. 62, in page 23, line 19, leave out from 'services' to end of line 20.

No 63, in page 23, line 20, at end insert—

'5. Information falling within paragraph 8B of Part I above is exempt information if and so long as disclosure to the public of the information would prejudice the authority in those or any other consultations or negotiations in connection with a labour relations matter arising as mentioned in that paragraph.'

No. 64, in page 23, line 20, at end insert—

'6. Information falling within paragraph 9A of Part I above shall cease to be exempt information by virtue of that paragraph if—

(a) the notice there referred to is served; or

(b) the authority finally decides not to serve the notice in question.'

No. 65, in page 23, line 30, leave out from beginning to end of line 31.

No. 66, in page 23, line 31 at end insert—

'"disposal", in relation to property, includes the granting of an interest in or right over it'.

No. 67, in page 23, line 33, at end insert

'"financial or business affairs" includes contemplated, as well as past or current, activities'.

No. 68, in page 23, line 33 at end insert—

'"labour relations matter" means—

(a) any of the matters specified in paragraphs *(a)* to *(g)* of section 29(1) of the Trade Union and Labour Relations Act 1974 (matters which may be the subject of a trade dispute, within the meaning of that Act); or

(b) any dispute about a matter falling within paragraph *(a)* above; and for the purposes of this definition the enactments mentioned in paragraph *(a)* above, with the necessary modifications, shall apply in relation to office-holders under the authority as they apply in relation to employees of the authority.'

No. 69, in page 23, line 38 at end insert —

'" protected informant" means a person giving the authority information which tends to show that—

(a) a criminal offence,

(b) a breach of statutory duty,

(c) a breach of planning control, as defined in section 87(3) of the Town and Country Planning Act 1971, or

(d) a nuisance,

has been, is being or is about to be committed.'

[Mr. Squire]

No. 70, in page 23, line 38, at end insert—

'"tender for a contract" includes a written statement prepared by the authority in pursuance of section 9(2) of the Local Government, Planning and Land Act 1980 (estimated cost of carrying out functional work by direct labour)'.

No. 71, in page 23, line 45, leave out 'or constituted by'.

No. 72, in page 24, line 1, leave out from beginning to end of line 10 and insert—

'*(b)* in the case of a committee, to—

(i) any constituent principal council;

(ii) any other principal council by which appointments are made to the committee or whose functions the committee discharges; and

(iii) any other committee or sub-committee of a principal council falling within sub-paragraph (i) or (ii) above; and

(c) in the case of a sub committee to—

(i) the committee, or any of the committees, of which it is a sub-committee; and

(ii) any principal council which falls within paragraph *(b)* above in relation to that committee.'.

No. 73, in page 24, line 36, at end insert '(other than the authority)'.

No. 74, in page 25, line 3, leave out from 'acquisition' to the end of line 5 and insert

'or disposal of property or the supply of goods or services'.

No. 75, in page 25, line 5, at end insert—

'9A. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office-holders under, the authority.'.

No. 92, in page 25, line 5, at end insert—

'9A. The identity of the authority (as well as of any other person, by virtue of paragraph 6 above) as the person offering any particular tender for a contract for the supply of goods or services.'.

No. 93, in page 25, line 6, leave out paragraph 10 and insert—

'10. Any instructions to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with—

(a) any legal proceedings by or against the authority, or

(b) the determination of any matter affecting the authority,

(whether, in either case, proceedings have been commenced or are in contemplation.'

No. 76, in page 25, line 9, at end insert—

'10A. Information relating to the proposed service by the authority of a notice under any enactment.'.

No. 96, in page 25, line 10, after 'action', insert 'taken or'.

No. 77, in page 25, line 10, leave out 'by the authority'.

No. 78, in page 25, line 12, leave out paragraph 12.

No. 79, in page 25, line 13, at end insert—

'13. The identity of a protected informant.'.

No. 80, in page 25, line 21, leave out from 'paragraph' to end of line 22 and insert

'if it is required to be registered under—

(a) the Companies Act 1985;

(b) the Friendly Societies Act 1974;

(c) the Industrial and Provident Societies Acts 1965 to 1978; or

(d) the Building Societies Act 1962.'—*[Mr. Squire.]*

Clause 6

COMMENCEMENT

Mr. Squire: I beg to move amendment No. 81, in page 3, line 15, leave out 'England and Wales only' and insert 'the United Kingdom'.

The amendment simply corrects a mistake, and normally I would move such an amendment formally, but since this might be the last occasion on which the House, probably to its relief, will hear from me this morning, I should like to make a few extra comments.

I want to thank the House for its patience this morning. I pay tribute to my fellow sponsors. I should like to thank Mr. Des Wilson of the Freedom of Information Campaign, and Mr. Ron Bailey and his team, who have assisted me many times in the last few months.

I thank the local authority associations, which have had to respond promptly to my urgent requests. I have met their representatives many times to try to clarify the legislation, which they recognise to be important. All of them have been constructive in their approach. They have sought to understand the thrust and sense of the Bill and have given it their full support.

I do not intend to summarise the purposes of the Bill, because that would be an abuse, but it is an attempt to spread more information—

Mr. Deputy Speaker: Order. I allowed the hon. Gentleman a little latitude, recognising that he would want to thank those who have assisted him, but he must avoid turning the debate on this amendment into a Third Reading debate.

Mr. Squire: I should not dream of doing that, Mr. Deputy Speaker, and I respond immediately to your well-merited correction. I hope hon. Members feel that they have done a good day's work. I hope, too, that the legislation will be a tribute to the House and a starting point for other measures of a similar nature.

Amendment agreed to.

Amendments made:

No. 82, in page 3, line 15, leave out 'England and'.

No. 83, in page 3, line 15, leave out 'and Wales'.—*[Mr. Squire.]*

Schedule

EXEMPT INFORMATION

Amendments made:

No. 84, in page 25, line 33, at end insert—

'6. Information falling within paragraph 10A of Part I above shall cease to be exempt information by virtue of that paragraph if—

(a) the notice there referred to is served; or

(b) the authority finally decides not to serve the notice in question.'.

No. 85, in page 25, line 40, leave out from beginning to end of line 41.

No. 86, in page 25, line 41, at end insert—

'"disposal" in relation to property, includes the granting of an interest in or right over it,'.

No. 87, in page 25, line 43, at end insert—

'"financial or business affairs" includes contemplated, as well as past or current activities.'.

No. 88, in page 25, line 43, at end insert—

'"labour relations matter" means—

(a) any of the matters specified in paragraphs *(a)* to *(g)* of section 29(1) of the Trade Union and Labour Relations Act 1974 (matters which may be the subject of a trade dispute, within the meaning of that Act); or

(b) any dispute about a matter falling within paragraph *(a)* above;

and for the purposes of this definition the enactments mentioned in paragraph *(a)* above, with the necessary modifications, shall apply in relation to office-holders under the authority as they apply in relation to employees of the authority.'.

No. 89, in page 26, line 6 at end insert—

'"protected informant" means a person giving the authority information which tends to show that—

(a) a criminal offence;

(b) a breach of statutory duty;

(c) a breach of planning control, as defined in section 84(2) of the Town and Country Planning (Scotland) Act 1972, or

(d) a nuisance,

has been, is being or is about to be committed.'.

No. 94, in page 26, line 6, at end insert—

'"tender for a contract" includes a written statement prepared by the authority in pursuance of section 9(2) of the Local Government, Planning and Land Act 1980 (estimated cost of carrying out financial work by direct labour)'.—*[Mr. Squire.]*

Motion made, and Question, That the Bill be now read the Third time, *put forthwith pursuant to Standing Order No. 58 (Third Reading), and agreed to.*

Bill accordingly read the Third time, and passed.

DANGEROUS VESSELS BILL *[Lords]*

Not amended (in the Standing Committee), considered.

Motion made, and Question, That the Bill be now read the Third time, *put forthwith pursuant to Standing Order No. 58 (Third Reading), and agreed to.*

Bill accordingly read the Third time, and passed, without amendments.

TOWN AND COUNTRY PLANNING (AMENDMENT) BILL

changed from

TOWN AND COUNTRY PLANNING (PROTECTION OF TREES AND WOODLANDS) (AMENDMENT) BILL

As amended (in the Standing Committee), considered.

Motion made, and Question, That the Bill be now read the Third time, *put forthwith pursuant to Standing Order No. 58 (Third Reading), and agreed to.*

Bill accordingly read the Third time, and passed.

Sexual Offences Bill

Order read for resuming adjourned debate on Question [10 May], That the clause *(no publicity before finding of guilt) proposed on consideration of the Bill, not amended (in the Standing Committee),* be read a Second time:

'Pending or during any proceedings under this Act it shall be an offence to mention publicly, publicise or broadcast the name or names of anyone accused under its provisions before such time as such person or persons is found guilty.'—*[Mr. Marlow.]*

11.15 am

Question again proposed.

Mr. Matthew Parris (Derbyshire, West): I was on my feet when the debate on the new clause was adjourned last Friday. The new clause was proposed by my hon. Friend the Member for Northampton, North (Mr. Marlow). Its purpose is to protect from press publicity persons who are charged, but who might later be found to be innocent, of any of the offences with which the Bill deals.

If the chances of the innocent being charged were small, the need for protection from publicity would be less of a priority. For that reason, and because I hope that we shall be able to agree a course of action which renders the danger of mistaken prosecution less likely, I shall stray a little wide of new clause 8.

There has been a great deal of unhappiness about various parts of the Bill. The Minister has agreed to the withdrawal of clause 3, which I thought to be misconceived. Clause 4 increases penalties for various sexual offences and that meets with the approval of the whole House.

Clause 2 puts the man soliciting in the street in the same jeopardy of prosecution as a woman soliciting a man in the street and as a man soliciting a man in the street. That seems fair.

The only other clause about which I and other hon. Members have serious reservations is clause 1, which places the male motorist soliciting a woman in greater jeopardy than the male motorist soliciting a man or a female motorist soliciting a man. That seems wrong and requires explanation.

The Minister argues that the clause is justified and that the insertion of the word "persistently" into that clause would make the law difficult to enforce. I do not accept that. I do not believe that the police find it difficult to enforce the laws on female prostitution, under which a woman has to be cautioned formally three times, or the law covering the man who is suspected of importuning. That offence has to be "persistent". I understand the Minister's argument, and hope that he understands mine.

If the Minister were prepared to allow another place to examine the new clause with particular reference to the doubts and anxieties which I described last week, if he undertook to maintain an open mind on the subject and ensured that the House of Lords at least had the opportunity to consider the new clause or another amendment, I should be happy to leave the matter to the judgment of my hon. Friend the Minister and their Lordships.

I am still certain of the strength of my argument, but I cannot say that my certainty is matched by that of other hon. Members. There seems to be widespread indifference and hon. Members appear to believe that there is nothing to worry about. I wonder whether it is correct for one hon.

[Mr. Matthew Parris]

Member to pursue his own strong feelings on the subject, especially if there might be an opportunity for fresh consideration in another place.

The Parliamentary Under-Secretary of State for the Home Department (Mr. David Mellor): My hon. Friend the Member for Derbyshire, West (Mr. Parris) has spoken handsomely this morning in accordance with the highest traditions of the House. I thank him warmly both on my behalf and on behalf of the Bill's promoter, my hon. Friend the Member for Plymouth, Drake (Miss Fookes), who unfortunately cannot be with us today.

I am sure that we now have a way forward. Last week we were able to clear away most of the difficulties that lay in the way of the Bill making progress. I was always uneasy about clause 3 and was content for it to be removed.

I appreciate the strength of the arguments about the way in which the Bill will be applied and enforced, and I gave undertakings about making full disclosure of the facts so that we should know how many people were arrested in each police area, how many prosecutions arose on those facts — a comparison of those figures would show whether arrests were being made only for the independent prosecution service not to be prepared to turn them into prosecutions — the number of prosecutions and the acquittal rate. All those would be sensitive indicators of whether the law was being correctly enforced.

My hon. Friend the Member for Derbyshire, West also asked whether arrangements could be made to ensure that our thorough and useful debate in Committee about whether the use of the word "persistently" would or would not inhibit clause 1 having its full effect was considered in another place. I am happy to give my hon. Friend the assurance that he seeks. I shall make it my business to ensure, so far as it is within my powers to do so, that the other place has the opportunity to consider the amendment to which my hon. Friend is attracted. There are many distinguished Members of the other place with great experience of the law and other issues which emerge naturally in considering a measure such as this. I believe that they will have ample opportunity to go over the ground, as we did in Committee, and obviously we shall look at the result of their deliberations with great interest.

I remain of the view, as the Criminal Law Revision Committee was, that the reason for proposing a clause 1 which is distinct from clause 2 is that the only way to end the menace of kerb crawling is to send out a clear message that any act of kerb crawling renders an individual liable to prosecution. It also remains my view—it is also the view of my hon. Friend the Member for Drake—that the importation of the word "persistently" would weaken that clear message that we wished to send out.

I know that the sponsor of the Bill in another place will argue that the word "persistently" should stay out of the Bill, but it is just as important to know what is a reasonable ground for argument as it is to know one's own mind. I am quite clear that it is a very important topic. It involved five hours of consideration in Committee, and I hope very much that the debate in the House of Lords will cast further light on an important area of the Bill.

I do not wish to add to what my hon. Friend the Member for Drake said about new clause 8, but I am grateful to you, Mr. Deputy Speaker, for allowing me the latitude to welcome what my hon. Friend the Member for Derbyshire, West said, to agree with his proposal as a step forward, and to hope that that step forward will commend itself to the House and that in the time remaining to us today we shall be able to send the Bill on its way to the other place.

Mr. Christopher Chope (Southampton, Itchen): With leave of the House, perhaps I may be allowed to add a final comment.

I am present today to support the Bill, and I am sorry that my hon. Friend the Member for Plymouth, Drake (Miss Fookes) was not able to be present to hear the remarks of my hon. Friend the Member for Derbyshire, West (Mr. Parris) accepting the feeling of the House about his extensive observations last week on the word "persistently". I am sure that the appropriate way to proceed is for the amendment on that matter to be considered in detail in the other place. My hon. Friend said last week that he did not intend to talk out the Bill. I am grateful to him for his statement this morning that he is prepared to see the matter considered in the other place rather than the Bill being rejected in this House.

I hope that what we have heard so far this morning augurs well for the progress of the Bill and that it will be considered by the other place in good time during the present Session.

Mr. Peter Bruinvels (Leicester, East): Like my hon. Friend the Member for Southampton, Itchen (Mr. Chope), I am delighted that the Bill is being considered again today. I am especially pleased that my hon. Friend the Member for Derbyshire, West (Mr. Parris) has been able to contribute to its progress by offering a palm leaf to the Bill's supporters. The failure of the Bill to complete its Report stage last week gave rise to a great deal of concern among my constituents in Leicester, where kerb crawling is a serious problem, and I regretted that I was unable to attend that debate. However, I am certain that the progress of the Bill today, beginning with the contribution of my hon. Friend the Member for Derbyshire, West, will reassure my constituents that there is a great chance of the Bill reaching the statute book. I know that the people of London and Southampton also have experience of the problems caused by kerb crawling and that they, too, are looking forward to the Bill completing its Report stage today.

Question put and negatived.

New Clause 11

CONDUCT OF POLICE

'(1) A person shall not be convicted of any offence under sections 1, 2 and 3 solely on the evidence of a police constable or police constables.

(2) Any officer exercising a power of arrest in respect of sections, 1, 2 and 3 shall be in uniform.'.—*[Ms. Richardson.]*

Brought up, and read the First time.

Ms. Jo Richardson (Barking): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Harold Walker): With this motion it will be convenient to consider the following:

New clause 9—*Requirement of evidence*—

'It shall be a requirement that no case shall be proven under sections 1 to 3 of this Act on the basis of police evidence alone.'.

New clause 10—*Police officers to wear uniforms*—

'Any officer exercising a power of arrest in respect of sections 1, 2 and 3 shall be in uniform.'.

Amendment No. 74, in clause 5, page 2, line 34, at end insert—

'(3) For the purposes of sections 1, 2 and 3 of this Act "woman" shall not include a constable acting in the course of her duty.'.

Ms. Richardson: The new clause brings together the subject matter of new clauses 9 and 10.

Again I find myself in the rather uncomfortable position of being at one with the hon. Member for Northampton, North (Mr. Marlow), whose views normally I find somewhat different from my own.

By means of new clause 11, I am anxious to ensure that no one will be trapped. If there is the possibility of a conviction purely on the evidence of a police constable, without corroboration, difficulties may be caused to people who are quite innocent, who are not kerb crawlers and who simply stop to ask the way or to greet a friend, for example.

I feel even more strongly that it is the public's right to be protected in the sense that anyone stopped by a police officer should recognise that person as being a police officer. Police officers not in uniform could be argued to be acting as agents provocateurs. They could be trawling round looking for someone to arrest. I am not suggesting that the police make a habit of doing that, but we have heard from time to time of a policeman thinking that he has not enough cases for the evening and that it would help his record if he stopped a few more people.

Like other hon. Members, I was glad when a few minutes ago the Minister acknowledged that there were doubts in people's minds about the effect of certain provisions of the Bill on civil liberties and that he hoped that some of these matters would be debated in the other place. I do not intend to press my new clause, but I believe that it brings out some of these difficulties.

During our consideration of a Criminal Justice Bill some years ago, I recall that I was successful in moving an amendment designed to ensure that police constables should be in uniform. I was pleased that that principle was seen to be correct. I shall be interested to hear what the Minister says about it. I accept that there are some occasions when—perhaps some jobs in which—it is necessary for police constables to be in plain clothes. However, I do not believe that such duties include police officers being on the look-out for kerb crawlers or for people harassing others in the street. My impression is that plain-clothes police officers tend to be used more in the criminal element of detective work, when there may be a case for them being out of uniform.

We had a similar argument when discussing the old sus laws. There was even more danger there, because plain-clothes police officers could stop people under that law, which most of us regarded as reprehensible. A few organisations outside the House are worried by some of the aspects of the Bill, some of which we explored last Friday. For example, the National Association of Probation Officers has reservations about the Bill, and I think that the use of plain-clothes police officers may be one of them.

I look forward to hearing the Minister's response.

11.30 am

Mr. Mellor: I thank the hon. Member for Barking (Ms. Richardson) for what she said about my earlier speech. I should make it clear, when saying that we would monitor the use of the powers of arrest, that there is of course no power of arrest under the clause as it stands. It is exercised if the general arrest conditions of the Police and Criminal Evidence Act are met; otherwise, proceedings are by summons. But we can monitor the issue of summonses, whether proceedings are taken and so on, so that does not reduce the effect of the undertaking that I gave but makes it clearer. What I said earlier might have led people to think that I was asserting that there was a power of arrest specifically in the clause, which there is not.

The point about agents provocateurs has exercised the House several times during the past 12 to 18 months. It has been before the House in the context of the male importuning offence and now arises on this offence. I wish to restate the Government's position. We deprecate and deplore the use of agents provocateurs. Beyond that, we aim to ensure in our discussions with police forces throughout the country that their orders carry into effect the extent of public concern that would arise if agent provocateur tactics were employed. On previous occasions, I have read police force orders to the House, and the Metropolitan police force orders were changed recently to give effect to the will of the House and of others that entrapment techniques should not be employed.

I have also made it clear that we attach importance to the necessity, when the Bill becomes law, for an extension of the Metropolitan police and other police force orders to include the need to obtain, whenever possible, an independent witness to give evidence before the courts.

During our last debate I reminded the House of the existence of the rule that every effort should be made to get a complainant to give evidence. Where that was unsuccessful, the name and address of the complainant should be noted, as should the reason why that person was not prepared to co-operate. That would be a safeguard because those matters could be fully explored at the trial.

On clauses 1 and 2, it is extremely unlikely that a prosecution could be brought successfully without the co-operation of the complainant. Clause 1 requires that there should be an act of solicitation, which means that in almost every case the actual words used would have to be given in evidence before the court. Someone who was merely asking for directions would not be liable to be convicted, because the words used could not possibly bear the interpretation of being an act of solicitation.

If women who were not prostitutes were walking down the street on their way home and were accosted, for the most part they would come to court and give evidence. It would be difficult to imagine a prosecution succeeding if they did not. That is eminently right and proper. The only case where that might happen is where the person propositioned was a prostitute. The likelihood then is that the prostitute would be unwilling to go to court, for the obvious reason that she was not in the least offended by the approach. The case would depend on whether there was other evidence relating to the act of solicitation that made clear beyond peradventure that an act of solicitation had taken place.

The Criminal Law Revision Committee considered that point and acknowledged that that evidence might come about if, for instance, a known prostitute, having been approached by someone in a car, got into the car and drove off with that person. That would constitute a prima facie case. Of course, more than one interpretation could be put on that and the matter would have to be explored in court. It would be an isolated case, and for the most part there would need to be an awareness of what was said. It is

[Mr. Mellor]

unlikely that an individual who was not the person propositioned would be close enough to hear the words. Therefore, safeguards are built in.

If we are aware that in many cases the individual will not come to give evidence because the person accosted is a prostitute, other ways must be found to enable the law to take its course. It might be that plain-clothes officers keep observation. Otherwise, where known prostitutes congregate in a community, it is hard to envisage how else the law could be enforced.

Mr. Tony Marlow (Northampton, North): Obviously there would be times when the police felt that action must be taken because the problem was getting out of control. My hon. Friend suggested that there would be an element of surveillance. What would prevent someone who is known to a prostitute—perhaps a relative or a friend—from driving up to her, picking her up and taking her away? If that happening is under surveillance, is it not more than likely that that person — who was not soliciting her or picking her up for so-called immoral purposes—would be charged? How can my hon. Friend prevent that?

Mr. Mellor: I have sought to tell the House candidly of the grey area that always exists on the fringes of any offence. I am sure that it is unlikely that any prosecution could be mounted unless the actual words used were clearly heard by the complainant or by some other person prepared to give evidence.

If someone drives up to a known prostitute and the prostitute gets in the car, that would be a basis for further police inquiries. Presumably the individual would not be arrested on the spot unless the general arrest conditions were met. Almost certainly the number of the car would be taken and further police inquiries would ensue. A decision whether to prosecute would be taken on the basis of the answers given by the person involved. If he gave an explanation consistent with innocence and a link was established, it is unlikely that a prosecution would be brought.

As my hon. Friend will know from his vast experience in these matters—*[Laughter.]* I am sorry, my words did not have an edge to them. I was trying to be kind to my hon. Friend, but perhaps I should not as it always leads to difficulties in the long run. I meant that my hon. Friend has experience of criminal law matters. He knows that whenever a criminal sanction is attached to any particular act there are bound to be difficult grey areas. No one can absolutely guarantee that the law will not be used in a particular way. One has to strike a balance of convenience. Given the extent of the problem in many parts of Britain, the balance of convenience must mean that one has a clear anti-kerb crawling law and that one tries to take account as much as possible of the potential for difficulties, even though they can never be entirely solved.

I do not think that it would be appropriate to send the message to Tooting, Leicester, south Hampshire, north Plymouth or parts of London that, because we are worried about the unusual events which were set out in the intervention of my hon. Friend the Member for Northampton, North (Mr. Marlow), we shall not give any respite to communities which have become the haunt of prostitutes — places like Bedford hill — and where the gravest distress is caused to the public. A balance must be struck. It was a balance that led the Wolfenden committee in 1977, as I candidly admitted to the House, to say that there was not sufficient evidence to show that a kerb crawling offence should be created. This led the Criminal Law Revision Committee to say that, of all the people who had written to the committee and to its policy advisory committee, only one group sought to argue against a kerb crawling law. Our point is that the balance of convenience has shifted.

Mr. Marlow: I am sure that my hon. Friend will agree with me that a law is needed to minimise the risk of innocent people being not only prosecuted but found guilty. This is a particularly sensitive area. If innocent people are prosecuted, many other people will think that they are guilty, whether or not they are. A person's reputation can be severely damaged. It is even more important in this area than in many other parts of the criminal law to ensure that people who should not be charged are not so charged. My hon. Friend says that these circumstances may be rare — nevertheless, those circumstances might arise and individuals might be apprehended by the police and might protest that their role was one of those that I have described.

My hon. Friend the Member for Derbyshire, West (Mr. Parris), my hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) and the Law Society have expressed their misgivings on the question of persistence. If a person is picking up his sister or relative, he will stop once. If a person is looking for a prostitute, he might stop twice. If there is persistence, it is probably fair to assume that he is soliciting a woman. My hon. Friend the Under-Secretary of State wants a deterrent. Surely, if a person speaks to two women in this way and is therefore liable to be arrested for persistence, that is a sufficient deterrent. What does my hon. Friend intend doing when the matter is considered in another place?

Mr. Mellor: I said earlier to my hon. Friend the Member for Derbyshire, West, whom I congratulated on the handsome way in which he has conducted himself in the House this morning—a congratulation which I am longing for the opportunity to extend to my hon. Friend the Member for Northampton, North — that we shall arrange for a debate in the other place on persistency. I acknowledge that there is an issue, but I remain firmly of the view that, balancing one set of important issues against another, the Criminal Law Revision Committee was correct to assert that, if we really want to do something about kerb crawling, there must be a clear and unequivocal offence.

I do not believe that the somewhat fanciful suggestions by my hon. Friend the Member for Northampton, North in the context of the general way in which people look at these aspects — his reference to a prostitute's brother being arrested for soliciting her because he was taking her home after a hard evening's work—amounts to a reason why we should not introduce this law. I made it clear to my hon. Friend that, in normal circumstances, where the facts gave rise to a suggestion that an offence had been committed but the actual words could not be heard, arrest would not take place. There is no power of arrest attached to this. An arrest would take place only if the general arrest conditions stated in the Police and Criminal Evidence Act 1984 were involved.

I imagine that, normally, the car number having been taken, the individual would be interviewed. If he were a

relative of the prostitute, it is unlikely that any police officer in his right mind would want to summons him. If the explanation were inconsistent with the evidence, a prosecution might well be mounted.

The Prosecution of Offences Bill, on which we have all worked so constructively, has received all-party support to a most gratifying degree. Under that legislation, a police officer might wish to bring a prosecution. Whether or not the prosecution came about and there was any publicity about the case—I appreciate the sensitivity of publicity—would depend on the objective decision of a lawyer who would have no interest in pursuing the case. He would not be someone whose amour propre was affected by whether or not there was a case.

11.45 am

My hon. Friend the Member for Northampton, North is talking about an isolated incident. The matter was fully covered in Committee. There was a division of view, as there always is on issues that lie near the borderline. I have acknowledged that it would be more than proper for the matter to be reopened in another place. I shall remain of the view, as the Criminal Law Revision Committee did after seven years' study of the matter, that the word "persistently" would gravely damage the legislation to the point of making clause 1 a dead letter.

I shall obviously, since we must all abide by the views of others in a democratic Parliament, examine the decision. If the other place takes a different view, I shall look at it. My noble Friend who speaks for the Government in the other place will tender the same advice as I do. I shall use my best endeavours to ensure that there is good participation in that debate and that some of the distinguished lawyers there give us the benefit of their opinion. We shall then at least know—whether or not we are on the winning or losing side of the argument—that, in a matter which occupied five hours in Committee, had considerable debate on the Floor of the House and was considered in the other place, we had done the best we could against a background of recognising, as the Criminal Law Revision Committee did, and I think the public do, that the time has come for us to take the plunge and to have an offence of this type. Whenever we change the law we have to take a certain amount of downside risk. Usually there is a compelling reason for not changing the law, unless there are good reasons for doing so. My case is that there are clear reasons for doing so.

Mr. Ernie Roberts (Hackney, North and Stoke Newington): A person may get out of his car and walk a short distance to ask someone a question. How far can such a person move from his car to avoid being charged with kerb crawling?

Mr. Mellor: This would be a matter of fact and common sense in each case. No period is delimited, but the person would have to be in fairly close proximity. To fall within the provisions of clause 1, the person would have to have just got out of the car. No doubt the parameters will be more tightly set by case law. It is unlikely that a person who had travelled a substantial distance would fall within the provisions of clause 1; he would be more likely to fall within the provisions of clause 2. This will, of course, be a matter for the judge to determine.

Mr. John Fraser (Norwood): There seem to be two circumstances. The first is where a man solicits a prostitute, or she solicits him. In that circumstance, the prostitute will not give evidence. If there is to be any prosecution at all, it will be on the uncorroborated evidence of a police officer. The second circumstance is where a person solicits an innocent woman. It seems to me, from my experience of south London—I have lived within a few miles of Bedford hill for most of my life and I know the problem there—that it is highly unlikely that an innocent woman will wish to give evidence in court. There is a very good reason. If the case is rejected, that may reflect badly on the woman.

Once again, one is driven back to prosecutions made on the uncorroborated evidence of a police officer. That officer would have to be in plain clothes, because no one is his right mind would ever proposition a woman for prostitution when he is standing next to a uniformed police officer. In both cases, one is driven back to prosecuting on the uncorroborated evidence of a police officer. There are, of course, associated difficulties where the evidence on whether solicitation took place is pretty flimsy.

Mr. Mellor: I partly accept what the hon. Member says, but there are several points on which I differ from him. Although I have used the argument in this House in rejecting any suggestion that the Bill should require that there should always be a third party to give evidence, because I accept that some women will not want to give evidence—everybody who has considered this area of the law has always so concluded—for the most part I believe that women who are not prostitutes will want to play a part in cleaning up their area. I was left in no doubt that that is the feeling of many women in the Bedford hill area. It is unlikely, except in the clearest circumstances, that the evidence would be compelling unless the complainantt were prepared to give evidence in a case where the complainant is an ordinary member of the public.

I am as sensitive as the hon. Gentleman to the issue that we are discussing, because I have had similar experiences in dealing with the criminal law and in the criminal courts. The safeguard is in the requirement in clause 1 that there must be an act of solicitation. Words have to be used that are not capable of any other construction than that they are words of solicitation.

The merit of the Bill as drafted is that it sends out the clear message that kerb crawling is against the law. I do not approach the matter on the basis that there should be thousands of prosecutions throughout the country—no one has any wish for that—but there is at present a very grey area in the law, apart from the use of the rusty old blunderbuss of the Justices of the Peace Act 1361. People go kerb crawling because they do not clearly and unequivocally know that it is against the law. Some of them are then arrested and some are not; it is an arbitrary process.

To be fair to everyone, in the opinion of the Criminal Law Revision Committee—endorsed by my hon. Friend the Member for Drake and myself and, I believe, by a majority of the Members of this House—Parliament should send out a clear message that kerb crawling is illegal. That would have a deterrent effect.

It is important to recognise the danger points of one's own case. I have always candidly recognised, throughout the passage of the Bill, that, where the person solicited is a prostitute, she will not be prepared to give evidence. I have given the example that was given by the Criminal

[Mr. Mellor]

Law Revision Committee, and I have embellished it for the benefit of my hon. Friend the Member for Northampton, North. I have mentioned the circumstances in which actions falling short of clear evidence being given of the actual words used could lead to a prosecution. I have also pointed out how unlikely it would be that someone who had a good reason for driving off with a prostitute would be brought before the court. It must be a matter for judgment.

I return to the interesting question of the use of the police, on which I was embarked when——

Mr. Marlow: Will the Minister give way so that I may clarify a point?

Mr. Mellor: I know that my hon. Friend wants to clarify a point. He can do it when I have clarified the point raised by the hon. Member for Norwood.

Mr. Marlow *rose——*

Mr. Deputy Speaker: Order. The Minister has made it amply clear that he is not giving way at the moment.

Mr. Mellor: I shall give way to my hon. Friend in a moment, when I have dealt with the intervention from the hon. Member for Norwood.

The use of uniformed policemen and the existence of a clear law will in many areas be perfectly sufficient to stop the problem. I think that that will almost certainly be the way that most police forces will tackle the problem. It is the way that the Metropolitan police intend to tackle it. A clear assurance was given in a letter that I read in Committee. The Metropolitan police said that they would not use women in plain clothes as decoys in the circumstances that we are discussing.

Where the problem of kerb crawling is so persistent that the presence of uniformed policemen is necessary, doing nothing else but that sort of duty, so that the whole balance of the force in distorted, there may well be a case for plain clothes observation. I have made it clear — and force orders have made it clear—that anything which amounts to the use of an agent provocateur would not be tolerated. A woman provocatively dressed would plainly be outside that rule. However, it is equally clear that if in certain circumstances a woman, dressed normally and behaving unprovocatively, exercises her right to walk down a street as a policewoman and is doing nothing different from what the residents of the streets around would be doing when walking home from work or for some social pursuit, that does not fall within the definition of agent provocateur and is not an incitement to anyone to commit the offence.

As I have already made clear, there will be circumstances in which police officers alone will give evidence. If there is a complainant, the police will have to give evidence as to why the person accosted has not come to court to give evidence. That is already provided for in force orders relating to male importuning, and similar provision will also be made for the offence of kerb crawling.

I should have thought that for the most part it would be difficult for prosecutions to proceed without the co-operation of the woman concerned. In those circumstances where prosecutions take place, I am not prepared to say that in any but the small minority of cases we cannot have faith in the police to do their work properly. I recognise that there is always a problem in relation to police powers.

I am reluctant to advise Parliament to take a view that is based on the assumption that the uncorroborated evidence of police officers cannot be satisfactory. We have a well-motivated police force. As the hon. Member for Norwood knows from his work in Brixton, every effort is being made to ensure that there are in the police men of the greatest integrity. I think that they can be trusted to enforce the law on kerb crawling. The alternative of not having a law has become unthinkable, given the scale of the problem.

Mr. Marlow: This is the last point that I want to raise this morning. If my hon. Friend can satisfy me on it, I shall be grateful. Can my hon. Friend say that he will cause an amendment to be tabled in the other place? Obviously he will listen to the arguments, but will the Government request their supporters, irrespective of the arguments, to support the clause as it stands, or is it possible that the Government's position will change, and that pressure will then not be applied to Government supporters?

Mr. Mellor: I remind my hon. Friend that this is a private Member's Bill and that there will be no Whip in the Lords, any more than there is here. I am not prepared to change my advice concerning the use of the word "persistently". There is a genuine argument about it. I have ventilated my side of it with as much vigour as I am able to bring to bear on the argument, just as my hon. Friend the Member for Derbyshire, West has consistently —I would even say, persistently—put forward his view. I dare say that there will be advocates of both positions in the other place.

I have said that my desire is for a genuine free discussion to take place in the other place. I feel confident that it will. My noble Friend who represents the Home Office in the other place—assuming that he agrees with me, as perhaps he will—will make a speech and will, I imagine, offer exactly the same advice as I have offered. It will then be for the other place to determine whether it accepts that advice.

Mr. Ernie Roberts: Is the Minister expecting a policeman or woman to decide on a person's intent? If so, it is getting very close to the old sus law, which has been a great aggravation in my area, where a police officer, seeing someone do something or say something, draws the inference that it is against the law. Frequently in such cases the police can be wrong. For example, I have often tried the handle of someone else's car, thinking that it was mine, only to find that it was not mine but one like it. Similarly, a person asking a passer-by a normal question may well look rather suspicious. A policeman or woman may draw the inference that a kerb crawling or soliciting offence is being committed. It would be placing a considerable responsibility on policemen or women if they had to decide on the intent of a person. It would be particularly difficult where the complainant was not prepared to give evidence, or did not feel sufficiently aggrieved to wish to give evidence.

12 noon

Mr. Mellor: I come before the House with clean hands on the subject of the sus law. I disliked it when I was a member of the Bar, and when I was elected to the House I wanted it to be changed. I am proud of the fact that I was a member of the Committee that removed it from the laws of England. I spoke out in favour of doing so. I repeat what

I said to the House last week, that I am not in the business of putting back into the law in my sixth year in this place something that I was pleased to take out in my first year here.

However, a clear distinction can be drawn between this offence and the sus law. The reason why the sus law was so disliked by me and many others was that it dealt with a generalised suspicion falling short of anything that could be called an actual offence. Therefore, almost inevitably, while it purported to be objective, it lent itself to a subjective definition. As such, it became increasingly unpopular. I believe that it should have been removed from the laws of England a good long while before it was.

This offence is different. It requires an established act —a solicitation—to take place. It is unlikely that a successful prosecution can be brought without evidence that is clear and acceptable to the courts being given of the actual words used, except in clear circumstances when a known prostitute has got into a car with somebody, and there is no explanation for that other than the purposes of prostitution.

Therefore, there is little scope for mischief-making here. I have already referred to the force orders which require, in the case of importuning, and in this case if the Bill is passed, that a complainant must be asked whether she will co-operate. If she says no, her name and address must be taken so that they can be made available to the defence if a prosecution is brought. The reason for her not wanting to co-operate must be set forth in a way that can be cross-examined upon.

If the woman says, "I was not in the least put out by this," and she is an ordinary constituent, not a prostitute, I cannot think that any police officer would want to make an issue out of it. Even if a police officer were over-zealous enough and minded to do so, I ask the hon. Member for Hackney, North and Stoke Newington (Mr. Roberts) to accept that one of the reasons why we are making a lot of parliamentary time and resources available for the independent prosecution system is that, under these new arrangements, which will be in place soon, such a case cannot be brought before a court unless an independent lawyer, accountable to the Director of Public Prosecutions, is prepared to look at the evidence and say that it is a proper basis on which the case can be brought before the courts.

It will no longer be a matter for the police to determine whether a prosecution is brought; it will be a matter for the lawyer. I hope the hon. Gentleman will conclude that the margin for abuse in the circumstances that I have laid down is much narrower than under the old sus law, which he and I jointly are glad is no longer part of our criminal law.

This has been a helpful debate. I am glad to have had the opportunity to make my position known, as clearly as possible, on important points about enforcement. I am grateful to the hon. Member for Barking (Ms. Richardson) for saying that she would be content to withdraw her new clause. I hope that what I have said will make her feel that that is appropriate.

Mr. Peter Bruinvels: I do not wish to delay the House, as I support my hon. Friend the Member for Plymouth, Drake (Miss Fookes). However, I should like to refer to the new clause.

Until 18 months ago, I would have agreed with the hon. Member for Barking (Ms. Richardson). When the Nottinghamshire experiment began, I was concerned because police ladies were acting as decoys and being used to bring forward offences and charges for kerb crawling. Since then, Leicestershire constabulary has embarked on a similar campaign. As it is in my city of Leicester, I went to see the chief constable and expressed great concern. The WPCs in Leicestershire are attractive ladies, and I was particularly concerned that in some way innocent people might be tempted down the wrong road.

I met the chief constable, Alan Goodson, and discussed the matter with the head of the CID. The operations carried out by Leicestershire constabulary reassured me to a great extent. I do not wish to give away too many of the operations, but suffice it to say that there was photographing of the ladies and continual supervision in the areas in Leicester known to have a red light district. Successful convictions have resulted. There was a purge against kerb crawling in the city of Leicester, because we had so many worries. As my hon. and learned Friend the Member for Leicester, South (Mr. Spencer) confirmed in his speech last week, the people of Leicester were very worried.

Many successful convictions were recorded. It is interesting to note that the hon. Member for Norwood (Mr. Fraser) mentioned the risk to innocent people. I understand that in the majority of cases those who were successfully charged and convicted had a history of having committed this offence. That should reassure the hon. Member for Barking. Of course, I share the concern about entrapment and the agents provocateurs, but one must ask oneself what those people were doing in the area in the first place. In both Argyll square and the Highfields area of the city of Leicester, one-way systems and the blocking of streets are being introduced to stop people from going into that area, except those who are visiting relations and so on. Therefore, I am confident that the police operations will not lead to concern. However, there will be cases when a WPC out of uniform will give evidence because the proposition was made direct to her.

We want to end street prostitution. I support the Bill. I feel certain that the police rules, standing orders and force orders for supervision and surveillance of any street crimes and offences will be strictly adhered to. I have every confidence in the police. Therefore, I cannot support the new clause.

Ms. Richardson: As I said at the beginning of the debate, I shall not press the new clause to a Division. However, the remarks by the hon. Member for Leicester, East (Mr. Bruinvels) caused me concern. He described precisely what I was trying to avoid. He said with some triumph that the operation that he has just described has been extremely successful in trapping kerb crawlers by the use of agents provocateurs. I have a great feeling of unease about that. It may have resulted in prosecutions of kerb crawlers who were up to no good, but that approach is nasty. I should not want to be associated, in withdrawing the new clause, with anything that went along those lines. I was reassured by what the Minister said, but I hope that the police force does not follow the experiment in Leicestershire. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Mr. Parris: I beg to move amendment No. 27, in page 1, line 12, leave out subsection (2) and insert—

'(2) A person guilty of an offence under this section shall be liable—

[Mr. Parris]

(a) on summary conviction to a fine not exceeding 3 on the standard scale (as defined in section 75 of the Criminal Justice Act 1982); and

(b) on conviction on indictment to a fine not exceeding the maximum applicable to summary conviction under this section.'.

Mr. Deputy Speaker: With this it will be convenient to take the following amendments:

No. 28, in page 1, line 13, leave out 'summary conviction' and insert 'conviction on indictment'.

No. 29, in page 1, line 13, leave out '3', and insert '1'.

No. 30, in page 1, line 13, leave out '3' and insert '2'.

No. 31, in page 1, line 15, at end insert—

'(3) No person shall be proceeded against under this section unless and until they have received three or more formal cautions for soliciting a women for the purposes of prostitution.'.

No. 42, in clase 2, page 2, line 4, leave out subsection (2) and insert—

'(2) A person guilty of an offence under this section shall be liable—

(a) on summary conviction to a fine not exceeding level 3 on the standard scale (as defined in section 75 of the Criminal Justice Act 1982); and

(b) on conviction on indictment to a fine not exceeding the maximum applicable to summary conviction under this section.'.

No. 43, in clause 2, page 2, line 5, leave out 'summary conviction' and insert 'on conviction on indictment'.

No. 44, in clause 2, page 2, line 5, leave out '3' and insert '1'.

No. 45, in clause 2, page 2, line 5, leave out '3' and insert '2'.

No. 46, in clause 2, page 2, line 7, at end add—

'(3) No person shall be proceeded against under this section unless and until they have received three or more formal cautions for soliciting a woman for the purposes of prostitution.'.

No. 61, in clause 3, page 2, line 10, leave out subsection (2) and insert—

'(2) A person guilty of an offence under this section shall be liable—

(a) on summary conviction to a fine not exceeding level 5 on the standard scale (as defined in section 75 of the Criminal Justice Act 1982); and

(b) on conviction on indictment to a fine not exceeding the maximum applicable to summary conviction under this section.'.

No. 62, in clause 3, page 2, line 11, leave out 'summary conviction' and insert 'conviction on indictment'.

No. 63, in clause 3, page 2, line 11, leave out '5' and insert '3'.

No. 64, in clause 3, page 2, line 11, leave out '5' and insert '4'.

Mr. Parris: I have not responded until now to the remarks of my hon. Friend the Minister earlier, but in the light of what he has said I am happy for the issue of persistence to be considered with an open mind in another place. I think that that is probably the right way to proceed.

Amendment No. 61, which I do not intend to press to a Division, seeks to make trial by jury available to defendants who prefer it to a summary hearing in a magistrates court, although a magistrates court hearing will be available for those who prefer it.

In considering street offences generally, the Criminal Law Revision Committee considered that, although the sentence for male importuning was light enough to bring the offence into the category normally triable by summary hearing only, the possible ruin of the defendant's career if convicted justified allowing recourse to trial by jury if the accused so wished. I believe that the same argument applies in this case.

I believe that the penalties for all these offences are relatively light, not because the offences are not regarded as serious but because it is well understood on all sides that the simple fact of a conviction and the surrounding publicity is the real punishment. Because the true punishment—the wrecking of a person's reputation and career—is so severe, and because comments made from car windows to women on the street are so liable to misinterpretation that there is always the possibility of a mistake, it is important to bear in mind that there will be many prosecutions which ought not to result in conviction.

For those reasons, I believe that defendants should be able to opt for trial by jury if they wish. I do not think that it is the mood of the House to press the matter to a Division and I do not know how my hon. Friend the Minister will respond, but I believe that the matter should be put on record and, I hope, reconsidered in another place.

Mr. Mellor: My hon. Friend is quite right to raise this genuinely important point, which has exercised my mind as well as that of the Criminal Law Revision Committee. One is pulled in two directions on this. First, one recognises the difficulties that a conviction for such an offence would pose for certain categories of people. Equally, however, one recognises that the aim of the Bill is not to provide draconian penalties but to set the penalties at a relatively modest financial level, on the basis that the aim of the legislation is more to deter and to provide the opportunity for convictions to be entered in proper cases rather than thinking in terms of imprisonment or the like.

12.15 pm

There are precedents for allowing trial by jury in cases which do not attract a sentence of imprisonment. Being interested in the matter, I asked for the precedents to be dug out, and they are very few and far between. I also have to bear in mind the not unworthy consideration—if I do not the Lord Chancellor will see to it that I do—of the enormous and increasing pressure on Crown court time. Relying on memory for the statistics, I believe that in the past 12 months alone Crown court business has increased by about 15 per cent., so careful thought must always be given before adding to that.

The amendment raises a genuine issue which may well arise appropriately in another place. On balance, I believe that it is appropriate for these offences to remain as suggested in the Bill, especially now that new clause 3, which was perhaps the gravest problem in this regard, has disappeared. Nevertheless, I should certainly not be unhappy for the matter to be considered in another place. My hon. Friend has raised a genuine issue, which has been a matter of some consideration on my part. Although he has said that he is content not to pursue the matter, it was well worth raising and may properly be rescusitated if the other place is minded to do so.

Mr. Parris: In the light of what my hon. Friend the Minister has said, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Deputy Speaker: The next amendment is No. 65, in page 2, line 15, leave out clause 4.

Mr. Parris: Not moved.

Mr. John Fraser *rose*——

Mr. Deputy Speaker: Does the hon. Gentleman wish to raise a point of order?

Mr. Fraser: My point relates to leaving out clause 4, Sir.

I refer to the substituion of a number of life sentences and 10-year sentences for existing two-year sentences. First, the law relating to young boys and the law relating to young girls is inconsistent, in that the penalty for indecency with a young boy is 10 years but with a young girl only two years. Parliament clearly needs to remove that inconsistency, and I understand the reason for that.

In discussing the substitution of life sentences, I should make it absolutely clear that I no way seek to diminish the importance of heavy sentencing for interference with another person's person. Nevertheless, one must be very careful about the introduction of life sentences, for two reasons.

First, a life sentence is extremely heavy and carries even worse penalties than a fixed sentence from the point of view of possible release, remission, parole and so on —all of which are far more in the hands of the Home Office than they are in the context of a big sentence. There is an element of discretion which is not present in relation to fixed penalties.

Secondly, if one imposes a life sentence—the same sentence as for murder, the most serious crime of all—the effect may sometimes diminish the importance attaching to a life sentence if in practice it is not intended that a life sentence should actually be served.

That being so, we should not pass a clause introducing life sentences without the most cogent reason for introducing the concept of life rather than imposing an extremely heavy fixed sentence of, say, 40 years. Personally, I should have gone for a very long fixed sentence rather than life imprisonment. I hope that the Minister will respond to that very point, as I believe that it is extremely important.

Mr. Mellor: I appreciate why the hon. Member for Norwood (Mr. Fraser) has raised this issue. The Criminal Law Revision Committee has recommended that we should change the penalties and I believe that there is a cogent reason for doing so.

The hon. Gentleman has not challenged the proposed penalties for indecent assault. It has been recognised for some time that the offence of indecent assault can reflect a serious sexual problem on the part of the offender. Representations have been made by High Court judges when the issue has arisen in tragic circumstances. The fact that the offender has not been able to carry the offence further is often due to the way in which circumstances developed and not to any lack of intent on his part. It is felt that the maximum penalty of two years' imprisonment does not enable the court to pass a sufficiently lengthy sentence in cases where it is plain that the offender is likely to return to offending when released.

My hon. Friend the Member for Plymouth, Drake (Miss Fookes), the promoter of the Bill, referred in necessarily veiled terms—none of us would want to refer to such matters too openly—to a tragic case in the west country in which an individual had exhibited a sexual problem and had been sentenced to two years' imprisonment—the maximum penalty—following a conviction for indecent assault. Within a few months of being released he committed the most horrific murder—I have read about 1,000 files in my time at the Home Office dealing with life sentence matters—of a respectable middle-aged woman who was taking a cliffside walk.

The High Court judge who tried that case properly drew the facts to the attention of the Home Secretary and observed that the murder would not have taken place if the court that dealt with the indecent assault had had the power to impose a longer sentence. It follows that a person who is sentenced to a longer sentence will have longer in which to get out of that period of his life. Although we know that quite lengthy sentences for sex offences can lead to recidivism, there is a healthy body of opinion behind the proposition that two years' imprisonment is too short a sentence in some instances.

Mr. John Fraser *indicated assent.*

Mr. Mellor: I note that the hon. Gentleman is good enough to indicate assent.

There are difficulties surrounding the offence of attempted rape. I deal with life sentence matters within the Home Office, and I am aware of all the arguments that the hon. Gentleman has advanced. The life sentence is the most severe penalty known to the criminal courts. It offers no inevitable prospect of release, but we know that in most cases of murder or non-murder offences the individual is released. He will be released on licence, which makes him subject to recall if certain circumstances arise. A life sentence is an extremely severe penalty.

It has become widely recognised that a life sentence will often be appropriate for two sorts of non-homicide offences. The first such offence is arson where there is evidence of persistence and the second is rape. I have read the facts in multiple rape cases, and it is true that they are often committed by those who have served a determinate sentence and where it was clearly in the judge's mind that the only possibility of providing protection for the public was to sentence the offender to indeterminate life. That sentence is usually accompanied—rightly, in my view—by the indication that the offender will be released when it is safe for that to happen. That moment may well come, and, if and when it does, the offender should be released. We have a sophisticated system of internal and external assessment which enables the Parole Board regularly to consider cases and to make recommendations. Sophisticated analyses must be undertaken to assess risk when the case of a rape offender is under consideration. I look for come support to the hon. Member for Barking (Ms. Richardson).

It is in accordance with the public mood against rape that the life sentence should be available for rapists. It should not be passed on the generality of rapists, but it should be reserved for especially serious rapes, including multiple rapes. I could list a number of cases committed over the past 10 years in which men have committed a series of horrifying rapes, or in which someone has served two or three separate sentences for rape or other sexual offences and has shown that that conduct has become a way of life and that only a life sentence will suffice. It is plain that a life sentence would not be appropriate in the generality of cases.

If someone is convicted of attempted rape, the individual concerned has to have the intention to commit the full act. The fact that he does not succeed—again I look to the hon. Member for Barking for support—

[Mr. Mellor]

might be due not to any lack of intent but to circumstances beyond his control. For example, the man might be interrupted or the woman might be strong enough to beat him off. Women will react differently when attacked. Some women think, quite rightly, that the best way to ensure that no serious violence is occasioned is to submit. Others will fight back bravely, sometimes successfully and sometimes not.

It seems to the Criminal Law Revision Committee and to me that if a hardened sex offender, perhaps with previous convictions for rape, makes a serious attack on a woman which, through no intention of his, becomes only an attempt, it is an anomaly that the judge should not be able to pass a sentence of life imprisonment for the protection of the public. The hon. Member for Norwood is a criminal lawyer and he will know that the difference between the full offence of rape and an attempt may be only narrow.

We have thought long and hard before advocating increased penalties, but we believe that it is an appropriate step to take. I hope that my explanation has been helpful and that the hon. Gentleman recognises that there is some force behind the argument.

Mr. John Fraser: I thank the Minister for his explanation. Such a major change in the law should not be allowed to pass lightly. I accept the Minister's explanation and I beg to ask leave to withdraw the amendment, which was moved for the purpose of discussion.

Amendment, by leave, withdrawn.

12.17 pm

Mr. Chope: I beg to move, That the Bill be now read the Third time.

I know that my hon. Friend the Member for Plymouth, Drake (Miss Fookes) will be delighted when she learns of what has taken place this morning.

Mr. Parris: And surprised.

Mr. Chope: Indeed, my hon. Friend may be surprised. I know that, like many other supporters of the Bill, she was extremely disappointed last week when it became apparent that we would not be able on that occasion to complete all the Bill's stages.

I have had to deal with kerb crawling as a representative of the Wandsworth authority and as a Southampton constituency Member. I can say with great confidence that when the Bill is enacted it will improve the quality of life for many people throughout the country. Those who will benefit especially are those in inner city areas, where improvements in the quality of life are all-important.

Concerns have been expressed about the Bill, especially about civil liberties. The Criminal Law Revision Committee considered the issues and came to finely balanced conclusions on how to deal with what is clearly a nuisance in a way that would not mean that innocent people were brought before the courts. The committee strove to ensure that the innocent would not be harassed. We owe a great debt of gratitude to the committee for the way in which it produced its report.

Shortly after the 1983 general election I wrote to my hon. Friend the Under-Secretary of State on this issue. He said that the Government did not feel able to legislate at that stage as they were awaiting the report of the Criminal Law Revision Committee. I met him and expressed my concern that the committee's report should be expedited. The hon. Member for Tooting (Mr. Cox) raised the issue in an Adjournment debate. I have been pressing the Minister to expedite the report. He succeeded in persuading the members of the committee to bring forward their report rather sooner than they otherwise would have done. It is a great tribute to the committee that it has shown such flexibility. I am sure that it will be surprised when it learns that its proposals are being debated now during the course of considering whether the Bill should receive its Third Reading, when so often the proposals of those concerned with the criminal law take many years to reach the statute book.

We are in the happy position of being about to give the Bill its Third Reading. My hon. Friend the Member for Drake decided that of all the issues that she might have taken up on being lucky in the ballot, she would take up this one, and many of her constituents, like many of mine, are grateful to her for having done that.

We should not have reached this stage but for the great support of the Minister, whose guidance and good counsel have helped enormously. Although I was not a member of the Standing Committee, I am aware of the careful way in which the various amendments were examined, and the way in which the Bill has been drafted has contributed to its success.

The measure covers a relatively narrow issue, and my hon. Friend is to be congratulated on having restricted it in this way. Had she introduced a Bill, as a private Member's measure, more extensive in scope, it would have encountered considerable difficulties, because there are sharply differing views among hon. Members on both sides of the House about how to deal with the general question of prostitution.

There has been much discussion during the passage of the Bill about whether the element of persistence should be incorporated in clause 1. I shall not add to what the Minister said on that, save to comment that that issue has been carefully considered by the Criminal Law Revision Committee, and I am confident that whatever the final outcome when the subject is considered in another place the balance of legal opinion will prevail, and that that will result in the measure being in the best possible form.

I appreciate that people are concerned about the need to incorporate a provision relating to persistence, but I believe that such a requirement would result in the law being less effective. One of the great benefits that will flow from this legislation is that we shall not need to use the law relating to breach of the peace to deal with this nuisance. That law has been used in some cities—it has not been used in Southampton, although there has been pressure on the police to use it—but it is wrong that old statutes and the common law should be used and extended in a way that nobody ever intended. It is better that such issues are dealt with specifically.

I do not believe that if the element of persistence had been incorporated in clause 1 it would have dealt effectively with the nuisance caused by kerb crawlers. I am pleased, therefore, that the agruments on that issue, which I accept have been serious—I do not doubt the sincerity of my hon. Friend the Member for Derbyshire, West (Mr. Parris)—have not prevented the Bill from reaching this stage.

It would have been a great pity if, on that issue, the Bill had failed to reach the statute book, because it is clearly

difficult for my hon. Friend the Minister, when so much legislation is being brought in by his Department, to guarantee that such issues will be taken up by the Government in Government time. Nevertheless, we are grateful to the Department and to my hon. Friend for providing the advice and back-up that have helped the Bill reach its present stage.

Earlier this week, in proposing a new clause to another Bill, some might say that I was rather carried away. I spoke for over 40 minutes. I do not wish to speak for 40 minutes on this Third Reading, because the arguments have been deployed on previous occasions.

I am very pleased, and a little surprised, to find myself associated with the Third Reading of the Bill after a relatively short time in the House. The Bill covers a subject about which I was specifically asked before the general election, and I was questioned about it in detail during the election campaign. I have received a large number of letters and representations on the subject since the general election. It is one of the few subjects on which there is unanimity on the Southampton city council. Both the Labour and Conservative groups on the city council support the proposals in the Bill. There was, consequently, great disappointment in Southampton last Friday when it seemed that the Bill might not proceed further. Having read a London local newspaper, I know that there was also great disappointment in Wandsworth, especially among those living in the vicinity of Bedford hill. I hope that as much publicity will be given to the Third Reading of the Bill today as to the disappointing failure of the Bill to reach its Third Reading last week.

I am sorry that my hon. Friend the Member for Drake is not here for the closing stages of the Bill. I am sure, however, that I speak for her when I pay tribute to the work of my hon. Friend the Minister and his officials and advisers in steering such a careful course. I pay tribute, too, to my hon. Friend the Member for Derbyshire, West for the very fair way in which he has approached the issue today. He has a serious concern about the Bill and has ventilated it at length. His readiness now to allow the matter to be dealt with in another place reflects well upon his integrity. I am sure that other supporters of the Bill will appreciate that as much as I do.

The Bill will improve the quality of life for a significant number of people in our inner cities, and I commend it to the House.

12.38 pm

Ms. Richardson: I will not detain the House for more than a minute or two. At one point in his speech, I thought that the hon. Member for Southampton, Itchen (Mr. Chope) was going to beat his own record.

I still have considerable reservations about the Bill, but the debates of last week and today have provided some reassurance that the doubts expressed about the Bill may be dealt with elsewhere. I refer, for example, to the Minister's assurance concerning clause 3 and to his assurance that there would be opportunities to monitor how the legislation worked. Such assurances are better than nothing. Today, he has said that he will try to ensure —as we should all try to do—that there is an extended and exploratory debate in the other place on the question of persistence. Such a debate would be very helpful.

I still believe that there are sufficient police powers to cope with the offence of kerb crawling as we want it coped with. I am still not sure that the Bill is necessary, and I hope only that it will not result in innocent men or women being caught up in a piece of obviously well-intentioned legislation—I have no doubt about the good intentions —that may give the police extra powers of which they could take advantage to disadvantage already disadvantaged groups in our society.

12.40 pm

Mr. Parris: Although the debate has at times been ill-tempered—not so much today as last week—it has achieved a great deal. It has persuaded hon. Members on both sides of the House to look hard at legislation that was in danger of being enacted without proper scrutiny. It has also resulted in the dropping of a quarter of the Bill—clause 3 — and has persuaded my hon. Friend the Minister to give some helpful undertakings about policing and review. The debate has also persuaded him to see that there is a proper and fair debate on the question of persistence in the other place.

That debate on persistence will be important. I was glad to hear my hon. Friend the Member for Southampton, Itchen (Mr. Chope) put the argument more fairly than some have done for not requiring an element of persistence. He said that the argument for not requiring such an element was that it would make it more difficult for the police to do their job. Of course it would do that. Any requirement that evidence be produced makes it more difficult for them to do their job. The question is whether we would, by importing an element of persistence into clause 1, make it impossible for the police to do their job. Having looked at section 32 of the Sexual Offences Act and the prosecution of female prostitutes legislation, I am quite satisfied that, even with an element of persistence, it is perfectly possible for the police to do their job effectively. I hope that the other place will reach the same conclusion.

The major problem with the law on sexual offences in this country is, perhaps, its piecemeal nature. Some of it is derived from common law and case law and some of it is statute law that has been enacted over the centuries. It is piecemeal, inconsistent and anomalous. It is also difficult, complicated and quite hard for the public to understand. In part, I believe our law on sexual offences is too permissive; an example of that is the case of men accosting women for sexual purposes. However, in other areas our law on sexual offences is not permissive enough. There is a great need to have a general review of the law on sexual offences.

The law on prostitution generally needs to be tackled. We in this country are not quite prepared to go as far as to make prostitution illegal. Indeed, it would be impractical and wrong to do so. We are not quite prepared to acknowledge that prostitution has always existed and always will exist. At the same time, we are not quite prepared either to say how it should be carried on. On every occasion we are eager, sometimes in statute, to say how it should not be carried on. That causes great difficulties, inconsistencies and anomalies in the law on prostitution.

The Bill adds to those inconsistencies and anomalies because it is one more prohibitive measure that is directed towards a trade that needs, if not regulating, reforming in a general review of the law on prostitution. We await the Criminal Law Revision Committee's recommendations.

It is clear that the House is not minded to pursue such a general review. I do not expect Government legislation

[Mr. Parris]

reforming the law of prostitution generally in this Parliament or the next. We must each decide whether it is right to hold the general public to hostage in areas where kerb crawling is a serious problem. We must decide whether it is right to tell people that we shall not give them a law on kerb crawling until the Government and the public are prepared for an overall review of prostitution. I do not think that it is right to hold communities to hostage in that way.

It is imperfect, it is piecemeal,; but, with reluctance, I think that we should give the Bill a Third Reading.

12.46 pm

Mr. Ernie Roberts: I am still opposed to the Bill because it does not deal specifically with kerb crawling. It deals with the offence of persistently soliciting women for prostitution and other sexual purposes. Such a Bill cannot possibly deal with the problem of prostitution, but it could have dealt specifically with kerb crawling if some amendments had been accepted.

I oppose the Bill on four grounds. First, it restricts individual freedom. Secondly, it will lead to innocent men and women being prosecuted. Thirdly, many other serious offences and crimes need the attention of the police. Fourthly, the Bill gives special powers to the police which could easily be abused.

12.47 pm

Mr. John Fraser: I speak entirely in a personal capacity in this subject. I took the trouble to consult my local authority and women's groups in the Labour party about the Bill. The unanimous conclusion was that the Bill was unacceptable because it risks infringing civil liberties. I explained earlier how that might unintentionally happen.

I remain sceptical about arrangements under which prosecutions might take place as a result of uncorroborated police evidence. My concern is to protect civil liberties and to try to ensure that the reputation of the police is protected. I do not wish their reputation to be sullied because of the way in which they prosecute and have to operate the law. The sus law not only caused injustices but it did a grave disservice to the police. I think that this legislation will have a similar effect.

I do not deny the problem of the innocent person being accosted, annoyed and frightened by people who kerb-crawl with a view to making contact with a prostitute. The problem has afflicted south London for many years. The widespread view is that that activity must be stopped, but I fear that the way that we are going about tackling the problem will create as many problems as it cures.

The Bill not only protects an innocent woman, but for the first time makes it an offence for a man to solicit a prostitute. That is not the harm to which the Bill addresses itself. Although the Minister said that solicitation would normally be by words, I can think of many cases where soliciting has been implied by conduct—for example, a woman sitting in a window.

Prostitution is not illegal. What is illegal is conducting a brothel or disorderly house, or soliciting. It sometimes takes courage to say such things, but I echo the words of the hon. Member for Derbyshire, West (Mr. Parris) that the law of prostitution and the way in which it is conducted needs to be re-examined. The Bill will not put an end to kerb crawling and prostitutes being on the streets. Those prostitutes are, often young, have often had an extremely unhappy childhood, are subject to gross exploitation and their lives ofen end early because of involvement in drugs, violence and other matters.

I do not want to see that situation continue. Nevertheless, prostitution will continue and the Bill will not stop people soliciting on the streets. The Government, or somebody, must look again at the law of prostitution and the way in which prostitution is conducted. If there were a less offensive way of prostitutes making contact with their customers, removing exploitation and so on, that would remove prostitution from the streets, which is what the supporters of the Bill really want.

Therefore, we would be making a mistake to think that the Bill will cure the problem. It may even create problems. As the hon. Member for Derbyshire, West said, we need a long-term look at the way in which prostitution is conducted in order to remove the evils of which people have complained in these debates. Prostitution must be conducted in a more civilised way, because it simply will not go away.

12.51 pm

Mr. Mellor: I am glad of today's demonstration that there is life after death. Most hon. Members were deeply troubled that this important Bill appeared to have had its life terminated last week. It is an extremely happy situation that, because other business has not taken up a great deal of time today, it has had further time on the Floor of the House, and the intervening days have given time for reflection, thus enabling the Bill to make progress. I hope that it will be given its Third Reading and that it can say, as did Mark Twain when reading his own obituary:

"The report of my death was an exaggeration."

The Bill will do an enormous amount of good. I think that that will be the view of the overwhelming majority of hon. Members, despite the fact that those praising the Bill have been slightly under-represented in today's debate. It will certainly be the view of the overwhelming majority of people in Britain, particularly those who live in urban areas, increasingly troubled, as many urban areas have been in recent years, by the problem of kerb crawling.

In my contributions to the debate, I have sought to hold firm to two matters—first, to ensure that the House, having made up its mind to do something about kerb crawling, did something effective about kerb crawling; secondly, that the House, when passing a law that creates a new criminal offence, should do so having regard to the problems that creating a new criminal offence inevitably brings in train and that appropriate safeguards should be offered to ensure that the innocent are not caught up. I believe that that has been done.

The House owes an enormous debt of gratitude to my hon. Friend the Member for Plymouth, Drake (Miss Fookes). My one sadness about what has otherwise been a joyous morning for many of us is that she is not here to enjoy this moment of triumph. She was unavoidably engaged in important matters elsewhere. Nevertheless, the decision to take up the matter was hers, she piloted the Bill through the House with great skill and I know that all hon. Members will join me in thanking her for her efforts.

A clear message now goes out from the House that kerb crawling is unlawful. That is very important, because it will have a deterrent effect, which is what we want. Those living in parts of the inner urban areas that have been taken

over at night by kerb crawlers will now know that any such activity is contrary to the law. I believe that the number of people involved in kerb crawling will fall dramatically as a consequence. A combination of this clear law with proper policing by uniformed police officers should act as a substantial deterrent.

Where someone commits the offence — actually drives and solicits—the way in which the law is framed carries the clear safeguard that any reasonable person would want, because an act of solicitation is required.

It was necessary to make male solicitation an offence whether the person solicited was an innocent woman or a prostitute. I say that because the nuisance of kerb crawling applies at a number of different levels. It is not just a nuisance but a humiliation for a woman walking home to be solicited in this way. It is perfectly proper that she should be protected. In the view of many, that protection is long overdue.

But it goes further than that. Even if the woman concerned is a prostitute, it is quite incorrect to say that no nuisance or annoyance is caused and that no harm is done. The harm is done to an area which becomes known as a red light area in which women cannot safely go out at night unless they are to be accosted. The pleasure of living in an area and the amenities of an area are removed if it becomes a place of resort for prostitutes and their clients. That is why a message has to go out that kerb crawling is unlawful. It is because of the detriment not just to individuals but to whole areas.

The hon. Member for Barking (Ms. Richardson) made a number of comments demonstrating her scepticism about some parts of the Bill. However, I thank her and some of her hon. Friends who, although they are opposed to the Bill, do not intend to block its Third Reading. That is very fair, and I have endeavoured to meet fairness with fairness by making significant and important concessions.

No one must allow the Bill to leave the House under the impression that it is in any sense ill thought out. If careful thought can lead to a careful, proper Bill, no Bill will have left the House more carefully thought out and with a better chance of making effective law than this one.

The Criminal Law Revision Committee took seven years to conclude its deliberations on this issue. The hon. Member for Norwood (Mr. Fraser) said that we should clarify the law on prostitution. The Criminal Law Revision Committee is still looking at that, and we hope to have its report by the end of the year.

We should not underestimate the skill and care which the Criminal Law Revision Committee brought to its task, nor the distinction of its members and the balance of its membership. It has a most distinguished team of judges serving on it, including Lord Justice Lawton, the doyen of criminal lawyers on the bench; another lord justice of appeal; two High court judges, one of them now a lord justice of appeal; four circuit judges, one of them a woman; a stipendary magistrate, herself a woman; the Director of Public Prosecutions, which must be of significance for those who are troubled about safeguards; Mr. Michael Hill, QC, the chairman of the Criminal Bar Association and a distinguished defence lawyer; Sir David Napley, whose experience in the criminal law is extensive and who for the most part has been a defence lawyer, so any aspect of unfairness to the defence would not be lost there; and Professor Smith, perhaps our foremost academic criminal lawyer. I say to my hon. Friend the Member for Derbyshire, West, who said that he would have liked a better, Home Office Bill, that, honest to goodness, this is the best Bill that those considerable minds—the most distinguished team of criminal lawyers that we could assemble—could bring forward.

I am grateful to my hon. Friend for what he has said today. I hope that he will take some comfort from the fact that really and truly there could be no better Bill to deal with the problem of kerb crawling.

Recognising that the problems are not only legal but social, a policy advisory committee was established to advise the Criminal Law Revision Committee. It consisted of a much broader range of people than lawyers—such as assistant chief probation officers, a journalist, a consultant psychiatrist, a headmistress, a social worker, a lecturer in sociology and Lady Serota, the former local government Ombudsman. They advised the Criminal Law Revision Committee on the social aspects of what we know to be a complex problem.

Therefore, we are left with a Bill that sends out a clear and unequivocal message that kerb crawling is contrary to law. That will act as a deterrent. I believe that those who have looked to this House for relief from kerb crawling will find it in this Bill. I welcome it and I very much hope that the House will give it a Third Reading.

It is a triumph for my hon. Friend the Member for Drake that it has been possible to resuscitate the measure. I believe that it will be a triumph for the House to pass it into law. Assuredly, it is a reform that is much needed and much desired in many parts of the country.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Freedom of Probate Bill

Order for Second Reading read.

1.2 pm

Mr. Edward Leigh (Gainsborough and Horncastle): I beg to move, That the Bill be now read a Second time.

I am moving Second Reading of the Bill because the hon. Member for Ipswich (Mr. Weetch) is unfortunately indisposed today. It is a modest little Bill, but it contains a great principle—that lawyers cannot be above the law and cannot be witness to restrictive practices. It enshrines the great principle that the Government have followed, that no interest group is above the law and that, to the greatest extent possible, all the people should be enabled to act for themselves in the speediest way possible without coming across restrictive practices.

Mr. Clement Freud (Cambridgeshire, North-East): Can the hon. Gentleman explain why, if this is such a terrific Bill, he did not append his name to it when he had the opportunity?

Mr. Leigh: I cannot speak for the hon. Member for Ipswich. No doubt he had his reasons for asking certain people to append their names. I am deeply honoured to be given an opportunity to move this important, if small, amending Bill—*[Interruption.]* I did not catch what the hon. Member for Cambridgeshire, North-East (Mr. Freud) said. As he is obviously taking a close interest in the Bill, he will no doubt wish to make a lengthy speech after I have sat down.

Probate is a serious issue, which often comes into people's lives at a time of great distress. Clearly many ordinary people do not have to deal with probate if they are the subject of small estates. However, many middle-income families, perhaps with property still tied up with building societies, can find probate difficult to understand at a time of great distress. This simple Bill seeks to open up and make probate much simpler for ordinary people to see their way through the morass of law at a difficult time.

Probate is concerned with the administration of wills or, in the absence of a will, obtaining letters of administration. Probate can either be contentious or non-contentious. Approximately one quarter of the applications made in 1977 for grants of probate or for letters of administration were made by applicants in person. As I said, many ordinary people do not come across probate.

If a case is contentious, it is covered by section 20 of the Solicitors Act 1974. The overwhelming majority of probate matters are not contentious. In such cases, section 23 of the Act applies. This Bill seeks to amend that Act. Section 23 states:

"If any person to whom this subsection applies, directly or as an agent of any other person, whether or not that other person is a person to whom this subsection applies—

(a) takes instructions for a grant of probate or of letters of administration, or

(b) draws or prepares any papers on which to found or oppose any such grant,

he shall, unless he proves that the act was not done for or in expectation of any fee"—

this is the point that the Bill addresses, because if the act is done in person it is not being done for a fee—

"gain or reward, and without prejudice to any other liability or disability to which he may be subject under this or any other Act, be guilty of an offence".

The Bill seeks to amend the restriction on people other than solicitors acting in probate matters if they are doing so for a fee. Under that section, it is an offence if that person takes instructions for reward. The effect is that solicitors alone may, for reward, apply on behalf of others for a grant of probate or letters of administration and may take instructions for that purpose. The principle of the Bill—I believe that the Government accept the arguments for a similar principle in relation to house conveyancing—is that the market should be opened up to people other than solicitors. This is an important principle which I think most progressive lawyers would accept.

It is common practice for a testator to nominate a trust corporation as the executor of his will. The Bill is primarily concerned with that position. The expression "trust corporation" includes the Public Trustee, a corporation appointed by the court to be a trustee and a corporation entitled under rules made under the Public Trustee Act 1906 to act as a custodian trustee. A corporation is so entitled if it is incorporated in the United Kingdom or any other member state of the EEC, is authorised by its constitution to undertake trust business in England and Wales, and has an issued capital of £250,000, of which not less than £100,000 has been paid up in cash. Examples of such trust corporations are the Public Trustee, part of the banking system and insurance companies. In effect, the Bill will allow such trust corporations to take part in probate.

A trust corporation is like any other executor and is entitled to administer the estate in respect of which it has been appointed. However, as the trust corporation receives a fee for being an executor and is not a qualifed person for the purposes of section 23 of the Solicitors Act 1974, it cannot prepare the executor's affidavit, which is the document on which the grant of probate is founded. A trust corporation, being a body corporate, cannot, like an individual executor, apply for probate, as an application is a court proceeding. It must, therefore, act through a solicitor.

As the present law is restrictive and, in effect, gives a kind of monopoly to solicitors, it is not surprising that the Law Society objected when the matter was being looked at by the Royal Commission. In the evidence to the Royal Commission on Legal Services by the Association of Corporate Trustees and the Committee of the London Clearing Banks, it was said that

"trust corporations should be permitted to apply for grants of representation without the intervention of a solicitor."

One would, of course, expect the London clearing banks to say that. The association said that

"all necessary preparatory work is done by the trust corporation concerned and the solicitor's functions are, in this respect, largely formal."

I am sure that the Government will welcome the principle of the Bill, and I am looking forward to hearing the Minister's comments. Where the solicitor's work is largely formal, he should not be allowed to preserve a monopoly. We want to open out all the legal services as widely as possible, whether in relation to house conveyancing, probate, or anything else.

Mr. Greg Knight (Derby, North): I have been listening to my hon. Friend with some interest. Would he take his argument a stage further and say that where the work of counsel appearing in the Crown court is largely formal—for example, undertaking cases in which there is a plea of guilty—that work should also be open to competition?

Mr. Leigh: My hon. Friend has made an interesting point. I believe that he is a solicitor. I, unfortunately, am a barrister. I detect in my hon. Friend's remark a slight tilt at my profession. I do not know whether he intended it. I have often appeared in court, having been given a very slender brief by the solicitor briefing me, so that I have had to do all the work, and I have wondered why the solicitor should be paid at all. If I may say so, I believe in a unified profession. I see no reason why a solicitor should not appear in the High Court. I believe in opening up the legal profession. It is a great principle, worthy of the Government and the principles on which the Conservative party was elected.

I do not see why there should be restrictive practices in the legal profession any more than in the trade unions or anywhere else. I do not think that the Government can reasonably take a hard line against restrictive practices in the trade unions and still insist that if I want to become a barrister I must eat a certain number of dinners, as I had to do. The Bill is in line with what I believe in and what I hope the Government believe in.

It is not surprising that, when the Law Commission was considering the issue, the Law Society opposed it. I do not blame it for that. The Law Society exists to protect the interests of solicitors. Solicitors have enjoyed a monopoly and it is not surprising that they should wish to oppose this progressive measure. They have opposed any relaxation of the present restrictions.

The Law Society has said that difficult questions of law could arise in the administration of an estate. That sort of thing is always said. When a Royal Commission is looking at ways of opening out the legal profession, the Law Society always says that difficult questions of law arise. However, that did not seem to the Royal Commission to be a strong point. The Commission said that

"in the interests of their clients and also to protect themselves from charges of breach of trust or negligence trust corporations are punctilious in seeking legal advice when the need arises."

That is why I do not understand the objections to banks and building societies taking a greater part in the conveyancing process. I believe that they would be as punctilious as any solicitor in dealing with such matters.

The Royal Commission said:

"The Law Society also said that a trust corporation was not under the same duty as a solicitor to the client and to the court".

That may be an interesting point, and my hon. Friend the Member for Derby, North (Mr. Knight), who is a solicitor, may want to deal with it. It is true that the local solicitor has a particularly close relationship with his client, and that is perhaps a fair point for the Law Society to make.

The Law Society also said that the fees charged by trust corporations

"were not subject to any control and might, from the date of death, be quite different from those in force when the testator made his will. Trust corporations have for a long period been allowed to administer estates for reward."

The Royal Commission did not find, in the evidence put before it, any grounds for a general change in that respect. However, it considered that some control should be exercised over charges. I hope that it could not be said by those who oppose the Bill that it will somehow open up the gates against trust corporations overcharging. That is not a valid objection. They are responsible bodies, such as banks, and so on. I do not see that happening.

Mr. Freud: On a point of order, Mr. Deputy Speaker. As everyone on the Government side of the House seems to be nodding agreement, and as no Opposition Member is moved to dissent, I wonder whether we might vote on the Bill now and get on with one of the more important Bills that come later.

Mr. Deputy Speaker (Sir Paul Dean): I shall have to disappoint the hon. Gentleman. What is being said is perfectly in order.

Mr. Leigh: I am horrified that the spokesman for the Liberal party should have said that. Here is a worthy measure trying to give people in distress an opportunity to circumvent the delays engendered by the law, and the only member of the Liberal party who has bothered to turn up on a Friday is objecting to it. That is absolutely disgraceful.

Mr. Freud: The hon. Gentleman has clearly not been listening to his own speech, but he did not even listen to my intervention. I am totally in favour of him having his way. Why does he not agree and sit down so that we can vote in favour of the Bill?

Mr. Leigh: It would be an insult to the House if an important Bill were not debated properly. I must tell the hon. Gentleman that if my hon. Friend the Member for Lewisham, East (Mr. Moynihan) catches your eye, Mr. Deputy Speaker, unfortunately he intends to oppose the Bill. I am sorry about that, but my hon. Friend is an honourable Member of the House. I know that he is deeply concerned about these issues, has studied them closely and wishes to give a detailed speech to explain why he opposes the Bill. That is a matter of great regret to me. I feel bound to explain why this worthy measure should go through. I may not win, but I retain the hope that my hon. Friend will be convinced by my argument. I know that he is listening closely to my speech.

Surely it is reasonable that a trust corporation, approved for the purpose by the Bank of England, should be permitted, in non-contentious cases, to apply for probate of a will, in which it is named as executor, without the intervention of a solicitor. That is all that this modest measure seeks to do. It is attempting to open up the probate business.

The implementation of that recommendation requires amendment to section 23 of the Solicitors Act 1974, which I have already quoted, and the granting of a right of audience to the proper officer of a corporation sufficient to enable it to perform that function. The Royal Commission emphasised that its recommendations were confined to non-contentious cases. I emphasise that, too. It is a different situation when large estates and contentious probate matters are involved. However, the vast majority of cases in probate are non-contentious. The Royal Commission also said that there should be a requirement that if a probate case becomes contentious the trust corporation must cease to have the right of audience and be required to appear in front of a solicitor.

Let me outline what this short measure seeks to do. Clause 1 proposes that

"section 23 of the Solicitors Act 1974 (unqualified persons not to act in preparation of papers for probate etc.)"

should be amended. Clause 1*(a)* provides that

"for the words 'Subsection (1) applies to' in subsection (2) there shall be substituted the words 'Subject to subsection (3) subsection (1) applies to'."

I know that some hon. Members here today are not lawyers, and the Bill may seem difficult to understand.

[Mr. Leigh]

However, it is clear. All that it is seeking to do is to introduce a new subsection (3) into the Solicitors Act 1974 so that, whereas the law will stay as it is in contentious cases, in uncontentious cases the new subsection will be slotted in. The new subsection (3) states:

"Subsection (1) does not apply in any non-contentious or common form probate business in which an approved trust corporation acting by and through any officer of that trust corporation authorised for the purpose by that trust corporation or its directors or governing body is the applicant or, as the case may be, one of the applicants for a grant of probate or administration."

Wrapped in legal language, as it must be, that provision simply gives effect to the very simple principle that I have enunciated.

This is a small, slim Bill, but I believe that it enshrines a great principle. I hope that the House will give it a Second Reading today.

12.20 pm

Mr. John McWilliam (Blaydon): I rise to seek clarification because I am not a lawyer and, although my accent may suggest otherwise, I am affected by the Bill because I live in England, although that was not always the case.

I wonder whether the Bill will assist people in the circumstances in which I found myself some years ago when my father chose to die in England and leave an estate here while I lived in Scotland. Telephone engineers do not tend to accumulate vast estates, and at the end of the day the difficulties of trying to get probate in England were just not worth it and I left things as they were. There is probably still about £200 lying in a bank somewhere in Kent because even in those days the legal fees involved would have been a great deal more than that. I was the only son of a father who died without any surviving relatives. His brother and sisters had died, so I was the only person who could have claimed the estate. Will the Bill help a person in that situation?

Will the Bill help a properly qualified Scots solicitor seeking to apply for probate in England? When my father died my Edinburgh solicitors were unable to act for me. They would have had to instruct an English solicitor on my behalf, but as they were good Edinburgh solicitors, and as Scots are canny people, they advised me not to proceed with the matter because the entire estate would have been eaten up by the legal costs and I would have been left with considerable residual costs.

The Bill appears to limit the category of people who can apply for the easier procedure to officers of trust corporations. I am concerned about the many small cases in which the surviving relative, often in a shocked state and fairly horrifying circumstances, merely wishes to tidy up the estate. My case arose in the middle of the famous miners' strike and even the lift at the crematorium was out of service because of the power cuts. Many people find themselves in similarly difficult situations. I hope that if the promoter is able to speak again in the debate he will comment on that aspect.

I should also like to know why the provisions are limited to approved trust corporations as defined in clause 1(4). When the words "non-contentious or common form" appear in the same sentence one wonders whether the Bill is quite the liberalising measure that the hon. Gentleman suggests. Like the hon. Gentleman, I am concerned about closed shops. My union does not have one, but the Law Society has a very effective one. I wonder whether officers of approved trust corporations are not just solicitors in another form, or people who probably are solicitors but are being paid from a different source rather than by the client direct. That is the suspicion at the back of my mind.

Mr. Roger Freeman (Kettering): I should be interested to hear why the hon. Gentleman thinks the Law Society operates a closed shop. I should have thought that that term was more applicable to a rule or regulation preventing people from being employed unless they belonged to a union. The rules of the Law Society require that a person may practise as a solicitor only if he has passed certain examinations. There is a distinction, is there not?

Mr. McWilliam: I am an engineer, and some engineers are allowed to practise at certain levels of engineering only after passing examinations. The Institution of Electrical Engineers does not then take decisions about the fees that we may charge, act as a court over us, negotiate our conditions of service or do many of the other things that the Law Society does. It is not, therefore, the same as the other professional institutions with which I am involved and am describing.

I am open to correction by hon. Members who are more qualified in such matters, but I understand that, while the Law Society sometimes operates rather like a trade union, at other times it assumes a quasi-judical function. It cannot be equated with, say, the Institution of Electrical Engineers, the Institution of Mechanical Engineers and various other bodies with which I am associated. To that extent the Law Society operates a closed shop. It certainly operates to protect the monopoly of solicitors in dealing with certain types of work. Hon. Members are aware of the lobbying that occurred on behalf of the Law Society when my hon. Friend the Member for Great Grimsby (Mr. Mitchell) introduced his House Buyers Bill.

I am sure that the Law Society will continue vigorously to protect the interests of its members in matters affecting lawyers, and I make no complaint about that. That is its function. Our job, however, is to consider how reasonable that representation is in the context of the way in which people must deal with members of the legal profession.

Mr. Leigh: I hope the hon. Gentleman will accept that there are some Conservative Members who believe that the Law Society should be in the same position as the Institution of Electrical Engineers, for example, that there is an anomalous situation and that the legal profession should be opened up. The hon. Gentleman has made some strong points against the closed shop in the legal profession. May we assume from his remarks that he is against the closed shop generally?

Mr. McWilliam: I was not implying that Conservative Members were not equally concerned about the issue. That is clearly not the case. My union, the National Communications Union—I declare my interest, but only to the extent of our attitude to the closed shop—does not operate a closed shop. We have 95 per cent. membership without one. An advantage of that is that we need not have people in the union whom we do not like, people who might cause us other difficulties.

I do not want to stray into the whole issue of why some unions need a closed shop. My union is an industrial body

and is basically a one-industry union. We have one employer, and it is easy to make arrangements, so that the level of organisation is high. In other areas, such as retail distribution, that is not the case, and the level of organisation is lower.

Mr. Clive Soley (Hammersmith): The closed shop principle for trade unions is different because non-unionists often accept the advantages which trade union members enjoy without paying for them, in the same way as some people accept taxation benefits and try not to pay their tax. That is why the closed shop principle is considered to be important, although I, too, would like to see it interpreted more liberally. That does not apply to the professions, which cheerfully have a tightly rigged closed shop; so tightly rigged that they not only do not have any voting, but also in many instances restrict entry. They can ruin a person's career by the activities of what are little short of kangaroo courts.

Mr. McWilliam: I am grateful to my hon. Friend for that intervention. I hope that I did not imply that I was unaware of the need for the closed shop and the arguments in its favour. I do not like people riding on my back. I pay my union subs, the union negotiates a pay rise and all its members receive it. When I was a branch secretary, some of my colleagues were Jehovah's Witnesses. They did not wish to be members of the union, for good religious reasons. The three in my branch paid the equivalent of their union subs to a charity. They gave me the opportunity to nominate a charity, but I told them to choose the charity to which they wanted to donate. They all chose a different charity. One selected the Cancer Research Campaign, the second decided to support the British Heart Foundation and the third decided to support a missionary charity. These three people did not ride on anyone's back, and I respected them for that.

I support the Bill, but I recognise that it has shortcomings. I share the view that it does not go far enough. A few years ago I had the task of trying to wind up a small estate. It was impossible for the matter to be contentious as there was no legal heir other than myself. There are many similar cases. I was unable to wind up the estate as I could not meet the costs involved.

Mr. Greg Knight: Did the hon. Gentleman ever consider applying for legal aid?

Mr. McWilliam: Unfortunately, I did not qualify for legal aid. I was not quite that poor. I would have qualified for legal aid if I had been trying to do something rather more substantial than wind up a small estate. I do not think that legal aid provision is sufficiently wide, pervasive or generous to enable the public in all cases to obtain the legal advice that they need. We have a National Health Service and I am convinced that we need a national legal service.

Mr. Soley: My hon. Friend will appreciate that law centres are being threatened, in addition to the restrictions that are placed on legal aid. Law centres should be funded nationally, but the Lord Chancellor is refusing to do so. The Government are refusing to fund the centres and 55 will be closed in the next year or two unless local authorities pick up the bill. They are unable to do so because they are being rate capped.

Mr. McWilliam: The law centre at Gateshead is in exactly that position. The Tyne and Wear metropolitan county council provides the major funding of the centre, but the council will cease to exist in April 1986. The local authorities cannot afford to fund the centre. As my hon. Friend rightly says, they are being rate capped and they are short of money. I am an ex-city treasurer and I know that the funding of the Gateshead law centre does not amount to the product of a 1p rate in the borough. However, it seems that that does not matter. There are many other things that we would like to support, but we are unable to do so. The law centre is one of the services that will have to go unless the Government or others pick up the tab.

If law centres were properly funded, they would be able to assist in overcoming the problem that I have been trying to explain. Unfortunately, they will rapidly cease to exist, except those that are run on a voluntary basis by solicitors who are prepared to give up their own time. I know that this happens, and that it will continue to happen, but the service is bound to be patchy. If someone is able to have access to that help and advice, it will be a matter of luck, depending on where he lives.

I appreciate the free legal advice scheme which the Law Society operates. It is true that that helps very many people. However, it is only a matter of one interview and one letter, and that is not sufficient to gain probate even in a simple case. Substantial costs remain.

The banks must do well out of the situation. There is about £200 lying in an account in Strood in Kent which I will not and cannot touch. The money has been there for nearly 14 years. There must be money in bank accounts all over the country on which banks receive interest and which no one else can touch because it is too expensive to get probate. The bank might consider operating a national scheme. They could easily fund it from the interest that they receive from unclaimed moneys lying in accounts.

Mr. Leigh: I hope that the hon. Gentleman would not wish to take the Bill too far. Does he hold that anyone should be allowed to handle anyone else's probate? That would be dangerous. I see why the hon. Gentleman wishes to extend the Bill, but there must be some restriction, and at least one can trust a trust corporation.

Mr. McWilliam: The hon. Gentleman spoilt an otherwise helpful intervention by his last sentence. Unfortunately, in a number of cases, that has been proved objectively not to be true. I am not trying to take the Bill too far, but it is very important that people in tragic circumstances who have an uncontentious claim to probate and administration should be able to establish it.

The Attorney-General (Sir Michael Havers): I am not an expert on this, but if the hon. Gentleman were to accept some free advice from me and apply for probate himself he might be able to look forward to a nice summer holiday. The sum of £200, plus the interest accrued over a number of years, should give the hon. Gentleman a lovely holiday.

Mr. McWilliam: I have been told that free legal advice is worth exactly what one pays for it. However, in this case, I am prepared to disregard that saying. The right hon. and learned Gentleman is right. It is probably through laziness that I have not done so, but many years have passed and I do not wish to stir up some old memories. Individuals may apply for probate, and I am quite capable of doing so. However, many people are not. There is a problem.

[Mr. McWilliam]

To take up the point made by the Member for Gainsborough and Horncastle (Mr. Leigh), I was not arguing that I should be allowed to set myself up in a corner shop in Blaydon shopping precinct under the sign "Get your probate here". I do not suggest that anyone should be permitted to do that. We must make certain that people get the best professional advice when they need it. My argument is that, somehow or other, the system seems to become very expensive very quickly. We have quick and cheap divorces these days. Perhaps we should also have quick and cheap probates in uncontested cases. Some arrangements could and should be made to make that possible. I did not mean to imply that anyone should be able to deal with matters of probate. That would be very dangerous. I do not wish to lead people down that path.

Perhaps, however, the Bill does not go far enough. I hope to hear something helpful from the right hon. and learned Gentleman about this, and about some of the other matters to which I have addressed myself.

The Bill is a modest measure, but it is welcome. I do not denounce it for being modest. There is an old Scottish saying to the effect that one should make haste slowly. Perhaps more progress may be made by a series of modest measures than by a single blockbuster which would upset the Attorney-General's and the Lord Chancellor's Departments. I hope that the Government will accept this welcome measure. I hope also that the Government will give us some assurances about the other matters I have raised.

1.39 pm

Mr. Greg Knight (Derby, North): The House should ask what the purpose of the Bill is. I know that for many months my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) has felt passionately about this subject. I also know that he has done a lot of research on it and that he is delighted to have had the opportunity to introduce the Bill today.

The first question is: what can be done to reduce costs? The first thing that people can do is to make a will. When an estate needs to be wound up, problems often arise because the deceased failed to make a will. However, it does not just end there. The will needs to be made in a proper manner.

I well remember a case some years ago of a bank manager — who one would have thought would have known better—who went, I believe, to Woolworths and bought a will form which then cost 6d. He made out the will form himself. I think that he had been separated from his wife for about 15 years, and in his will he said something like, "My wife and I have lived apart for many years, and I wish to bequeath to her in this will only that amount that the law indicates she should have, had I not made this document." He then died, and the interpretation placed on the will was that if he had not made it his estate was such that the wife would have got everything, and so she did get everything. A man of intelligence and position who should have known better thus made a will whose effect was quite contrary to his intentions.

If we wish to ensure that the public obtain value for money and that costs are not run up unnecessarily on an estate, we should try to ensure that wills are properly drawn up, and properly attested. Ultimately, it is a question not only of trying to cut costs but of ensuring that the public are protected.

I understood my hon. Friend the Member for Gainsborough and Horncastle to say that if a trust corporation is allowed to carry out the work in winding up an estate without having to employ a solicitor, it will be cheaper. My experience is that that is not so. If people say in their will that they would like a bank to act for them, the costs charged are often far higher, even discounting the cost of the solicitor employed by the bank. Thus, I suspect that my hon. Friend's measure may not cut costs at all.

Mr. Leigh: I think that my hon. Friend has missed the point. If someone goes straight to a solicitor, the solicitor may well be able to act more cheaply than a bank. But the Bill is saying that if, for some reason, someone wants to start with a bank, and the bank does all the work, it should not be incumbent on it to go to a solicitor at the last moment just to conform to the Solicitors Act 1974.

Mr. Knight: I accept that there is some weight to that argument, but my hon. Friend would be wise to take into account several points. For example, what happens if a difficult question of law arises when administering the estate? It may be that a solicitor should be called in then. My hon. Friend touched too briefly in his opening remarks on the charges that a bank can make. There is no control over the charges that trust corporations can impose, but there is control over solicitors' charges. The Bill would be more acceptable if it contained a mechanism to ensure that somebody could supervise the charges that such trust corporations may make.

I am also concerned about the provision granting a right of audience to some person in a trust corporation.

In answer to an intervention of mine earlier my hon. Friend said that he was in favour of widening all professions. He went on to say that he was even in favour, if I understood him correctly, of breaking the barristers' monopoly. I fear that he may have been carried away by his own rhetoric on that point. If a private Member's Bill seeks to break the barristers' monopoly, it will be interesting to see whether he is one of its sponsors.

Mr. Leigh: My clerk would never forgive me.

Mr. Knight: Be that as it may.

The hon. Member from the Opposition Whips' Office made a number of valuable points.

Mr. McWilliam: Much as I would like it, the Opposition Whips' Office is not represented in the House by a Member. I am the hon. Member for Blaydon.

Mr. Knight: I am grateful to the hon. Gentleman. I could have said that he was the Member for the Kremlin bar, but that might misrepresent the valuable work that he does in the House.

I am not being facetious when I say that I have some sympathy with the case which the hon. Gentleman put forward. I am sorry to hear that he has a sum of money locked away in a bank account. Let me say in all seriousness that I would gladly undertake the legal work for him for nothing if he were prepared to donate half the sum to the Conservative party.

Mr. McWilliam: I am grateful to the hon. Gentleman for his offer, but my hon. Friend the Member for

Hammersmith (Mr. Soley) has just worked out how much that £200 has turned into, and the hon. Gentleman's proposal does not have a chance.

Mr. Knight: I suspected that at the end of the day that might be the case.

Insufficient attention has been paid to the Benson report. It dealt with the problem in page 226 under a paragraph headed "Litigation". I do not want to read out all the report; I am sure that interest in the subject is such that every hon. Member present has read it from beginning to end. In essence, its conclusion was that we should do something along the lines of the Bill.

With the greatest respect, I must say that the Benson report is wrong and perhaps underestimates the objections of the Law Society. Paragraph 19.24 said:

"The Law Society opposed any relaxation of the present restrictions. It said that difficult questions of law could arise during the administration of an estate."

That is so, but it went on to say:

"This does not seem to us a strong point, because in the interests of their clients and also to protect themselves from charges of breach of trust or negligence trust corporations are punctilious in seeking legal advice when the need arises."

I wish that I had the Benson committee's confidence in how trust corporations carry out their business. I fear that I do not have that confidence and that the objections have been understated.

The report goes on to say:

"The Law Society also said that a trust corporation was not under the same duty as a solicitor to the client and to the court and that the fees charged by the trust corporations were not subject to any control—"

there it is; they are not subject to any control—

"and might, at the date of death, be quite different from those in force when the testator made his will."

We all on some occasions have had cause to take out a bank loan or even a mortgage loan. At some stage during the period when that money is outstanding we have seen fluctuations in interest rates and often people, who have taken out what they considered to be a modest loan which they were able to repay easily, have suddenly found that it has become an oppressive burden because of shifting interest rates. I accept that that burden is not too prevalent under a Conservative Administration, but it can happen.

Mr. Colin Moynihan (Lewisham, East): The Benson report went on to conclude that control should come through the taxation of costs. If I catch your eye, Mr. Deputy Speaker, I hope to refer to that, but if my hon. Friend will comment on that, I can respond to him as well.

Mr. Knight: That is a fair point, but where one is seeking to amend the law, and where there is a problem of charging — I think that all hon. Members would accept that the fees that the trust corporations can charge are a problem — surely the correct way to go about matters is to bring in legislation which covers both points at the same time. I should be happier about supporting the measure if it were amended to bring that about. My hon. Friend the Member for Gainsborough and Horncastle made no reference to doing that. Apparently he is not prepared to widen the Bill in that way. If the Bill goes through before the House has the opportunity to examine ways of controlling trust corporation charges, innocent beneficiaries of small estates might be fleeced by unscrupulous or inefficient trust corporations which charge high fees.

Mr. Moynihan: I agree with what my hon. Friend says about trust corporations. Does he accept that, subject to articles of association, any company constituted in the United Kingdom or an EEC state with issued capital of £250,000, of which only £100,000 needs to be paid up in cash, comes within the present definition of a trust corporation?

Mr. Knight: I hesitate to offer advice in the presence of my right hon. and learned Friend the Attorney-General, but I understand that that is so. My hon. Friend the Member for Lewisham, West (Mr. Moynihan) is in a much happier position than me. With the funds that he has, he might be considering starting a business along those lines. That is way beyond the means of the average Back Bencher, even in his wildest dreams.

The Benson report stated:

"we consider that some control should be exercised over charges."

Those who support the Bill and who pray in aid the Benson report should examine that sentence carefully. Unless an assurance is given that some control is to be exercised, I shall have reservations about supporting the measure. The dangers should not be underestimated.

The hon. Member for Blaydon (Mr. McWilliam) made a number of interesting comments. I was interested in what he said about setting up a national legal service. He speaks from the Opposition Benches with the voice of authority. Is it Labour party policy to nationalise the legal profession? If it is, Labour Members will lose a lot of votes.

Mr. McWilliam: The idea is tempting, but Labour party policy does not cover nationalising the legal profession. Perhaps the hon. Member for Derby, North (Mr. Knight) should not put such ideas into our heads.

Mr. Knight: I am delighted with that assurance. I am sure that we shall attempt to hold the Labour party to it.

The danger is that those who merely consider the question of the costs charged for administering an estate will regard the problem as comparable to that of the housewife who goes shopping. A beneficiary should not have to shop around to see who will administer the estate most cheaply. That would lead to lower standards and lower safeguards, which would put the public at risk.

Throughout the world, the courts are littered with cases involving people who have abused the trust placed in them either by making off with money or bungling their job. As a result, people lose out on their entitlement.

Mr. McWilliam: That is a telling argument. The problem exists in other than the legal profession. Voluntary liquidations are sometimes bungled and people lose everything because someone has not acted professionally.

Mr. Knight: I accept that. However, it is important to remember that when dealing with a large estate worth several hundreds of thousands of pounds, if the mistake or the incompetence leads to the loss of £1,000 or £2,000 the effect is relatively minimal, regrettable though it may be. But what about the average estate, that of the working man who has put away a bit in the bank and perhaps has a house on mortgage? If errors are made in administering his estate and a loss accrues or costs are run up unnecessarily to the tune of £1,000 or £1,500, that may be virtually the whole estate. It is not all that uncommon to find that, because of

[Mr. Knight]

the way money was invested and the complexities of the case, a good deal of legal work was required and at the end of the day the fees have eaten up most of the estate. It is bad enough already in cases where that happens, but if we have no control over the charges of trust corporations, how many more cases shall we see? In my view, the House should tread warily.

Last night, the House dealt with another matter affecting solicitors—the attempt by the hon. Members for Ipswich (Mr. Weetch) and for Great Grimsby (Mr. Mitchell) to enable non-solicitors to undertake conveyancing work. Today we are discussing another measure which seeks to alter the Solicitors Act 1974. I supported last night's measure because I believe that we should proceed with it and see how it goes, but today's Bill is far more serious, because we have been given no guarantees about the costs that trust corporations can charge and about all the other matters that I have laid before the House. Unless my hon. Friend the Member for Gainsborough and Horncastle makes it clear that he is prepared to amend the Bill radically and to give the protection that I seek, I regret to inform him that I shall oppose this measure.

1.57 pm

Mr. Roger Freeman (Kettering): I wish to refer to a number of my fears about the Bill. Like my hon. Friend the Member for Derby, North (Mr. Knight), I look forward to hearing the reply of my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) to discover whether he can allay those fears.

I am pleased that the House has made good progress with its earlier business and has come on to a discussion of this Bill. At an earlier stage I was afraid that the House would not be able to debate the Freedom of Probate Bill. It is an important measure, which should be discussed at some length.

Some of the remarks by my hon. Friend the Member for Gainsborough and Horncastle caused me a degree of concern. He seemed to speak with a lack of personal experience in these matters. Over the past 12 months I have been responsible for winding up the estate of a member of my family in which a trust corporation was not involved. With my wife, I have also just completed the revision of my will, where a trust corporation is involved. Therefore, I bring a modest amount of experience to the debate, having gone through the granting of probate and the administration of the estate of a relative where a solicitor was involved, but need not necessarily have been involved, and the preparations for my own estate through a trust corporation, where members of my family would not be responsible for the application for or the granting of letters of probate.

I am not a lawyer, as are some of those present, but I am a chartered accountant. I am sure that my hon. Friend the Member for Gainsborough and Horncastle made some of his remarks in the spirit of levity, but if he did not, I take offence at some of them because he appeared to be implying that some of the great professions, including mine, operate a closed shop which is in some way against the public interest. He did not have an opportunity to develop that theme, and no doubt he will return to it later in the debate. My profession has no monopoly on auditing the accounts of public companies. Under the Companies Act 1948, other professional bodies are permitted to do so.

It is important to note that many solicitors, including those in my constituency, welcome the broadening of one area to allow non-solicitors to enter the world of conveyancing. But there is a big difference between conveyancing — which is an economic act, which, although complex, is the transfer of property from one person to another — and probate. Although important points of law are involved, we are satisfied that non-solicitors, provided that they are properly licensed, can carry out that service.

My hon. Friend the Member for Gainsborough and Horncastle is confused about the granting of probate. I wish to cite four points of difference between the granting of probate and other, perhaps more mundane, activities, such as the transfer of property or the auditing of public accounts.

The first is the application of the principle of free market forces — of which my hon. Friend is a well known and eloquent advocate — to the granting of probate. The explanatory and financial memorandum says that one of the benefits of the Bill will be that of

"saving time and expense to the beneficiaries of the estates concerned."

That is very much in keeping with the principles of competition and free market forces which my hon. Friend argues would cheapen the cost of services provided by both professional and non-professional people.

There is a difference. We are dealing not with the reorganisation of the British Steel Corporation or the Potato Marketing Board, but with the estates of people —money and assets that have been built up over a great number of years. There is a great difference between market principles being applied to the better management of a company, business or enterprise—which I would strongly endorse—and their being applied to people's rights.

We are dealing with the estates of people who have died, not with people who are alive. They have no votes. They are not participating in this vigorous, competitive world in which my hon. Friend so keenly wishes us to partake. We are dealing with the estates of dead people. Therefore, we must be very careful before we apply the principle of free market forces in the granting of probate to those who are not members of the legal profession.

Mr. Leigh: With respect, my hon. Friend is making a travesty of the way in which I opened the debate. The Bill makes it clear that it deals with non-contentious cases. I hope that my hon. Friend, who takes a deep interest in these matters, has had a chance to read the report of the Royal Commission on legal services. I hope that he is not arguing that those distinguished lawyers on the commission did not understand that probate concerns are matters of deep distress and of great importance to families. I repeat that the Bill deals with non-contentious cases.

Mr. Freeman: I am grateful for that intervention, because it displays a misunderstanding of the point that I was trying to make. Of course I am aware that clause 1 defines non-contentious matters by reference to the Supreme Court Act 1981. The distinction between a grant of probate which is contentious and one which is non-contentious is not relevant to my argument. I am saying that in dealing with the estates of deceased people we must be careful about the application of market principles.

Mr. Leigh *rose*——

Mr. Freeman: Time is pressing on. Perhaps my hon. Friend will allow me to deal with his point under the last three of my four points of concern.

Mr. Gerald Bermingham (St. Helens, South): I apologise for the fact that I did not hear the beginning of the speech of the hon. Member for Kettering (Mr. Freeman). Does he agree that the hon. Member for Gainsborough and Horncastle (Mr. Leigh) missed the essential point of probate matters—that they arise at an intensely personal and difficult time for widows and other relatives of the deceased? It is a time when regrettably on a vast number of occasions old family scores rear their heads. Lawyers must be extremely careful in their dealings. One step out of place can lead to enormous complications and can speedily turn the non-contentious into the contentious.

Mr. Freeman: The hon. Gentleman has made the point far more eloquently than I could or did. I very much agree with him.

My second point relates to clause 1, which refers to those who are unqualified. Section 23 of the Solicitors Act 1974, which the Bill seeks to amend, prohibits unqualified persons—those who are not solicitors—from acting in probate matters, except if members of the family or close friends are acting for no fee; in other words, when they are making a personal application.

How are we to define the approved trust corporations which my hon. Friend the Member for Gainsborough and Horncastle wishes to enable to make direct applications in contentious cases of probate? The Bill defines an "approved trust corporation" as

"a trust corporation approved for the purpose thereof by the Lord Chancellor".

That concerns me because it involves an extra element of delay and bureaucracy. It is not fair to say in the explanatory and financial memorandum that the Bill will

"have no financial effects or effects on public service manpower".

We know very well that the operations of the Lord Chancellor's Department are run on a tight purse string. This measure imposes an additional test at a time of distress for relatives. An additional delay is caused when a trust corporation, not necessarily approved already by the Lord Chancellor, seeks to act.

I come to my third and fourth areas of concern. The Bill will enable any officer of a trust corporation, any director of an approved trust corporation or the governing body of that trust corporation to act. What is the sanction, other than through the courts of law, against an authorised officer of a trust corporation of, say, one of the big banks who acted hastily or incorrectly or misinterpreted what was meant by a non-contentious or contentious matter?

If a solicitor is part of that process—I am convinced that that is the correct procedure as envisaged in 1974, when the original legislation was passed—there is a point of sanction, because the Law Society is responsible for the discipline of the legal profession. There is some form of redress against a solicitor who has been dilatory or inaccurate in the performance of his work. One hopes that there will not have been malfeasance or gross acts of negligence on the part of the solicitor. The important thing is that a sanction exists.

My hon. Friend the Member for Gainsborough and Horncastle, in his opening speech, did not suggest any form of sanction that might apply to bank trust officers. I hope that he will deal with that point in his reply to the debate.

I do not think that my hon. Friend has any notion of the fees that the trust corporation of one of the larger banks would charge for the winding up of a modest estate of £10,000 or £20,000; nor do I believe that he knows what additional charges would be incurred if no solicitor were involved and the bank itself had to make the application. I shall tell my hon. Friend what would happen in those circumstances. The bank would still seek the advice of its own internal legal department, and the total charges to the estate might not be any less; indeed, they might well be higher.

Mr. Leigh: How can the fee that the bank charges be relevant to the argument? The bank already has power to undertake the work and it is usual for it to consult its legal department.

Mr. Freeman: My hon. Friend, with great respect, has not answered my point. I hope that he will do so in his reply. I shall repeat it for his benefit. Can he tell the House the scale of fees normally charged and what protection there would be to the estate if no solicitor were involved and the bank had direct access in an application for probate?

Mr. Greg Knight: Is not another danger that the bank will do what it always does—deduct its charges and send the balance to the beneficiary? In those circumstances, the only redress for the beneficiary is to take the bank to court. That is the last thing that a beneficiary upset by the death of a close relative wishes to do.

Mr. Freeman: My hon. Friend is correct. As I said at the beginning, I have had direct experience in recent months of the application for probate through a solicitor on behalf of a family. I have also explored in great detail what the fees, charges and procedures are where a trust corporation is involved. I have had the opportunity of comparing the two and looking at the protection and safeguards—that is the most important point—for the beneficiaries of the estate.

For the reasons that I have given, I hope that my hon. Friend the Member for Gainsborough and Horncastle will provide some clear answers to the questions which have been raised. I think that that is necessary before we can carry the Bill further.

2.8 pm

Mr. Colin Moynihan (Lewisham, East): Friday has often seen this House engaged in substantive, erudite and intelligent debate, and today has been no exception—so far.

I hope that the points which have been made will be dealt with by my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) in his reply to the debate, to counter the many concerns. It is a great pity, given the substantial interest in the debate, that so little time is left. I know that many hon. Members would like to debate the Bill well into the afternoon.

It is to be deeply regretted that the hon. Member for Ipswich (Mr. Weetch) is unable to be with us this morning. We all understand his circumstances. It was clearly his intention, as he expressed it on 5 February 1985, that the Bill should be a simple and limited measure, with

[Mr. Colin Moynihan]

important and beneficial implications for opening up the legal profession. That principle has considerable merit and a number of hon. Members have supported it, but the concern of many hon. Members relates to the detailed implications of the Bill in trying to achieve that objective.

Substantive and important among those concerns is the fact that this Freedom of Probate Bill does not ask the simple question of who applies for the grant of probate. That involves a step in a court action. The Bill would set a precedent in giving direct lay access to a court of justice. That point needs to be addressed carefully, as does the important point about trusts and who controls trusts, particularly outside the United Kingdom. My hon. Friend the Member for Derby, North (Mr. Knight) went only halfway on the specific point when he quoted paragraph 19.24 of the widely read Benson report. I regret that he did not consider the answer to the questions that he was posing.

Mr. Bermingham: I note with interest the hon. Gentleman's point about access to a court of law. Does he agree that the law says that any man can be an advocate in his own cause, but if one is an advocate in another's cause, at least one should be experienced and trained to be so?

Mr. Moynihan: I absolutely agree with the hon. Gentleman.

Mr. Greg Knight: But is it not also the case that he who is an advocate in his own cause has a fool for a client?

Mr. Moynihan: I am grateful for that exceptionally important, key point. Hon. Members know that that is true. However, that said, let me go a little broader and address the point raised by my hon. Friend, when he rightly said that we need to look at the scope of the Bill and the qualifications that trust corporations have to satisfy.

This matter came up in an important part of the debate, but I believe that it needs to be emphasised. As I understand it, the definition of a trust corporation is not limited to the principal clearing banks. Anybody who constitutes a company in the United Kingdom with the right articles of association or, indeed, in a member state of the European Community, having issued capital of £250,000, of which only £100,000 needs to be paid out, constitutes a trust corporation within that definition. It does not require any expertise for an individual or a group of individuals to set up such a corporation. That is an exceptionally important, key point to the Bill. Despite the good intentions of the Bill overall, I hope that the Government will consider it closely, as well as hon. Members participating in the Committee stage. If it cannot be satisfied, regrettably I shall continue to oppose the Bill.

Mr. Soley: Does the hon. Gentleman agree that one of the ways of easing the burden is to allow law centres to carry out the practice, which they can do? Will he join me in pressurising the Government to provide funds to ensure that law centres stay open?

Mr. Moynihan: I am fully confident of the ability of local boroughs to fund. I noticed the point that was made, that local boroughs would not be able to fund because they were "all rate-capped". As the hon. Gentleman knows, that is not so. A small minority are rate-capped. I contend that priority that should be placed on law centres will be recognised even by those boroughs in financing law centres in future.

I now come to the point about charges. I believe that it is important to put the Bill into the context of how it came before the House and how it was originally conceived. It is well known that the bank trust corporations have, for some years, sought to extend their executorship and trustee business. Indeed, in evidence to the Benson committee, the Association of Corporate Trustees made it clear that its members favoured the removal of the legal constraints against the preparation of papers leading to an application for a grant of representation and the making of the application itself.

The Benson report accepted that that claim should be allowed to succeed, provided that the remuneration of trust corporations was brought under public scrutiny and controlled through the taxation of costs. The report states:

"At present a trust corporation or any other person or organisation may draft a will in which it is nominated as executor with power to charge for its services. Except when a solicitor is so authorised, there is no check on the reasonableness of the charges made".

I hope that that, too, will be dealt with in full if my hon. Friend the Member for Gainsborough and Horncastle has the opportunity to sum up.

I believe that the intention of the Bill is first class, but I am very worried about the implications of its implementation. I hope, therefore, that it will not be given a Second Reading or, if it receives a Second Reading, that it will be scrutinised very closely in Committee. I trust that the Government and other hon. Members concur with that view.

2.20 pm

The Attorney-General (Sir Michael Havers): I congratulate the hon. Member for Ipswich (Mr. Weetch) on his initiative in producing the Bill and sympathise with his indisposition. He made a powerful contribution to our debate yesterday, and I wish him a speedy recovery. I also congratulate my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) on his initiative in stepping into the breach and taking over the Bill, which otherwise would have been lost. The hon. Member for Ipswich is a considerable and tenacious legal reformer. I hope that he will forgive me when he reads my comment that his popularity in the legal profession does not always match his popularity outside, but I suspect he knows that already.

The Government's competition policy applies to the professions just as it applies to the supply of other goods and services, and we share the hon. Gentleman's concern that the process of applying for grants of representation to the estates of deceased persons should be as economical and straightforward as possible. Application for probate will inevitably affect us all at some time, whether directly or indirectly.

The House will be aware that the Government favour removing all unnecessary restrictive practices, but it is vital to ensure adequate protection for the consumer. The Government consider all such issues on their merits, the test being whether the existing restrictions remain desirable in the public interest. A balance must always be struck between encouraging competition and ensuring that the consumer will not suffer as a result of conflicts of interest or anti-competitive practices. That is where the public interest lies.

In today's interesting and well-argued debate, there has been much comment on the recommendations of the Benson report. I wish to lay before the House one or two details of what happened after the report was published. The Government received further submissions from the Law Society and from the Committee of London Clearing Bankers, the latter in support of its case for implementing the recommendations. The Committee of London Clearing Bankers stated that there would be two specific benefits for the public in the removal of what it described as the

"unnecessary involvement of a solicitor".

First, the delays inherent in the present system could be significantly reduced by cutting the number of steps involved in obtaining a grant of probate. Secondly, there would be savings for the beneficiaries because they would no longer be charged the independent solicitor's fees.

On the other side of the coin, the Law Society emphasised that application for a grant of probate was an application to the court and expressed the view that a trust corporation had no more right to apply for such a grant than to make application to or appear before any other court. The Law Society reiterated its view that the present restrictions were drawn up

"to protect the public and to ensure the proper administration of the law".

Nevertheless, the Royal Commission on legal services had recommended a change in the law in that area, which the Law Society countered by arguing that the recommendation should not be implemented "out of context".

Two other considerations were relevant. First, as the Bill recognises, any change should be confined to non-contentious cases, and, in the event of a probate matter becoming contentious, the trust corporation must put the matter in the hands of a solicitor. I do not think that anyone has argued against that today. That view was fully accepted by the Committee of London Clearing Bankers, and it seems that the wisdom of such a safeguard is widely recognised.

Secondly, the charges made by executors who are not solicitors should be subject to the same control as are solicitors' charges. Interested parties should have the right to require that fees and charges for probate be taxed by the court. Under this head should come any charges and financial advantages arising in the course of the administration. The Law Society also raised the question of conflict of interest and anti-competitive practices by which, it suggested, consumer protection would be endangered. It said:

"Trust corporations are commercial institutions which use their considerable resources to advertise for probate and trust work and are not restricted by any professional code of conduct from persuading the public to use their services."

We know of the impact of advertising on the reduction of conveyancing fees. That was made clear during our consideration of the Administration of Justice Bill yesterday evening. The society added:

"The occasions on which the expense of employing a trust corporation as executor are justified are few but the occasions on which a local manager can persuade a customer to appoint a corporation are many. On some of these occasions when the estate is small the corporation subsequently renounces the executorship, thereby causing delay and difficulties in administering the estate: on other occasions trust corporations may continue to act and unnecessary expense is incurred by the beneficiaries. A bank may therefore be able to persuade a customer to appoint the bank as executor and trustee when the appointment is not in the best interests of the customer. The bank is also entitled to draw a will for a customer and to include in it a charging clause which is not subject to independent review and which enables quite high charges to be made."

That matter was referred to quite often in the course of yesterday's debate on the Administration of Justice Bill. The Law Society continued:

"If, in addition, the banks are able to extract the grant of probate without the details of the will being considered by an independent solicitor they would be in the position of having total control over all aspects of a deceased's estate from the preparation of the will, by way of the application for the grant of probate, to the administration of the estate and finally to the fixing and appropriation of charges. That in the council's view is entirely out of step with the continuing and increasing trend towards the protection of the public."

I hope that the Law Society will forgive me if I describe those observations as totally predictable.

Mr. Bermingham: Does the Attorney-General agree that there has been considerable disquiet for some time about the major banks' level of charges for probate? Does he further agree that perhaps the subject should be examined by the Office of Fair Trading? There are no statutoty regulations, and very often the small estates suffer the most.

The Attorney-General: I would rather not get involved in the issues that the hon. Gentleman has raised. There is very little time left before the debate must come to an end. I shall confine my remarks to the Bill. I share the hon. Gentleman's disquiet that there is really no control over charges made in such circumstances. That is a sad omission from the Bill and is one reason why the Government are unable to support it. We are also rather unhappy about the Lord Chancellor being the person responsible for approval. It was suggested originally that the Bank of England should have that responsibility. In a way, the bank would be much more knowledgeable than my right hon. and noble Friend the Lord Chancellor.

The Committee of London Clearing Bankers denied that there would be any conflict of interest. The two arguments that I am summarising for the House are entirely predictable. In the committee's submission, such an amendment would not impair either the proper administraton of justice or the protection of the public. It said at the time:

"The corporations are not subject to judicial control in the same way as the legal profession, but far more so than the latter, they are subject to the restraints of the boards of their parent bodies, to public opinion and the media and to the Office of Fair Trading. The banks are quite properly very conscious of their standing with the public at large."

Further, it agreed in principle to legislation which would subject the charges made by corporations to a reasonable form of control It considered, rightly or wrongly, that

"the banks have nothing to fear in this respect."

However, the Lord Chancellor, after much consultation, decided that it would not be right at that time to approve the relaxation of the existing controls. When the Government published their response to the report of the Royal Commission on legal services in November 1983, that position was maintained. The response stated:

"The Government considers that application by a solicitor for probate provides a valuable safeguard for the public, and does not accept that, at present, a change in current procedure is justified."

That is the background to this issue. Those, in brief, are some of the arguments that have been raised and will no doubt be raised again whenever this subject is considered. No doubt, too, the House can see why undertaking

[The Attorney-General]

legislation on an issue such as this will require widespread consultation and thorough consideration, both of which are lacking at the moment.

I have not mentioned yet, for example, the idea of the approved trust corporation. Would an approval by the Lord Chancellor be a viable and acceptable mechanism? What would the resource implications be and what would be the appeal and disciplinary arrangements, if any? All the legal and administrative aspects of the——

It being half-past Two o'clock, the debate stood adjourned.

Private Members' Bills

LOCAL GOVERNMENT (CHOICE OF ELECTORAL SYSTEMS) BILL *[LORDS]*

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 July.

SOLICITORS (INDEPENDENT COMPLAINTS PROCEDURE) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

ROAD RACES (NORTHERN IRELAND) ORDER 1977 (AMENDMENT) BILL *[LORDS]*

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 July.

LICENSING ACTS (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 July.

MINIMUM WAGES ETC. BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 July.

HORSES AND PONIES BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day?

Mr. Roland Boyes (Houghton and Washington): Friday 7 June, Sir.

Mr. Deputy Speaker: Does the hon. Member have the leave of the hon. Member in charge of the Bill?

Mr. Boyes: Yes, Sir.

Second Reading deferred till Friday 7 June.

WORKING CONDITIONS OF GOVERNMENT TRAINEES BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 July.

PROTECTION OF THE RIGHTS OF THE ELDERLY IN HOME OWNERSHIP BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 14 June.

RENT (AMENDMENT) BILL

Read a Second time.

Motion made, and Question proposed, That the Bill be committed to a Committee of the whole House.—*[Mr. Mates.]*

Mr. Deputy Speaker: Committee, what day?

Mr. Mates: Now, Sir.

Mr. Deputy Speaker: I draw the attention of the House to the fact that it is unusual to take the Committee stage without notice. Is there any objection?

Question put and agreed to.

Bill immediately considered in Committee; reported, without amendment.

Motion made, and Question, That the Bill be now read the Third time, *put forthwith pursuant to Standing Order No. 58 (Third Reading), and agreed to.*

Bill accordingly read the Third time, and passed.

New Towns (North-East)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Garel-Jones.]*

Mr. Simon Hughes (Southwark and Bermondsey): On a point of order, Mr. Deputy Speaker. Is there any provision by which we may ensure that a Bill which has been objected to, which has been put back into the list—it is due to appear next on 5 July—and which has gone through its stages and been passed by another place, can be dealt with? I refer to the measure in the name of the hon. Member for Hornchurch (Mr. Squire), the Local Government (Choice of Electoral Systems) Bill, which has been passed by the other place. Is there any way in which that can be given time for debate in this House, irrespective of its present position in the list?

Mr. Dave Nellist (Coventry, South-East): Further to that point of order, Mr. Deputy Speaker. When you give a ruling on the point that the hon. Member for Southwark and Bermondsey (Mr. Hughes) has raised, will you also consider the fact that among the Bills which are to be taken on 5 July is the Minimum Wages Etc. Bill, a measure which affects eight million people in this country. The subject of the low wages of those people should receive equal attention by you, Sir.

Mr. Deputy Speaker: It is difficult for me to answer those points off the cuff. Both hon. Gentlemen must use their ingenuity within the rules of the House, and consider what opportunities may be available to them.

2.35 pm

Mr. Roland Boyes (Houghton and Washington): I was fortunate enough to be successful in the draw for the Adjournment debate, and it was well worth waiting until the end of the week's business to discuss a subject that is of importance to so many people in the north-east. Incidentally, I have had the privilege of both starting and ending the business of the House today.

I have a personal interest in the subject. I have lived in one new town—Peterlee—for more than 22 years, and I have represented Washington new town in the European Parliament and, since 1983, in this House.

I shall concentrate on Washington, but much of what I say also affects Peterlee and Aycliffe. It is regrettable that, because of urgent constituency business, my hon. Friends the Members for Easington (Mr. Dormand) and for Bishop Auckland (Mr. Foster) cannot be here. They are both as anxious as I am to hear the Minister's answers to my questions.

It is impossible to separate the three new towns because the Secretary of State for the Environment linked them together when, in 1984, he issued a consultative document about their future. I shall have something to say about the outcome of the consultations of 1984 and especially about how long it took the Government to reach a decision and the consequent effect upon the morale of the diligent and hardworking staffs.

The three new towns are in the northern region, where there is 19 per cent. unemployment. This is not a recent phenomenon. The unemployment rate has been well above the national average for decades. However, the north has suffered particularly badly as a consequence of the present Government's monetarist policies, and the unemployment level is now greater than that of any other region. That is one record of which we are not proud.

In common with many of my colleagues, I believe that our only real hope lies in the introduction of a system of decentralisation giving power to a regional authority. That would give us more control over our own destiny.

The Parliamentary Under-Secretary of State took part in a conference at Aycliffe last Friday on the relationship between regional policies and new towns. He recognised the magnitude of the problem. He said:

"here in the North East, I am sure that the overwhelming interest in regional policy is the creation of jobs to help with the problems which this region faces."

However, the hon. Gentleman also said:

"The government's philosophy is of course based on the view that a properly regulated market is the best way of dealing with questions about the allocation of resources."

That topic cannot be fully debated in a short time. However, the concept of a centrally regulated market has not solved any of our problems in the north-east. The opposite is the case.

Washington is within the borough of Sunderland and is consequently part of the county of Tyne and Wear. The unemployment level in the borough is 21 per cent., and in Tyne and Wear 20 per cent. Each area is surrounded by others with similar or higher levels of unemployment. The level in Newcastle is 20 per cent., on South Tyneside 21 per cent., and in Cleveland county 22 per cent., according to the Government's massaged figures. A massive problem clearly faces the unemployed living in the new towns, and it is also clear that the problem of the individual and his family cannot be solved by moving to an adjacent area.

There are even more dramatic data which illustrate a problem which should be of great concern to the Government, given the mass of literature available on the health and social consequences of unemployment. Social breakdowns, especially among the young, are something which we do not wish to experience in the north-east, but the risk is high. When one studies the data, it would be foolish not to recognise that, in the borough of Sunderland, nearly 7,000 people have been out of work for over two years. Many of them are young people. The latest figures from the careers office show that 4,500 young people are chasing 64 jobs. There are 1,947 unemployed, and 2,562 are on special schemes. In addition, 3,000 more youngsters will leave school in May and July of this year.

Regrettably, the jobs that have been lost over the years have been in industries which will be unable to respond when better times materialise. Pits that have been closed will not and cannot be reopened. Many jobs that have been lost in steelworks, shipyards and heavy engineering are lost for ever, yet they were once the basic industries of the north-east. Jobs have also been lost because of modern technology, which has reduced the demand for labour. In addition, markets have been lost to competitors in other countries. Those jobs should have been protected by the Government.

We desperately need new jobs to replace those that have been lost. They are likely to be in new types and forms of production. In both the short and long term we need job hunting agencies which can attract jobs to the northern region. In a highly competitive situation, the development corporations have had some success in attracting new companies to the north-east and over the past decade we have also been fortunate in having dynamic and progressive local authorities.

I must make special mention of the Tyne and Wear county council, because the Government's chief

[Mr. Roland Boyes]

executioner has his axe raised above his head, ready to chop off the heads of the job hunters of Tyne and Wear and the development corporations. The Secretary of State for the Environment is busy digging graves in which to bury the bodies. Anyone can do that, but it does not mean that there will be greater order when successful job hunters have been destroyed. As we well know, it can mean greater disorder.

I have said many times in the Chamber—but it bears repeating — that three agencies were involved in attracting the Nissan project: Tyne and Wear county council, Sunderland borough council and Washington development corporation. When the project reaches phase II, it will create almost 3,000 jobs direct, and an equal number of jobs may be created in companies producing parts and in other companies providing services as a consequence of that development. Those jobs will prove vital to the area and we hope that other companies will be attracted to the north-east, thus creating even more jobs. Yet within a very short time of this success, the Government are destroying two of the three organisations. The logic behind these decisions has never been explained —certainly not to my satisfaction—and I hope that the Under-Secretary of State will reflect and comment on that contradiction.

Washington must not simply be seen as the town that attracted Nissan. The job hunters of the Washington development corporation have generated in excess of 20,000 new jobs since it came into operation. There are more than 300 companies in Washington, and over half of them originated outside the immediate locality. Indeed, 10 per cent. of the companies have been attracted from overseas—from, among others, Holland, Denmark, the United States, Canada and Norway. Other companies from other countries are already in the pipeline. There are many live inquiries from overseas companies, in addition to about 150 from the United Kingdom. I hope that those inquiries will be turned into jobs. However, the Secretary of State's decision certainly does not help the situation.

During the passage of the Local Government Bill the proposal to abolish the Tyne and Wear council was debated, and I asked the Minister several times to consider the unsatisfactory position with regard to the 2p rate. I refer to the power contained in clause 137, which enables local councils to protect existing jobs and to create an environment in which new jobs can be attracted. If the Tyne and Wear council is abolished, that 2p rate will disappear, together with some millions of pounds. That is an example of political vindictiveness, because the Conservative-controlled county councils will still have a 2p rate. After all, I do not think that the Conservative party's manifesto seeks to abolish the shire counties.

The Department of the Environment issued a consultative document on 8 May 1984 containing three major proposals: that the three development corporations should be wound up at the end of December 1985; that Washington's housing stock should be transferred to Sunderland borough council; and that the job promotion aspect should be transferred to English Industrial Estates. Today I shall concentrate on the last point.

The English Industrial Estates option was unanimously rejected, and that was emphasised at a meeting with the Secretary of State in London in July 1984. At the meeting, the chairmen of the boards, neither of them Labour supporters unless they have had recent conversions, members and officers of the appropriate district councils and three Members of Parliament were united in their opinion that, because of their proven record in job hunting, the development corporations must be allowed to continue with that aspect of their work for up to five years and then the situation reviewed.

I think the Under-Secretary of State will agree that only if the case were cast-iron could so many people from different areas and of different political persuasions be so united in purpose. It underlines the strength of opposition to the Department of the Environment's proposals. However, we cannot understand why it took nine months for the Secretary of State to make a decision following that meeting. I hope that the Under-Secretary of State will say a few words about that today.

I cannot speak for everyone who was at the meeting in London because they have not met together recently, but I can say that many are disturbed that, despite the evidence, the Secretary of State granted the development corporations an extension of only two and a quarter years. During the consultation period staff morale reached an extremely low level, and the short extension granted has not helped much. In fact, one senior official told me this week that the Government had come up with the worst possible option.

My hon. Friend the Member for Easington has already said in the Chamber that circumstances have changed for the worse. The threat to collieries in his and my constituency makes the case for the retention of the development corporations even stronger. The proposed closure of Horden colliery in my hon. Friend's constituency has recently been announced, and my hon. Friend believes that the matter should be reviewed urgently as a consequence of the threatened closures in the Durham coalfield.

In the same conference that I referred to earlier the Under-Secretary of State also said:

"They have all been provided with the means to achieve growth. In some cases it makes sense to retain, perhaps on a reduced basis, the teams which have been built up in order to stimulate growth."

He also said:

"we must make sure that we obtain all the benefits that we can from the investment of resources and skills which has gone with them so far."

Exactly. The Under-Secretary of State clearly recognises that there is a problem in the north-east, that the staffs of the development corporations have, over time, developed the resources and skills to do something about the problem and that it also makes sense to retain the teams.

Why, then, are those teams being so easily broken up? Why has the Department of the Environment set staffing limits for each corporation? Why has the Secretary of State not allowed them at best to determine their own staffing needs, or allowed them a budget enabling them to determine the number of staff that they think most appropriate?

Why has the Secretary of State stopped the building of advance factories? Does that not put the development corporations at a disadvantage vis-a-vis English Industrial Estates because it can continue to do so? Does the Secretary of State not agree that in an area of high unemployment it is essential to have the factories ready and available for the market, otherwise there is a strong possibility that entrepreneurs will look elsewhere?

Being cynical, has not the Secretary of State simply allowed time for public assets to be sold to the private sector? Staff are simply being employed to assist in the privatisation process.

On 24 December 1984 that belief was echoed in an editorial in *The Times*, which is certainly not a Labour-supporting newspaper. It said:

"The English New Towns deserve a better fate than the precipitate asset-stripping that now seems in prospect for them."

Many of us suspect that because of the speed with which the assets are to be sold there is a danger that they will go too cheaply. With no set price, they will go for any reasonable offer.

I stress that I speak for my hon. Friends the Members for Easington and for Bishop Auckland as well as myself when I say that the development corporations have not yet finished their job, that proper plans should have been made for them to continue their programmes, that assets that belong to the public sector should have been left with it and that the Government are hell-bent on a policy of privatisation and selling off the development corporation is simply part and parcel of it. In view of the short period of extension, why has the Secretary of State not come up with an alternative? May I assume that he will leave the decision to the local authorities and the Labour movement —in the north-east?

Once again I have support for my case in the editorial to which I referred earlier. It said:

"The corporations of the New Towns of the North-East form a component of regional aid, seeking employment for and promoting Aycliffe, Washington and Peterlee: this is work that could be missed".

Now that the Secretary of State has announced his decision, I am sure that the editorial writer on *The Times* will change that to "will be missed".

Why did the Under-Secretary of State for Trade and Industry come to a different conclusion about Scottish new towns, when in a press release he said:

"It remains the Government's view that the new towns should continue to maintain their important contribution to industrial growth and increased employment opportunities and that none of the development corporations should be wound up before the end of the 1980s."

The unemployment levels in Scotland and the north-east are similar. Social deprivation and economic problems are similar. I hope that the Under-Secretary agrees that there is a logic in coming to exactly the same conclusions about the north-east new towns. I hope that this afternoon he will provide some information which I can take back to the north-east to give the people there more hope.

2.51 pm

The Parliamentary Under-Secretary of State for the Environment (Sir George Young): The hon. Member for Houghton and Washington (Mr. Boyes) has spoken with feeling about the north-east, and particularly about unemployment. As he said, I attended with him the new towns conference last week when we debated regional unemployment and the role of the new towns. I am pleased that he had time to write down some of the perceptive comments so that he could quote them this afternoon.

The hon. Gentleman talked about Scottish new towns and drew a parallel. He said that because they had a longer life span, so should English new towns. Scottish new towns were established some time after the English new towns. For that reason alone, one would expect Scottish new town corporations to be wound up later. It does not follow that if one decides that the Scottish new town corporations should remain until the end of the century, the same conclusion should be applied to English new town corporations. The English corporations have made more progress in achieving their objectives, because they have been established longer.

The hon. Gentleman said that he was looking forward to the new jobs that will have to be created in the north-east. Some of his colleagues look backwards instead of forwards and want the declining industries in the north-east to be exhumed. The idea that we can restore those industries that traditionally have provided jobs is misguided. I welcome what the hon. Gentleman said about trying to attract jobs in the new and expanding industries such as the service industry to try to tackle the unemployment problem in the north-east.

My right hon. Friend the Secretary of State for the Environment announced on 21 March that the lives of the development corporations for Aycliffe, Peterlee and Washington were to be extended to 31 March 1988. Before we reached this point, the hon. Member for Easington (Mr. Dormand) had raised the matter twice on the Adjournment. My Department had issued a consultation paper asking for comment on whether the purposes for which the development corporations has been set up had been substantially achieved, as required under the relevant legislation. The response to these consultations showed clearly the high opinion held locally of the work done by these bodies. We therefore concluded that there should be some extension. The question was: how much and for what purpose?

One could embark upon a semantic and fruitless discussion about exactly what is meant by the words "substantially achieved" which appear in the Act. However, Washington and the other new towns in the north-east could be said to have "substantially achieved" their objectives. My right hon. Friend the Secretary of State recently visited Washington and opened the last major stretch of highway to be constructed by the development corporation. My noble Friend Lord Bellwin, when he was Minister for Local Government, visited the area at the end of the consultation period, and I went there some time ago to open a new village centre.

All the Ministers who visited were impressed by what the development corporation had achieved in the last 20 years. By any standards, Washington is a modern, well-served community with all the facilities that one would expect for a young and active population. It has a balance between modern housing and an enviable commercial centre, shopping facilities and a wide range of industrial employment. Its record in attracting new jobs is a proven one, which has not just benefited the residents of the town, but attracted a marked degree of commuting from the adjacent conurbations.

There was thus no doubt that the development corporations had done much of what was needed. The question was: was it enough? Whilst I very much regret the time it took to reach a decision, the Government's deliberations had to balance these factors that I have mentioned against the support and justification for an extension of the lives of the corporations, the public expenditure implications, our regional policy aims and the claims of other regions. These are not easy questions.

Nevertheless, despite the widespread suspicion of our motives in the region, we decided that it would not be right to wind up the corporations now. We were impressed by the degree of support which they command in the region

[Sir George Young]

as job creation agencies. The role of Washington, in particular, as part of the team which successfully negotiated with Nissan was worthy of praise. I should perhaps in fairness add that these arguments applied with equal force to the development corporations of Aycliffe and Peterlee. The support for their continuation for the industrial promotion purpose was no less strong, nor their record any less impressive.

It is worth reminding the hon. Gentleman that his right hon. Friend the then Secretry of State for the Environment in 1978 decided that the Washington development corporation should be wound up on 31 December 1982. The hon. Gentleman's rather emotive remarks about my right hon. Friend preparing the grave and becoming the executioner are a little out of place. Had the Labour party had its way, the grass would have been growing extremely long on the grave of the development corporation, whereas its existence is now guaranteed until 1988.

The hon. Gentleman referred to the all-party deputation which we met in London last year. The point was put forcibly that now was not the right time to wind up the corporations. We have therfore fully conceded that point. That seemed to be the prime concern of the delegation. Now the hon. Member is debating how long this extension should be. The Government's motivation in granting an extension was not only to ensure the continuation of the corporations' job creation role for a time, but to ensure a smooth transition to successor arrangements so as to maintain that momentum. If all parties work to that end, as I am sure they will, whether the extension should be two and a half years or five years is of less significance. If we get the successor arrangements right, I trust the hon. Member will feel more relaxed about the length of the extension.

The hon. Gentleman asked a number of specific questions which I shall try to deal with in the time available. The first was about the level of expenditure which will be available to the corporation to perform the task that is needed. I hope that the level of expenditure will be commensurate with the specific task that we have identified—the industrial job creation role. We believe these levels to be reasonable, but, if they are likely to be exceeded, we have already undertaken—and I repeat the commitment—to consider on their merits any further proposals put to us.

The hon. Gentleman is specifically concerned about advance factory provision. I cannot say today what provision will be agreed. That has to be a matter for discussion with my Department in the light of any special case put to us by the corporations. We also have to ensure that existing empty stock is utilised first. That must be sensible housekeeping. But, having said that, any special case will be considered on its merits by my right hon. Friend, and we shall be in touch with the development corporations or hon. Members if they feel that a special case needs to be made.

The hon. Gentleman described as "asset stripping" the disposal of the assets by the development corporations for the best consideration reasonably obtainable. We have repeatedly said that there will be no forced sales and no sales contrary to the best professional advice. There is no question of selling off the assets cheaply or prematurely. In any event, the sales programme is not just about raising money, valuable to the nation though that is. It is to try to normalise the position in new towns generally, to phase out the very dominant public sector landlord position existing in the new towns, which does not exist in our other towns, and also to try to encourage a thriving private sector.

Finally, there is the question of successor arrangements. My right hon. Friend's announcement asked the corporations to prepare satisfactory arrangements for the period after March 1988. I am sure that their efforts in that regard will be no less conscientious than those that they have put so visibly into the development of their towns. It would be premature at this stage to speculate what will emerge. The Government are viewing, with great interest, the initiative by Sir Ralph Carr-Ellison to set up a regional industrial executive in the north-east, and we wish him every success.

Whatever successor arrangements emerge, one thing is crucial, and there should be no doubt about it. There can be no doubt in anyone's mind that the recent uncertainty over the lives of the development corporations must not be repeated. We must put to positive use the three years that we have in which to make arrangements.

The hon. Gentleman rightly mentioned the staffing implications of the extension. I have heard from the National and Local Government Officers Association, which has asked for a meeting. I have agreed in principle and asked for details of its concerns before the meeting. The points made by the hon. Gentleman are a valuable contribution.

Anyone who works for a new town development corporation will know that the object of the corporation is, in a sense, to work itself out of a job. Under both parties the corporation has always had a finite life. There is no job security in working for a new town, and the staff are aware of that. However, it is not easy to reach decisions when considering staff redundancies. We must avoid prolonged uncertainty. The key staff must know whether they have a job in the extension period if they are not to be lost. I understand the anxieties expressed by NALGO and I shall explore them in more detail when its representatives come to see me.

The number of staff remaining at the corporation after 1986 must be related to the work load. The hon. Gentleman accused us of having imposed ceilings on staff numbers. There is nothing new in the Department indicating the staffing levels that it thinks appropriate. We have made it clear that, within the limits of the finance available, we will be happy to discuss with the corporation the staffing levels that it would want. We have asked the corporation to concentrate on the development of industry and commerce and the creation of jobs. That represents a significant reduction from the present task and we expect commensurate staff reductions. I do not underestimate the difficulties facing management and unions, but I am sure that, with good will on both sides, they can be overcome.

There are, I think, slightly fewer difficulties at Aycliffe and Peterlee. They have the advantage of having transferred their housing some time ago. They have successfully pursued a course of privatisation of their functions.

We have had a useful debate, although I am conscious that I may not have wholly satisfied the rather high bid from the hon. Gentleman. He criticised my right hon. Friends for not extending the north-east new towns for long enough. Conservative Members have criticised us for not winding up the development corporations soon

enough. So perhaps at the end of the day the Government have got it right. I shall bear in mind his comments in our further negotiations both with the corporation and with the trade unions.

Question put and agreed to.

Adjourned accordingly at three minutes past Three o'clock.

House of Commons

Monday 20 May 1985

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

WALES

Labour Statistics

1. **Mr. Barry Jones** asked the Secretary of State for Wales how many people are unemployed in Wales and in Clwyd; what were the figures for 1979; and by what percentage each of the totals has increased.

The Secretary of State for Wales (Mr. Nicholas Edwards): On 11 April 1985 there were 180,031 unemployed claimants in Wales and 24,186 in Clwyd. In April 1979 the claimant-based figure for Wales was 78,383, an increase of 129·7 per cent. A comparable claimant-based figure for Clwyd is not available, but in April 1979 the number of registrants unemployed was 12,070.

Mr. Jones: My luckless constituents at P.D. Cans of Deeside lost their jobs last month and are still shocked and angry. Why did that company fold up so speedily and mysteriously? Is it perhaps a classic case of management error and over-extension of financial resources? Did the company use Welsh Office grants to buy another company from receivership? Does the Secretary of State agree that the closure of a factory with a 90-strong work force is just as important in human consequences as much bigger closures?

Mr. Edwards: The company received grants. I do not believe that the amount of grant that it received can have been critical in the decision on whether it went ahead with the acquisition of another company. But it was regrettable that that company failed. I find it hard to believe that the hon. Gentleman is criticising the fact that an application for selective financial assistance at an earlier stage was granted to the company after the application had gone to the Welsh Industrial Development Advisory Board.

Mr. Raffan: Does my right hon. Friend agree that if the serious concern of the hon. Member for Alyn and Deeside (Mr. Jones) over unemployment is to be taken seriously, he will have to have Labour's policy document "Work for Wales" independently costed and tell us exactly how much his party will put up taxes to pay for it?

Mr. Edwards: I entirely agree. Any higher rates or taxes would be detrimental to jobs.

Mr. Geraint Howells: How many nurses, doctors and front-line staff will be made redundant in west Wales due to 90 beds being taken out of use at Llanelli, Carmarthen and Aberystwyth? Will the right hon. Gentleman reconsider the position of the East Dyfed health authority, and give it the extra £1·5 million required to make sure that the services remain intact?

Mr. Edwards: There are more nurses, doctors and front-line staff in the Health Service than there were when the Government came into office. Considerable funds have been allocated to the health authorities in west Wales to deal with the problem of under-funding. Recent recalculation of Dyfed's requirements shows that further attention may have to be given to its particular under-funding problem. We are considering that matter at present.

Mr. Foot: When will the Secretary of State announce a full expansion of the Welsh Development Agency programme, with the money and resources to make it possible, to deal with those appalling figures?

Mr. Edwards: The Welsh Development Agency has carried out a massive programme under the Government since May 1979. It has spent some £270 million on factory building and related activities. It has built over 200 advance factories in Clwyd alone. At the moment about 12·5 per cent. of its factory space is vacant. It is also carrying out a substantial programme to encourage investment, particularly by the private sector.

Mr. Speaker: Mr. Keith Best to ask question No 2: this is an open question.

Mr. Best: In that case, Mr. Speaker, I do not propose to ask it.

Courtaulds (Plant Closure)

3. **Mr. Raffan** asked the Secretary of State for Wales when he expects to complete his consideration of Delyn borough council's development strategy for Courtaulds' Greenfield plant following the announcement of the proposed closure of the plant.

4. **Mr. Harvey** asked the Secretary of State for Wales if he will introduce further measures to alleviate the impact of job losses resulting from the closure of Courtaulds' yarn factory at Wrexham.

Mr. Nicholas Edwards: My officials are discussing urgently with the local authorities, the company, the Manpower Services Commission and the WDA the contribution which each can make to tackling the situation. Those discussions will cover the Delyn borough council's development plan and the county council's action response.

Mr. Raffan: Will my right hon. Friend seriously consider extending the Delyn enterprise zone to include the No. 1 site at Greenfields when that site is transferred to Delyn borough council? Is he aware that the council will have great difficulty in attracting substantial private investment to develop that site without the financial advantages of an enterprise zone, particularly the 100 per cent. capital allowances for new buildings?

Mr. Edwards: We are having detailed discussions with all the authorities about their proposals. It would be wrong to anticipate the outcome of those discussions, especially as we are also still awaiting a full response from Courtaulds about the contribution that it can make.

Mr. Harvey: I welcome my right hon. Friend's commitment to consultations, but will he also bear in mind that, if the closures go ahead, the extensive public funds invested in Courtaulds over the past few years should be clawed back? Will he see that that is done?

Mr. Edwards: Clawback is always considered in such cases and I confirm that it will be on this occasion. However, I should tell the House that Courtaulds has agreed to second a senior executive and support staff to provide management expertise for the development of local business in the Delwyn area. I welcome that proposal, but it is, of course, only one of the many aspects of the problem that we have been discussing with Courtaulds. We shall continue to hold detailed discussions with the company.

Mr. John Morris: In view of the reports that the Prime Minister has intervened personally with Sir Christopher Hogg about alternative employment, will the Secretary of State also intervene personally with the chairman of BP International in order to obtain a stay of execution for Llandarcy so that the work force may be given a decent period in which to work out alternative plans, instead of a mere month?

Mr. Edwards: I will certainly draw to the attention of the senior management of BP what the right hon. and learned Gentleman has said, but, as I told the Welsh Grand Committee last week, BP has set a notable example to other companies, including Courtaulds, with regard to the contribution that can be made in such circumstances. BP has committed itself in a number of ways to help create future jobs. It should be congratulated on the initiatives that it has already announced.

Mr. Speaker: Order. I must draw the attention of the House to the fact that the question refers to Courtaulds Greenfield plant. I am afraid that I was confused by the names of Welsh towns.

Mr. Gareth Wardell: What is the Secretary of State's reaction to the decision of the Select Committee on Welsh Affairs to launch an inquiry into the job losses both at Courtaulds and at BP Llandarcy?

Mr. Edwards: I am always most interested to see the work of the Select Committee.

Mr. Anderson: When the Secretary of State congratulates BP on its initiative——

Mr. Speaker: Order. No, that will not do — Courtaulds.

Mr. Barry Jones: May I remind the Secretary of State that over 13,000 people are unemployed in the Deeside travel-to-work area and that there is a male unemployment rate of nearly 20 per cent.? The prospects for Flint, Holywell, Bagillt and Greenfield are very grim. The male unemployment rate in Flint and Holywell may approach 30 per cent. before long.

Will the right hon. Gentleman visit Mold and organise and chair a conference of county and borough leaders, together with the Welsh Development Agency and the Manpower Services Commission, with the objective of producing a rescue package? What has the right hon. Gentleman done, with his Prime Minister, to see the chairman of Courtaulds in person in order to persuade him to retract these brutal decisions?

Mr. Edwards: As I have said before, I have seen the chairman of Courtaulds and my right hon. Friend the Prime Minister has corresponded with him. I have initiated with the local authorities discussions of the kind that the hon. Gentleman seems to want. What is required at present is not another meeting chaired by me, but a conclusion of the detailed discussions now in progress.

I am sure that, at least, the hon. Gentleman will welcome the significant announcements affecting the area made by Sharp and Data Magnetic in particular since the Courtaulds announcement was made.

Cynon Valley

5. **Mrs. Clwyd** asked the Secretary of State for Wales what new plans he has to deal with the unemployment problem in the Cynon Valley.

Mr. Nicholas Edwards: Within the Government's overall economic strategy, I shall continue to pay special attention to the need to sustain and develop industrial and manufacturing investment in areas such as the Cynon Valley.

Mrs. Clwyd: Is the Secretary of State aware that Cynon Valley now has the highest male unemployment in Wales? Is he further aware that at least two pits in my constituency are in jeopardy and that, if they close, male unemployment will be pushed up to 50 per cent.? In view of that horrific possibility, does the right hon. Gentleman intend to bring alternative employment to my besieged constituency?

Mr. Edwards: I am aware of the possibility of further pit closures in the area and of the level of unemployment there. That is why I devoted a considerable part of my speech at last Wednesday's sitting of the Welsh Grand Committee to spelling out our commitment to the valleys of Wales, including the Cynon Valley. I am sorry to say that I do not think that the hon. Lady was able to be there to hear my speech. Perhaps she will find time to read it.

Mr. Grist: Does my right hon. Friend agree that the most damaging action for the Cynon Valley, and any other part of the country, would be espousal of the Labour party's economic policy, which includes hostility to the European Community, control of pension funds, increasing Government borrowing, renationalisation and higher personal taxation?

Mr. Edwards: And the establishment of yet another talking shop to preside over the affairs of Wales.

Mr. Ray Powell: Cynon Valley faces serious problems, as does the valley of Ogmore and Maesteg——

Mr. Speaker: Order. I shall do my best to call the hon. Gentleman on a later question on that part of Wales.

Labour Statistics

6. **Mr. Wigley** asked the Secretary of State for Wales what are the latest figures for the number of unemployed people in Gwynedd; how this compares with the corresponding figures for 1979 and 1974; within the latest figures how many have been unemployed for over 12 months; and how many are under 25 years of age.

Mr. Nicholas Edwards: On 11 April 1985 there were 14,494 unemployed claimants in Gwynedd. Comparable

figures for the same period in 1979 and 1974 are not available because of the move to claimant-based figures. In January 1985, 5,182 claimants had been unemployed for over a year and 5,713 claimants were aged under 25 years.

Mr. Wigley: Is the Secretary of State aware that his refusal to give figures for 1979 and 1974 shows how the Government are cooking the books to avoid the consequences of their policies? Is he further aware that his statement last Wednesday in the Welsh Grand Committee about an increase in the number of people in employment has no relevance for Gwynedd, as the Government's only policy for that county appears to be to build an east-running road to take young people out of the county as quickly as possible? When will he have a commitment to Gwynedd such as he mentioned in connection with the valleys?

Mr. Edwards: I suppose that the hon. Gentleman and members of his party must be the only people in Wales who seriously believe that the building of a modern dual carriageway across north Wales to Gwynedd is bad for jobs and not good for economic prospects of the area. I hope he will proclaim that message to his electors, because I think that most of them will dismiss it as the rubbish that it is.

Mr. Best: Does my right hon. Friend agree that the dualling of the A55 is the measure which is most likely to open up north-west Wales to greater employment prospects, just as the M4 has done for south Wales? Does he further agree that construction work on highways is a good way in which to provide extra employment? Will he ask our hon. Friend the Minister of State carefully to consider bypasses around the fine villages of the A5, as that would be an excellent means of producing greater employment?

Mr. Edwards: I shall do all of that. I cannot promise that we can get ahead immediately with all of the bypasses that my hon Friend requires. As he knows, we are conducting a massive road building programme for the general good of the area. I hope that he will draw the attention of local electors to the fact that Plaid Cymru believes that it should not go ahead.

Mr. Barry Jones: This is the forgotten county. Why does the right hon. Gentleman not accept that, as long as Clwyd is wracked by high unemployment, it will be difficult to get major job projects into Gwynedd? What will the right hon. Gentleman do to get work to the beleaguered community at Holyhead, where male unemployment is nearly 25 per cent.? Why does he not acknowledge that Wales needs the expansion of the Welsh Development Agency budget?

Mr. Edwards: As Holyhead is a port on a main route to Ireland, I should have thought that it would be perfectly obvious that improvement of road communications to it is about the greatest single contribution that we can make.

Juvenile Offenders

7. **Mr. Alex Carlile** asked the Secretary of State for Wales if he has any proposals for increasing the funding of intermediate treatment schemes for juvenile offenders in Wales; and if he will make a statement.

The Parliamentary Under-Secretary of State for Wales (Mr. Wyn Roberts): No, Sir. The response to the intensive intermediate treatment programme has not so far matched the funds we have set aside. The decrease in the 1985-86 provision compared with that for 1984-85 is merely a reflection of our estimate of likely take-up grant.

Mr. Carlile: Is the Minister aware that the rising rate of some types of juvenile crime in Wales is causing real concern and that statistics show that detention centres, whether by short, sharp shock or otherwise, are failing to prevent youngsters from committing crime? Is it not high time that the Government responded to the initiative of the intermediate treatment programme and provided proper funding for a real and successful alternative to custody, through intermediate treatment?

Mr. Roberts: The Government are in favour of non-custodial treatment, as the hon. and learned Gentleman knows. To make the position absolutely clear, I must say that although we have allocated £724,000 since 1983-84 for this particular programme, only £190,000 has so far been taken up in Wales. Nevertheless, two applications worth £206,000 are being considered and we shall announce the result of our consideration shortly.

Mr. Best: Is my hon. Friend aware that last Saturday I visited Holyhead mountain and the scheme run by the National Association for the Care and Resettlement of Offenders in the community programme, and saw the work that is being done there? Will he welcome the addition of 100,000 new places to the community programme, as it is an excellent way of helping ex-offenders to be rehabilitated back into society and to find work, and of finding work for the long-term unemployed in general?

Mr. Roberts: I welcome the developments to which my hon. Friend referred. It is not simply the Government who are active in this area through their intermediate treatment programme and urban programme, but local authorities. I am glad that Welsh local authorities have forecast that by 1984-85 expenditure will rise to £1 million compared with £489,000, which was committed in 1982-83.

Mr. Gareth Wardell: Will the Minister request local education authorities to attach community policemen to all schools so that the relationship between schoolchildren and the police can be improved? That could also form part of the drug abuse prevention programme.

Mr. Roberts: As the hon. Gentleman knows, we are worried about drug abuse, and a campaign is being mounted by the health and social services departments. Regarding his point about the police and schools, on both the education and police sides a great deal is being done to prevent crime.

Building Land

8. **Sir Raymond Gower** asked the Secretary of State for Wales what conclusions he has reached in relation to the recently published studies by the Land Authority for Wales on the availability of building land in South Glamorgan and in West Glamorgan; and what steps he now intends to take.

The Minister of State, Welsh Office (Mr. John Stradling Thomas): The publication of the two studies marks a successful start for the new system of housing land availability assessments introduced in the Welsh Office

circular 47/84. My officials are now studying the two documents and will be discussing the findings with the Land Authority for Wales.

Sir Raymond Gower: As the studies of the Land Authority for Wales seem to substantiate the complaints of the House-Builders Federation and other builders' organisations, does my hon. Friend consider that those complaints of shortages of available building land are without foundation, or with considerable foundation?

Mr. Stradling Thomas: The land availability studies are a great step forward in getting the balance right. The land authority conducts them in conjunction with the local authorities and builders. I am sure that a better balance can be achieved by that method.

Mr. Anderson: Will the Minister be wary of special pleading in this area in favour of building on green field sites? Will he try to ensure that wherever practicable existing sites in older industrial areas are built on?

Mr. Stradling Thomas: There is no doubt about our commitment in that respect. We wish to conserve. We have a good example in the redevelopment of south Cardiff, and I pay tribute to the redevelopment that is taking place in Swansea.

Labour Statistics

9. **Mr. Roy Hughes** asked the Secretary of State for Wales what is the present level of unemployment in Newport, Gwent at the latest available date; and how this compares with the figure in May 1979.

Mr. Nicholas Edwards: On 11 April 1985 the number of unemployed claimants in the Newport travel-to-work area was 12,838. Comparable figures for May 1979 are not available because of changes to travel-to-work area boundaries and the move to claimant-based figures.

Mr. Hughes: Bearing in mind those horrific figures, will the Secretary of State say whether there is any truth in the reports this week that the Secretary of State for Transport proposes to increase tolls on the Severn bridge by 150 per cent.? Would that not be another serious blow to the economy of Wales, and would it not be especially riduculous, since the bridge is still afflicted by all manner of delays and restrictions?

Mr. Edwards: The hon. Gentleman is aware that there has just been a public inquiry and that my right hon. Friend the Secretary of State will announce his decision soon. It is ludicrous to suggest that the proposals put to that public inquiry would have the economic effect that has just been described. I am glad that the hon. Gentleman shares my view about the importance of the crossing, and does not agree with Plaid Cymru, which believes that it is yet another communication in Wales that should be destroyed in order to isolate the Welsh people.

Sir Anthony Meyer: Is it yet possible to estimate the number of jobs that were lost, or potential jobs that were forfeited, as a result of the miners' strike, which was so enthusiastically supported by the hon. Member for Newport, East (Mr. Hughes)?

Mr. Edwards: I can give no estimate. It clearly caused great damage to the Welsh economy. It cost the British Steel Corporation a large sum of money and, therefore, held up decisions on the investment for which the hon. Member for Newport, East (Mr. Hughes) keeps asking. In economic terms, there is no comparison between a small increase in the toll charge for the Severn bridge, which has not been increased since 1979, and the sort of damage encouraged by the hon. Gentleman during the miners' strike.

Mr. Barry Jones: The Severn crossing is Wales's most important industrial artery. Has the Secretary of State fought against the proposed increase in tolls?

Mr. Edwards: I have not fought the policy. A reasonable increase in tolls for the first time since 1979 is a sensible proposal. I am pressing on—*[Interruption.]*

Mr. Barry Jones: More costs.

Mr. Speaker: Order. We often hear things that we do not like in this place.

Mr. Edwards: This is a Government proposal, and I do not apologise for it in any way. I am ensuring that my right hon. and hon. Friends in the Department of Transport, with me, press on speedily with the study into a possible second crossing and improvements in road communications generally in Wales, which remain a high priority.

Sir Raymond Gower: Although, as my hon. Friend must recognise, no one in Wales will be pleased if there is any increase in tolls, does he agree that it is much more important to complete the feasibility study quickly and to provide an adequate crossing to ensure good communications across the Severn?

Mr. Edwards: I assure my hon. Friend that the consultants are getting on well with the feasibility study. They have announced the first stage, and are now investigating the detailed options. It is absurd to suggest that the increases proposed for charges on the Severn bridge will have a significant effect on transport costs along the M4.

House Repair Grants

11. **Mr. Grist** asked the Secretary of State for Wales if he will provide details of house repair grants paid in *(a)* the city of Cardiff, and *(b)* Wales for the financial years 1974 to 1979 and 1979 to 1985, respectively.

Mr. Wyn Roberts: Between 1974-75 and 1978-79, expenditure on housing grants of all types in Cardiff totalled £2·7 million. For the period between 1979-80 and 1984-85 the figure was £23·5 million. For Wales, the equivalent figures were £58 million and £283 million. Information about repair grants alone is not held centrally in the form requested by my hon. Friend.

Mr. Grist: Does my hon. Friend agree that those figures improved staggeringly under the Conservative Government as compared with the Labour Government? Does he further agree that those sums, with council house sales, represent a massive transfer of public funds into the hands of the lower economic groups in society?

Mr. Wyn Roberts: My hon. Friend is absolutely right. We as a Government have a marvellous housing record. I can highlight the difference, in terms of expenditure, between the Government and the Opposition. During the last three years, total local authority spending under this Government was about 60 per cent. more than it was

during the last three years of the Labour Government. As my hon. Friend has said, the tremendous transfer that council house sales involve is confirmation that we are satisfying the inherent desire of the Welsh electorate to own their own homes.

Mr. Anderson: Will the Minister confirm that the purpose of the new Green Paper is to reduce public expenditure on housing by three quarters? Given the relative poverty of Wales and the quality of its housing stock, would he not say that Wales should be exempted from the suggestions contained in the Green Paper?

Mr. Wyn Roberts: I do not accept the hon. Gentleman's interpretation of the Green Paper. It does not deal with the amount of housing finance that will be available in future. As I made clear, the purpose of the Green Paper is to target rather better the grant system so that more grants are made available for houses that are in need of improvement and for people who are in need. The object of the loan system is to enable people to improve their homes to a higher standard and to enable them to borrow according to the Green Paper system—that is, from authorities rather than from building societies if they are unable to command credit from the building societies or the banks.

Mr. Raffan: Is my hon. Friend aware that the Opposition are plagiarising not only the council house sales policy of the Conservative part but also our policy on home improvement grants? Has my hon. Friend read the Opposition's latest policy document in which they pledge themselves to reverse their policy of running down improvement grants, a policy which they so successfully implemented when they were last in office?

Mr. Wyn Roberts: The Opposition can learn a great deal from our example. To revert to the key question which sparked off this discussion, I highlight the fact that in 1978 about 296 grants were given in Cardiff. This has to be compared with 1984, when about 2,745 grants were given in Cardiff. As for the comparative figures for Wales, 5,931 grants were made in 1978, whereas grants totalled 29,978 in 1984. Those figures speak for themselves.

Mr. Roy Hughes: Does the Minister appreciate that his means-tested loan proposals, which are outlined in the Green Paper, are not regarded as a serious attempt to tackle the deteriorating standard of housing in Wales? It is yet another attempt to take Wales back to the 1930s. If an imaginative scheme is not produced shortly, the worst fears of the chief officers group will be realised.

Mr. Wyn Roberts: I challenge the hon. Gentleman to produce a more imaginative scheme than is put forward in the Green Paper. It provides a method to deal with both dereliction and the need for improvement in Wales. As the hon. Gentleman and his right hon. and hon. Friends know, the dereliction and the need for improvement existed long before the Government came to office. It is this Government who have taken this initiative over renovation.

Smith Houses (Defects)

12. **Mr. Gwilym Jones** asked the Secretary of State for Wales if he will make a statement on the incidence and nature of defects in former council houses of the Smith type in Wales.

Mr. Wyn Roberts: There are about 70 Smith houses in private ownership in Wales. All are in Cardiff. It has been known since 1948 that Smith houses could be subject to minor cracking. The Building Research Establishment recommended periodic inspection, but said that there was generally no need for urgent action so long as good structural condition was maintained.

Mr. Jones: May I quote one phrase from a letter from my constituent, Mr. Evans of Gabalfa, the owner of an affected home? He said:

"Smith houses are now not mortgageable and will remain so until appropriate action is taken."

Will my hon. Friend give urgent and positive consideration to the request of Cardiff city council for a local dispensation under section 12 of the Housing Defects Act 1984, so that Smith houses in Cardiff can be dealt with under that Act?

Mr. Roberts: In a letter dated 14 May I told my hon. Friend how Cardiff city coucil could seek a designation under section 12. It has to give 28 days' notice that it proposes such a designation and my right hon. Friend the Secretary of State has two months in which to object.

Mrs. Clwyd: If the Government's record on housing is so good, can the Minister explain why half the houses in my constituency are unfit for human habitation?

Mr. Roberts: Yes. It is because no action was taken before this Government came into office. The hon. Lady will know that, as a result of our initiative, there were about 141,000 applications for improvement grants in Wales. We know only too well that the problem existed long before we came into office in 1979.

Several Hon. Members *rose*——

Mr. Speaker: Order. I am sure that the hon. Member for Cynon Valley (Mrs. Clwyd) was referring to Smith houses. I call Mr. Best and I hope that he will refer to Smith houses.

Mr. Best: I acknowledge that there are difficulties about the sale of Smith houses, but will my hon. Friend welcome the somewhat ungainly, but well-practised, posture of the Labour party in standing on its head over the sale of council houses? Does he think that there is any possibility that the Labour party may yet become a party that champions the individual instead of always championing local authorities?

Mr. Roberts: There is always hope for Labour Members, but I understand my hon. Friend's despairing feeling.

Job Creation

13. **Dr. Marek** asked the Secretary of State for Wales what new measures he proposes to take as a result of the continuing rise in unemployment in Wales.

Mr. Nicholas Edwards: Our policies for promoting industrial investment are creating significant numbers of new jobs in Wales. For example, as I reported to the Welsh Grand Committee last week, over the previous 12 months, investment decisions have been announced for Wrexham which are likely to produce some 1,500 new jobs, including the Sharp project, which was announced after the news of the Courtaulds closure.

Dr. Marek: I am sure that the Secretary of State will agree that unemployment keeps rising. In view of the

staggering job losses that Wales has had to endure in the past few weeks and the fact that local authorities have great difficulty in attracting industries to Wales and in partaking in industrial development, will the right hon. Gentleman consider seriously whether he can disregard, for target expenditure purposes, money spent by local authorities for bona fide industrial development?

Mr. Edwards: I note what the hon. Gentleman says about the role of local authorities. They have an important role, though he was wrong to claim that the Sharp investment was the result of an initiative by his local council, which visited Japan after I discussed the subject in October last year. I cannot hold out any prospect of a special exemption, but local authorities have a good deal of scope for investing in the new industrial estates and new building as part of their general ordering of priorities.

Mr. Foot: As the Secretary of State and his ministerial colleagues are always boasting about the housing programme, can the right hon. Gentleman tell us how many building workers in Wales are unemployed?

Mr. Edwards: If the hon. Gentleman will put down a question on that subject, I will answer it. I does not arise directly from the question on the Order Paper.

Sir Raymond Gower: Is it not a fact that the record of the Welsh Development Agency in this area has been extremely good? Will my right hon. Friend do all that he can to assist the agency and similar bodies?

Mr. Edwards: As I have already pointed out, the agency has carried out a massive factory building programme. Its emphasis is now switching to purpose-built factories, which are more and more in demand, rather than advance factories, and to stimulating private sector investment. But yes, there are a large number of vacant WDA factories and our task is to get them fully occupied.

Mr. Ray Powell: Will the Secretary of State admit that his policies are creating more and more unemployment in Wales? Does he not realise that there are now 250,000 people out of work in Wales? Does he know that today the House received a deputation from St. John's colliery in Maesteg, where 830 jobs may be lost? We are already suffering from a male unemployment rate of 25 per cent. How can those people find jobs, given the policies that the Secretary of State is pursuing? Last weekend my hon. Friend the Member for Alyn and Deeside (Mr. Jones) presented a document on jobs and industry to the Wales TUC meeting in Llandudno. The right hon. Gentleman would be wise to read it and to take a leaf out of my hon. Friend's book.

Mr. Edwards: The hon. Gentleman is wrong, because there are not 250,000 people unemployed. Thankfully, I can say that the figure is 180,031. However, unemployment is, of course, a serious problem and that is why we are making so much effort to encourage new investment. I am glad to say that a very considerable part of that new investment is going to the Bridgend area and that the hon. Gentleman's constituents are benefiting from it.

Mr. Raffan: Is my right hon. Friend aware that the WDA's current building resources are fully committed? Will he seriously consider allocating extra funds so that it can erect more purpose-built factories and so that it can implement the plan to provide six business counsellors in different parts of the Principality?

Mr. Edwards: I have already announced that we will carefully consider the WDA's plans in the light of the Courtaulds closure. However, my hon. Friend will know that 58 units totalling 321,000 sq ft are vacant and available for letting in WDA factories in the county, and that its advance factory programme for 1985-86 includes several factory projects in the county.

Mr. Alex Carlile: If the Secretary of State believes so strongly — as he said earlier — that the A55 road improvements will have the effect of reducing unemployment in north and north-west Wales, when will he announce a north-south road route in Wales as well as an east-west route through central Wales, as that would presumably have a significant effect on reducing unemployment throughout the Principality?

Mr. Edwards: The hon. and learned Gentleman must use the route frequently, and he will agree that the new road link across to Telford represents a notable improvement in the links with the motorway network. As he knows, there are further plans to link mid-Wales into that motorway network. That must have a higher priority than the north-south road.

Mr. Rowlands: When the Secretary of State last attended the Welsh Grand Committee he said that several thousand jobs would be lost in the mining industry in the next year or two. Will he tell us what the figure is? After all, there are only about 20,000 jobs left in the industry. Does that anonymous and invisible body, NCB (Enterprise) Ltd. intend to create several thousand jobs as well during the same time scale? I should like to know what progress that organisation is making in creating jobs in our mining community.

Mr. Edwards: The hon. Gentleman knows that that organisation has already started work. I understand that one new industrial concern has already been committed as a result of its operations in Blaenau Gwent, and that a significant number of first applications under the scheme have been made in Wales. Instead of criticising such a welcome initiative, I should have thought the hon. Gentleman would be praising it and would be glad that it has been established.

Mr. Wigley: For several years the M4 has run through Glamorgan, yet the adjacent valleys suffer from high and increasing unemployment. Furthermore, the A55 has been modernised in many parts of Clywd, yet that area too suffers from chronic unemployment. What possible basis can there be, therefore, for assuming that the A55 alone will solve the unemployment problems of Gwynedd? Is it not a fact that this policy is the only one that the right hon. Gentleman has, and that he is using it to camouflage his lack of a solution to the problem of unemployment?

Mr. Edwards: I am not for a moment suggesting that that road is the only factor in encouraging industrial development. However, if the hon. Gentleman took the trouble to make the slightest study of what has happened along the M4 he would know that many new, modern, high-tech industries are establishing themselves along that link. Everyone who has looked at the problem seriously recognises that the construction of modern roads can make a major contribution. The hon. Gentleman is apparently the only person to think otherwise.

Mr. Best: Will my right hon. Friend mention to the Chancellor of the Exchequer two further measures which

would help to stimulate employment in Wales? The first is to give greater access to finance to the smallest of businesses, and the second is to build on the welcome cut made in the Budget of the cost of employing people in unemployment black spots such as Holyhead.

Mr. Edwards: I shall draw those remarks to my right hon. Friend's attention. I am sure that my hon. Friend will welcome the measures announced in the Budget, although we have not yet seen the benefit of them. I share my hon. Friend's view.

Mr. Anderson: Earlier, the Secretary of State commended BP for its local employment initiatives in the Llandarcy area. Will he consider those initiatives in the context of the record quarterly profit figures announced last week by BP? Does he agree that those profits were made at the expense of jobs in the area? Does he further agree that the sums involved at Llandarcy are peanuts and an insult to the local community?

Mr. Edwards: A successful company that makes profits does not do so at the expense of jobs. If companies are to continue to provide jobs they must succeed in making profits, because that permits investment. The measures already announced by BP are welcome. They are exceptional and I hope that Courtaulds and other companies will follow its example.

Mr. Barry Jones: The Courtaulds and BP closures and the colliery redundancies are a grave development for the Welsh economy. Does the right hon. Gentleman accept that it was foolish of him to agree to cuts in regional aid for Wales? Will he reconsider that policy? Does he recognise that his policies are now in ruins and that he should come to the House with plans to help the Welsh economy?

Mr. Edwards: Our changes in regional policy concentrate help where it is most needed. The hon. Gentleman must explain how his policy document, which calls for greater selectivity and yet makes the whole of Wales a development area, can be reconciled with the needs of other areas in England and how it can avoid severe knock-on consequences which will blow his policies out of the water.

Welsh Development Agency (Building Programme)

14. **Mr. Knox** asked the Secretary of State for Wales how many new factory units and how many square feet of factory space have been built by the Welsh Development Agency in the past five years.

Mr. Nicholas Edwards: Between April 1980 and March 1985 inclusive the Welsh Development Agency completed 928 advance factory units, 11 bespoke factory units and 45 bespoke factory extensions, totalling over 6·4 million sq ft.

Mr. Knox: Does my right hon. Friend think that sufficient factory units have been built to meet future demand?

Mr. Edwards: A delicate balance has to be found between the need to build factories in special areas where the private sector might not be involved, and the need not to destroy the attractions of building factories for the private sector. The current vacancy rate is about 12½ per cent., which is not unreasonable at this stage in the programme. The Welsh Development Agency, sensibly, is concentrating on priority areas and on the need for purpose-built factories to meet the needs of particular companies.

Labour Statistics

16. **Sir Anthony Meyer** asked the Secretary of State for Wales what percentage of the registered labour force in Wales were employed in coal mining, iron and steel manufacture and textiles in 1975 and in the latest year for which figures are available.

Mr. Nicholas Edwards: In September 1981 the percentages of the civilian working population employed in coal mining, iron and steel manufacture and textiles were 2·7 per cent., 2·5 per cent. and 0·7 per cent. respectively. The corresponding figures for 1975 were 3·4 per cent., 6·2 per cent. and 1·3 per cent. Up-to-date figures from the 1984 census of employment will be published in the November *Employment Gazette*.

Sir Anthony Meyer: Does my right hon. Friend accept that, futile though it would be for the Government to attempt to arrest the process of conversion from traditional to more modern industries, it would be wrong for them to leave the provision of replacement jobs in the new technologies solely to market forces?

Mr. Edwards: No one can say, after hearing the figures for expenditure by the WDA, or the figures that I have given to the House frequently on selective financial assistance, that we have left such matters solely to market forces. Massive Government expenditure has taken place in Wales on building new roads, improving infrastructure and attracting inward investment. I agree that a proper balance must be struck. However, we must be careful that Government expenditure is not so high that it increases taxes and the burdens on the private sector, which creates the wealth.

Job Creation

17. **Mr. Geraint Howells** asked the Secretary of State for Wales what specific plans he now has to reduce unemployment in the county of Dyfed, and in Ceredigion and Pembroke, North in particular; and if he will make a statement.

Mr. Nicholas Edwards: Prospects for the areas concerned will benefit from the continuing work of the Government and the statutory agencies in infrastructure development, from regional industrial assistance and from aid from European Community sources.

Mr. Howells: I am sure that the Secretary of State is well aware that the number of people unemployed in the Teifi Valley is the highest in percentage terms for many years. As so many people are unemployed in the Teifi Valley catchment area, will the right hon. Gentleman consider including north Pembroke down to Fishguard in the mid-Wales development area?

Mr. Edwards: On a number of occasions we have considered the extension of the mid-Wales development area — established under my predecessor — but have concluded that it would not be of benefit. As the hon. Gentleman knows, the various agencies are working together on the development of the Teifi Valley initative, which was launched last year, and work is well advanced

on the provision of a business centre at Newcastle Emlyn that will involve counselling in business training. Of course, Mid-Wales Development will continue to attach priority to the needs of that area.

THE ARTS

Welsh Language

18. **Mr. Alex Carlile** asked the Parliamentary Under-Secretary of State answering in respect of the Arts if the Minister for the Arts will increase the allocation in the Arts budget for Welsh language activities.

The Parliamentary Under-Secretary of State for the Environment (Mr. William Waldegrave): The Welsh Arts Council and not my right hon. and noble Friend determines the distribution of the grant it receives from the Arts Council of Great Britain. That grant was increased to £7·14 million in 1985-86, an increase of 3·2 per cent. over the 1984-85 figure.

Mr. Carlile: Does the Under-Secretary not realise that an increase of just over 3 per cent. is wretchedly mean? Is he aware that the consequence is that many groups and companies wishing to perform plays in the Welsh language are now having to cut their programmes, which is causing real, widespread and justified resentment throughout Wales?

Mr. Waldegrave: I know that the figure is not as high as many people would like. However, I also know that the public funding of the arts should be a matter of seeking priorities and giving the money to the most valuable activities, and there is no escaping that.

Mr. Best: Does my hon. Friend realise that a large number of monoglot English-speaking people living in Wales wish to learn the Welsh language? Is not one of the most attractive and encouraging ways of doing that by seeing the arts performed in the Welsh language?

Mr. Waldegrave: Primarily the Welsh Office budget supports the Welsh language qua Welsh language, and does so generously. The principle behind support for the arts has always been that they should not be supported simply because they are in Welsh, but because they are of outstanding quality. I think that there has always been a great deal to be subsidised on that basis.

Mr. Wigley: Does the Minister accept that, with inflation running at 5 or 6 per cent., an increase of only 3 per cent. means a reduction in real support for Welsh language productions? Does he further accept that there is a universal feeling on both sides of the House that such productions are worth supporting? Will he inquire whether more funds can be made available for that purpose?

Mr. Waldegrave: I shall report what the hon. Gentleman has said to my right hon. and noble Friend. There is no question but that arts funding is tight. At a time when all programmes are under pressure, I think that my right hon. and noble Friend has secured a reasonable settlement this year.

Tobacco Sponsorship

19. **Mr. Proctor** asked the Parliamentary Under-Secretary of State answering in respect of the Arts what representations the Minister for the Arts has received from tobacco product manufacturers about tobacco sponsorship of the arts; and if he will make a statement.

Mr. Waldegrave: None, Sir.

Mr. Proctor: Can my hon. Friend confirm that he welcomes sponsorship for the arts from tobacco product manufacturers?

Mr. Waldegrave: The Government's decision is that the arts are entirely free to seek sponsorship from wherever they can find it. It is very welcome if public or other companies wish to support the arts, and much valuable activity is supported in that way.

Mr. Campbell-Savours: Is not this begging-bowl approach to sponsoring the arts based on this Government's almost malicious contempt for culture? Is that not to be rejected by the British people? Why do the Government not rescind some of the tax reductions that they have given in capital transfer and capital gains tax during the past few years and channel that money into supporting the arts, thereby dealing with the contempt and disrespect for the Government felt by many people who perform and support the arts?

Mr. Waldegrave: I thought that the hon. Gentleman, who is a fair man, was having some difficulty in keeping a straight face as he asked that supplementary question. Labour Members often criticise the Government for not cutting taxes enough, though when it suits them they criticise us in the opposite direction. There is no contempt for culture on the part of the Government, and real term support for the arts has increased since 1979.

Mr. Buchan: I suggest that there is a great deal of contempt for culture when the Minister can say that it does not matter which bodies provide money for the arts so long as money comes forward. Is it not a fact that, were it not for the cuts that the Government are imposing on the arts, and the absence of proper public funding, we should not require this additional £1 million or so from cigarette and tobacco advertising? Is it not also a fact that total public expenditure on the arts, compared with the amount coming to the arts from tobacco advertising, is as 100,000 to one? An increase of only one hundred thousandth in public expenditure would enable us to do without such meretricious advertising.

Mr. Waldegrave: The hon. Gentleman is taking a different position from that which he normally takes on this issue, because we are normally agreed that the search for additional sources of funds for the arts — from businesses and anywhere—represents a useful addition to the pluralistic source of funds. If the hon. Gentleman is saying that his party would make it illegal for tobacco companies or companies with interests in tobacco—which covers a wide range of companies—to support the arts, or to support other things, he should say so.

Foreign Currency Earnings

20. **Mr. Nicholas Baker** asked the Parliamentary Under-Secretary of State answering in respect of the Arts if he will estimate the amount of foreign currency earned by the performing arts both from tours abroad and from performances within the United Kingdom during the last financial year.

Mr. Waldegrave: The information is not available. However, my right hon. and noble Friend is commissioning a study of the economic impact of the arts by the Policy Studies Institute, which should provide a relevant assessment.

Mr. Baker Does my hon. Friend accept that the foreign currency earnings of such tours are, in the opinion of everyone connected with the arts, very substantial indeed? Will he do everything possible to encourage the benefits for the nation, which are both financial and cultural, from tours of the performing arts?

Mr. Waldegrave: Yes, and I can confirm that the great majority of such tours turn out in the end to be money-spinners as well as important cultural activities, which is their fundamental purpose. The study, which is being jointly funded with the Gulbenkian foundation, is aimed at providing some measurement of the scale of the money involved, and that will be useful .

Mr. Robert Sheldon: We look forward to seeing the results of the study. Is the hon. Gentleman aware that it is important to bear in mind the number of tourists who come to this country — as anybody can see when queueing at box offices—to enjoy our cultural heritage? It is vital for us to retain and advance that.

Mr. Waldegrave: I entirely agree with the right hon. Gentleman, though, as I have sometimes made myself unpopular in the House by saying, I do not believe that we should try to defend the arts primarily as a source of tourism. The same applies to any economic activity. Tourists come to see the commercial theatre just as much as the subsidised theatre. Down that route lies an argument for the withdrawal of subsidy from many minority, specialist and fringe artistic activities.

Acceptances in Lieu of Tax

21. **Mr. Faulds** asked the Parliamentary-Secretary of State answering in respect of the Arts whether it is policy of the Minister for the Arts to discourage tax debtors from making applications in excess of an overall token figure covering annual discharges in kind of capital transfer tax liabilities which had previously been established administratively, for the statutory provision to be brought into effect whereby pre-eminent objects may be accepted in satisfaction of such tax liabilities; and if he will make a statement.

Mr. Waldegrave: There has been no recent change, but, as my right hon. and noble Friend said recently in another place, the Government are looking again at the arrangements whereby the cost of acceptances in lieu of tax is met from the Votes of our respective Departments.

Mr. Faulds: Can the hon. Gentleman clarify the reason for so prolonged a delay? Has his noble Friend consulted the Museums and Galleries Commission, which administers the scheme? If not, can the Under-Secretary give an explanation for that unhappy omission?

Mr. Waldegrave: I will check and write to the hon. Gentleman as to exactly who has been consulted. I hope that there will not be a long delay. I believe that the studies should be completed within the next month or two. It is an important matter to get right.

Mr. Cormack: Is my hon. Friend aware that his last remarks are not reassuring, because a month or two can soon become three or four? Is he aware that it is vital that the pledge that our noble Friend gave in another place should be redeemed at the earliest possible opportunity? Does my hon. Friend agree that as our noble Friend is also a Treasury Minister, he should be in a happy position to resolve this quite difficult problem?

Mr. Waldegrave: I note the remarks of my hon. Friend, who, I am sure, will wish to pay tribute to the Government for again this year finding a large sum, £25 million, for the rescue of the three great houses and for finding additional funds the year before for the support of Calke. In other words, I am sure that as well as pressing my noble Friend, he will want to give credit where credit is due.

Mr. Buchan: Surely much of the tax arrangement is purely notional and has the effect of restricting the possibility of works of art passing into public hands. The time has come to stop this nonsense. The traffic in art is becoming positively obscene. Is the Minister aware that the National gallery could afford only about one third of the canvas area of the last Turner to be sold because of the level of its annual grant? One way forward, even for this Government, would be to remove the ceiling and to alter the restrictions.

Mr. Waldegrave: It is a new degradation of language to apply obscenity, which is often misused, to trade in works of art. We are not talking about notional money. The hon. Member for Workington (Mr. Campbell-Savours) argued that the cut in taxes was a disgrace. If taxes are cut by the giving of tax allowances, it is real money and not notional money that is not taken in tax.

Agriculture Council

3.30 pm

The Minister of Agriculture, Fisheries and Food (Mr. Michael Jopling): With permission, Mr. Speaker, I wish to make a statement on the Council of Agriculture Ministers meeting in Brussels on 13 to 16 May 1985. My hon. Friend the Minister of State and I represented the United Kingdom.

The meeting was devoted entirely to negotiations on the 1985-86 agricultural prices, and an agreement was reached last Thursday covering all commodities other than cereals and rapeseed.

Decisions on prices were overdue and, while decisions on all commodities would have been preferable, I was not prepared to give in to German insistence that there should be no meaningful reduction in prices for cereals.

They felt so strongly on this issue that their Minister made it clear, using the words of the Luxembourg compromise, that very important interests were involved for his country and that the Germans were not prepared to agree to a vote. This represented a significant change in the attitude of the Federal Government towards the use of the Luxembourg compromise.

Turing to the decisions which were taken, the co-responsibility levy for milk was reduced by 1 per cent., backdated to the beginning of April. This is linked to the reduction of 1 per cent. in the national quotas. With the 1·5 per cent. increase in the support price for milk, this means an improvement of 2·5 per cent. in the level of support for milk. Now that these decisions have been made, we can go ahead and notify producers of their individual quotas for 1985-86. Letters to producers will start to be sent out later this week.

The Council agreed that supplementary levy will be collected annually at the end of the milk year. This avoids problems over quarterly or half-yearly payments which may bear unfairly on producers if they change their seasonal pattern of production.

The Council did not agree to the Irish Government demand for a permanent addition of 58,000 tonnes in their quota allocation on account of a statistical error in the Irish production figures on which the Council based its decisions last year. An adjustment was made only for 1984-85 and 1985-86.

As I foreshadowed in my statement on the implementation of the report of the Committee on Medical Aspects of Food Policy, I accepted that the special United Kingdom butter subsidy should be discontinued. Taken together with other adjustments affecting butter, this will mean over time a small increase in butter prices of about 1p per 250g pack.

I secured the continuation of the beef variable premium scheme in an unchanged form, against very strong opposition from most other member states. This will be welcome to producers and consumers alike, and will reduce the quantity of United Kingdom beef going into intervention. The guide price for beef will remain unchanged, but United Kingdom producers will benefit —by approximately 1 per cent.—from an increase in the intervention prices under the second stage of the carcase classification grid which was agreed last year.

For sheepmeat, there will be no price change this year. But, for the next year, when the marketing year will start on 6 January, the basic price will increase by 1 per cent. I successfully resisted pressure from the Commission and some member states for changes in the regime which would have been damaging to our interests, including a proposal to impose a ceiling on variable premium and a related bar to the recovery through the ewe premium of any money forgone. I resisted also pressure for an immediate end to the special export certification arrangements which facilitate the export of ewes from Great Britain. Instead, there will be further discussions about these arrangements over the coming months. The Commission has undertaken to bring forward proposals to enable annual premium to be paid from next year on certain sheep in especially disadvantaged mountainous areas which cannot be tupped until their third season.

I secured agreement on the modification which the farmers' unions and the trade had sought to the sheepmeat seasonal scale which will promote more orderly marketing. I secured also an extension until the end of 1987 of the exemption from clawback for our sheepmeat exports to third countries, which should enable our exporters to develop that trade with more certainty.

Agreement was reached on measures that should bring about a better balance for Mediterranean products and establish a greater control over the regimes in these sectors. In particular, significant price reductions were agreed for tomatoes, citrus fruits and some varieties of tobacco.

Overall, the changes which were agreed will have a negligible effect on food prices in our shops.

Throughout the negotiations, I have attached great importance to the Council continuing with the task, which was started last year, of bringing greater realism into the common agricultural policy within the budgetary constraints laid down. The Commission stated clearly that it would ensure that the measures agreed, with the decisions yet to be reached on cereals and rapeseed, will be financed within the budget provision recently approved for 1985 by the Budget Council. The cost of the compromise package under discussion, of which this settlement forms part, was within the financial guideline for agriculture in 1986.

The Council will meet again on 11 June to continue its discussions on cereals and oilseed rape.

This package, agreed last Thursday, meets our objectives. In particular, I was determined to resist measures which would discriminate against British interests, and that we have done. I consider it a good agreement for the United Kingdom and for the Community as a whole. I commend it to the House.

Mr. Brynmor John (Pontypridd): I thank the right hon. Gentleman for that statement. Although it contains some good points, overall this year's endless round of meetings is probably one of the most disastrous ever for the Council of Ministers. I hope that we shall have a debate on it in the near future.

If the Secretary of State was reflecting the unanimous views of those hon. Members who participated in the recent debate on agriculture and price proposals, he must be disappointed. Because the right hon. Gentleman is the only Minister of the Council who comes before us, it is incumbent upon us to criticise the Council through him. To say that agreement has been reached when, in fact, for the first time the main component in the agreement has been removed, is like "Hamlet" without the prince.

Does the right hon. Gentleman appreciate that the success or failure of these talks and the sincerity of professions to reform CAP will always depend upon the cereal settlement? Does the right hon. Gentleman agree that, judged by this criterion, this meeting has been an abysmal betrayal of the people who live in the EC and who have put their faith in the Council's making this type of reform?

Is it true that over-production of fruit and vegetables was so great that dumping or destruction caused the Community to pay out hundreds of millions of pounds? Would this not have justified a far larger cut in the threshold of these products? Is it true that in this and other respects the rest of the Council agreed lower cuts than would have been justified in order to help secure German agreement to cereal cuts? Is it not true that Germany has pocketed all the benefits of these concessions without agreeing any cereal trade-off? What will happen on 11 June, now that the German Government have refused to allow any more than a derisory 0·9 per cent. cut in cereal prices? What will happen now that the Commission, by reaching partial agreement, has capitulated in advance to German demands?

May I welcome very much the retention of the beef variable premium? The *Glasgow Herald*—I do not know whether it is right or wrong—reports the right hon. Gentleman as saying that he has received

"a verbal assurance that it can be extended".

How bankable is that assurance? Many of us in the House are getting pretty sick of the annual blackmail on the beef variable premium. Similarly, we also welcome the measures on sheep, including the sheep variable premium. May I ask the right hon. Gentleman what his justification is for a rising butter price when there are still enormous surpluses of unwanted butter?

I return to cereals. Has not the talk of budget discipline, which the right hon. Gentleman and others have carried on over the years, and of reforming the common agricultural policy, been shown, in the light of the fiasco that I have described, to be totally insincere? Is it not a fact that the EC is producing far too much in the form of cereals and that even the Commission's miserable 3·6 per cent. proposed reduction, which was much lower than the Government's proposal, has been halved again during the negotiations? What, therefore, will be the future of cereal production? In my view, there will be no reduction of the amount of cereals. Have the right hon. Gentleman and his colleagues made an assessment, on the 1·8 per cent. proposal, of the amount by which cereal production will fall? Otherwise, we shall have to take it that we shall continue to add to the millions of tonnes of unwanted and unused cereals in store.

What about the cost? I heard what the right hon. Gentleman said, and I have also studied what he said in the final part of his statement about it being

"within the budgetary constraints laid down."

Frankly, if that is so, it is remarkable. My understanding is that if there is only a 1·8 per cent. cut in the cereal price, we shall be spending tens of millions of pounds extra this year and hundreds of millions of pounds extra next year on account of only the cereal prices themselves.

In my view——

Mr. Edward Leigh (Gainsborough and Horncastle): Too long.

Mr. Eric Forth (Mid-Worcestershire): Too long.

Mr. Speaker: Order.

Mr. John: I am talking about the most serious part of the agricultural year — *[Interruption.]* To most Conservative Members, it is a matter of pocketing the difference. To millions of consumers, it is a matter of vital importance.

The millions who are offended by the spectre of unwanted cereals will regard the Council of Ministers' ducking of the major issue of this Council as arrant political cowardice. I believe that the complacency that the Council has shown now will give way to blind panic and cereal quotas. If that happens, the farming community will once more have to cope with ministerial shortcomings.

Mr. Jopling: I am grateful to the hon. Gentleman for his kind words about the continuation of the beef variable premium arrangements. Perhaps I can help him in his question. A date—6 April—has been put into the agreement, but the Commissioner has given me an undertaking that, if the marketing years are extended, the beef variable premium will be extended with that. That means that it will be extended on the same basis that it has been over many years.

It is all very well for the hon. Gentleman to talk about annual blackmail. The reason why we have the arrangement annually is that when it was introduced by Lord Peart back in 1975, for the next five years it was renewed only on an annual basis. Therefore, we are left with what his Government arranged during those years.

On sheepmeat, again, I am grateful to the hon. Gentleman for his warm welcome. With regard to the other things that he mentioned, he will understand that I heard what he said about the need for a debate, but my right hon. Friend the Leader of the House is in his place, and he, too, will have heard what the hon. Gentleman said.

On fruit and vegetables, the hon. Gentleman will have heard what I said earlier. There are reductions for fruit and vegetables of up to minus 3 per cent. That is a good move.

On the costs of the package, it is clear from what the Commissioner has told us that he believes that the package will be budgetarily neutral in 1985 and will come within the financial guidelines in 1986.

On cereals, I find it strange that the hon. Gentleman speaks about ducking the issue. The German delegation used the Luxembourg compromise, which meant that the debate could not be concluded but had to continue. The response of successive British Governments to that appeal by a member state, which in the past we have used ourselves, is well known. It is not fair, and shows no understanding of the situation, to speak of ducking the issue.

I understand that all compromise proposals on cereals have lapsed. We must wait and see whether the Commission comes up with new ideas before the Council meeting on 11 June. I have made my negotiating position clear in recent months. I have always believed—I told the House when we debated the matter — that the guarantee threshold for cereals should be properly implemented. I will be ready to consider the new proposals that the Commission puts before us on 11 June.

Several Hon. Members *rose*——

Mr. Speaker: Order. I understand the importance of the statement to the House, but I have to have regard also

[Mr. Speaker]

to the fact that no fewer than 42 right hon. and hon. Members are anxious to take part in the subsequent debate. I will therefore, allow questions to continue until 4.5 pm.

Mr. J. Enoch Powell (South, Down): Is the right hon. Gentleman aware of the deep reentment, not only in Northern Ireland, about the special treatment once again afforded to the Irish Republic? Is he aware that the nominally temporary nature of that treatment is regarded with some scepticism?

Mr. Jopling: The right hon. Gentleman will be glad to know that I opposed the increase in the Irish quota throughout the piece, as I opposed any extra for Ireland a year ago. The difficulty this year was that, while last year I had supporters in my opposition, this year I had none. Therefore, in the end, it was impossible to resist the increase of 58,000 tonnes. However, I sternly resisted any suggestion that it should be placed on a permanent basis. That is why the increase applies only to 1984-85 and 1985-86.

Sir Peter Mills (Torridge and Devon, West): Will my right hon. Friend agree that the Opposition are making heavy weather of a very good agreement worked out after some 60 hours of work and only three hours sleep? My right hon. Friend is to be congratulated on what he has achieved, especially the supplementary levy that will be collected annually at the end of the year. That must be of tremendous benefit.

May I add one note of criticism? We are getting tired of the Irish Republic getting away with it not only in the last price review but on the subsidies that it receives for exports to this country.

Mr. Jopling: I am grateful for my hon. Friend's generous words. I believe that the payment of the levy annually will help producers who could have found themselves in difficulty if they had altered their seasonal patterns, and so will help a number of our producers. The Irish settlement has been allowed in the belief that a statistical error was made by the Irish Government a year ago. I opposed it all the way through the piece. It is a pity that more states did not take the same view.

Mr. Nigel Spearing (Newham, South): Now that both the United Kingdom and West Germany have invoked the Luxembourg arrangement in regard to agricultural prices, is it not clear that the EEC would work a great deal more smoothly if an element of flexibility were introduced into the common agri-cultural policy to allow national Governments to meet the unique agricultural and social needs of their countryside?

Mr. Jopling: I do not quite know what the hon. Gentleman's attitude is to use of the Luxembourg compromise, but he will know that the British Government have always taken the view that it is right for delegations and member states to have that weapon. We are all interested to observe that the West Germans have now joined the club.

Sir Hector Monro (Dumfries): I thank my right hon. Friend very much indeed for the hard work that he and his colleagues have put in on our behalf in Brussels. May I say how much we appreciate the retention of the beef premium and the sheepmeat regime and the change in the co-responsibility levy? Will my right hon. Friend and his colleagues try in future to get some continuity so that farmers do not have to hang on until May to know what the year holds for them?

Mr. Jopling: I am grateful to my hon. Friend. I understand the problem of continuity. Matters have been made a good deal more difficult this year because a new Commission came into office on 1 January and it could not produce its proposals as early as usual. There were some delays in discussing the matter, which I opposed at the time. I have continually told my colleagues that we must try to settle earlier. My hon. Friend will be aware that, in the past, the settlements have had to wait until June.

Mr. Geraint Howells (Ceredigion and Pembroke, North): As the Minister has just said, six months is too long to sort out the annual price negotiations. What can the Minister do in future negotiations to ensure that they are finalised within a few weeks? I welcome the decision for beef producers and sheep producers, but it is only short-term. I wish that the Minister and his counterparts in Europe would discuss the long-term future of agriculture. Confidence would be restored if the industry knew that the variable beef premium and the sheepmeat regime would remain in force for the next 10 years. I should like to ask the Minister two other questions, one on quotas — [HON. MEMBERS: "No."] Were quotas discussed for other products which are produced in Britain? Finally—[HON. MEMBERS: "Really!"]——

Mr. Speaker: Order. That would be an abuse when so many other hon. Members want to get in. The hon. Gentleman has done jolly well.

Mr. Jopling: I am grateful for what the hon. Gentleman said about the beef and sheepmeat arrangements. They were difficult to achieve, but they are good. I agree that six months is too long, but I do not believe that we could have settled the sheep and beef arrangements satisfactorily at an earlier meeting. I am sure that the hon. Gentleman agrees that it is better to wait to get the right decision than to get the wrong one early.

As for the hon. Gentleman's question about quotas on other products, I have been worried for a long time about the possibility of quotas creeping into the cereals sector. I raised the issue with my colleagues at one stage and I can tell the House that I have been considerably heartened to hear that a good many of my ministerial colleagues on the Council strongly oppose cereal quotas. I hope that, when we discuss some of the more long-term studies in Italy next week, we shall be able to fortify that strong feeling in the Council of Ministers that cereal quotas are not the way out.

Mr. Leigh: On that very point, will my right hon. Friend confirm to the cereal farmers whom I represent, who are arguably the most efficient in the world, that he will not tolerate a repetition of what developed in milk last year—when, because of agriculture ministers' failure to act on price, huge surpluses built up and draconian quotas had to be introduced at the last moment? If necessary, will my right hon. Friend invoke the Luxembourg compromise to veto any suggestion by our Common Market partners that we should have quotas on cereals, as that would be devastating for the fertile eastern counties?

Mr. Jopling: I am afraid that I cannot anticipate the attitude that one would take to future proposals in the discussions. I can only say that if my hon. Friend had

heard what I said in the Council about the possibility of cereal quotas, he might have accused me of reading his speeches.

Mr. Thomas Torney (Bradford, South): Has the Minister considered that there would be no surplus if we sent surpluses to the Third world, where millions of people are starving? Will he press the Commission to dispose of this awkward problem in that way?

Mr. Jopling: The hon Gentleman, who takes a great interest in these matters, knows that the Community has been extraordinarily generous with food aid. Substantial quantities of grain are supplied by the European Community and the United Kingdom, under the food aid convention. The Community is committed to providing more than 1·65 million tonnes annually. While I agree that we must be as generous as possible, the hon. Gentleman is wrong not to recognise what we have already done.

Mr. Albert McQuarrie (Banff and Buchan): I congratulate my right hon. Friend and his ministerial colleagues on their success, which has been welcomed in Scotland. Is my right hon. Friend aware that beef producers in the United Kingdom suffered a considerable setback in the target price this year, which according to the National Farmers Union will amount to £45 million up to 20 April? Can he give the House an undertaking that he will endeavour to improve the support to the beef sector, for example, by intervention, so that there will be a good back-up to the beef premium scheme?

Mr. Jopling: I am grateful for my hon. Friend's remarks. I noticed that the National Farmers Union of Scotland talked about the settlement on beef and sheepmeat as good news for producers and consumers, and welcomed the British Government's stand. I am aware that, during the past few weeks, the beef market has weakened. However, I hope that as we move away from the period in which a good many cows are being slaughtered as a result of the milk quota arrangements, we shall see more stability in the beef market, and that producers' returns will be improved as we move into the second stage of the carcase classification grid, to which I referred earlier.

Mr. Robert Maclennan (Caithness and Sutherland): Is the Minister aware that the package, which he described somewhat oddly as meeting the Government's objectives, has been rejected by the president of the NFU who said that it

"does very little to help the industry with its current problems."

Does the Minister realise that, even if the Government had these extremely limited objectives, he has failed to satisfy those who are worried about the budgetary costs and the trading impact of the cereal surplus, and that if he does not end his somewhat dogmatic opposition to quotas, a system will be forced on him for which he is wholly unprepared?

Mr. Jopling: I can only say that, if the hon. Gentleman reads carefully the statement by the president of the NFU on 17 May, he will see phrases such as

"I greatly welcome the Minister's success in retaining the variable premium for beef . . . I also welcome the decision to reduce the milk co-responsibility levy."

The president further stated that he was "pleased to know" about the sheepmeat arrangements. That seems to me to be rather a warm response. If the hon. Gentleman is critical of the fact that we were unable to achieve what I regard as a realistic settlement on cereals, he should re-read his speech in the House on 18 March, in which he said:

"Therefore, I hope that it will not be necessary to attack cereal production too savagely in one year."—[*Official Report*, 18 March 1985; Vol. 75, c. 664.]

As usual, in his stumbling way, the hon. Gentleman does not know what he wants.

Mr. Robin Maxwell-Hyslop (Tiverton): Is it the present position on the Luxembourg compromise that Germany can exercise a veto and we cannot? Secondly, what need is there for a co-responsibility levy now that the quota scheme is in operation?

Mr. Jopling: I may not understand exactly what my hon. Friend meant by his second point. We continue to have a co-responsibility levy, which is now running at 2 per cent. I have always expressed my opposition to the co-responsibility levy. I am glad that many Ministers now join me in being critical of it, and talk of the need to phase it out. My hon. Friend's first point is wrong, in that it strengthens our hand considerably to know that the German Government also believe in the use of the Luxembourg compromise. That can only strengthen the hand of other countries which believe that that weapon should be available.

Mr. Dafydd Wigley (Caernarfon): Although I welcome the Minister's success in withstanding the threats to sheep and milk, It appears that he was fighting a rearguard action at the meeting. Does he accept that farmers in Wales want him to go out with positive plans to safeguard their long-term future instead of fighting such rearguard actions? They want positive plans such as those put on behalf of Ireland — the Irish Government succeeded in part — but which we appear not to be putting forward.

Mr. Jopling: The hon. Gentleman is being unreasonable by nitpicking simply because I got what I wanted at a late stage in the negotiations. A prominent farming leader in Wales jumped the gun and criticised the settlement because he imagined that we would not get some of the things that I was determined to get. He should be satisfied, and should rejoice that we got what we wanted.

Mr. Robert Jackson (Wantage): On the Luxembourg compromise, the British Government's position at least has the merit of consistency. Is it not a bizarre exhibition of political incoherence that the Federal Republic of Germany should advocate European union and then invoke the Luxembourg compromise in defence of an industry that represents 0·2 per cent. of German GNP?

Mr. Jopling: I am sure that my hon. Friend welcomes, as I do, the conversion of the German Government to the use of this device. Although it has taken them many years to come round to it, let us welcome them into the fold.

Mr. Tony Speller (Devon, North): May I first congratulate my right hon. Friend on securing a package far better than many of us had expected? Secondly, does he believe that the increase in prices to producers of 1 per cent., 1·5 per cent. or eventually 2·5 per cent., is reasonable at a time when inflation is nearly 7 per cent.?

Mr. Jopling: It is a difficult equation to put to dairy farmers, but all dairy farmers understand that they do not have the right to continue producing milk that is not

[Mr. Jopling]

wanted. I remind my hon. Friend that about 12 per cent. of the milk that we shall produce this year will be surplus to consumption in the European Community. Production will be about 98 million tonnes, whereas consumption will be only 86 million tonnes. Most farmers realise that we must adjust to the reality of the position, and, like it or not, that spells a difficult economic equation.

Mrs. Elaine Kellett-Bowman (Lancaster): Does my right hon. Friend accept that the marginal farmers in my constituency will be pleased with his success in the beef and sheepmeat regimes? Does he accept that they will be hopping mad, as I am, that Ireland has again got away with murder? I hope that it will not next year. As to quotas, will he beaver away to try to alter the odd formula which penalises farmers who were upgrading their herds at the relevant date? They were penalised because they had some up-and-coming heifers in their herds at the time.

Mr. Jopling: On my hon. Friend's last comment, I am aware of the problems of dairy farmers who had undertaken expansion programmes. That is one difficulty that emerges from the quota arrangements. I am grateful for her generous remarks at the beginning about our success. With her, I am not pleased with what we eventually had to agree for the Irish.

Mr. Richard Shepherd (Aldridge-Brownhills): Has my right hon. Friend estimated the increased cost to be borne by the British Exchequer, the British taxpayer and the British consumer as a result of the agreement?

Mr. Jopling: My hon. Friend will understand that it is impossible to estimate an overall figure while part of the package will continue to be negotiated on 11 June. I remind him that the Commission believes that the agreement will be budgetarily neutral in 1985.

Mr. Dennis Skinner (Bolsover) *rose*——

Mr. Speaker: May I ask the hon. Gentleman whether he was here for the statement?

Mr. Skinner: Yes—part of it.

Mr. Speaker: Mr. Carlisle.

Mr. John Carlisle (Luton, North): Does my right hon. Friend accept that there will be great disappointment in the cereals trade about the inability to reach agreement, and that that will cause enormous uncertainty? What will be the effect of the guarantee by the American Government of about $2 billion of export credit for cereals next year on his talks on 11 June and on the settlement which I hope will then be reached?

Mr. Jopling: My hon. Friend puts his finger on an important point. I hope that that announcement in Washington will have a salutary effect on my colleagues, who will realise that they cannot fly in the face of economic reality for long.

Mr. Forth: Will my right hon. Friend give the Prime Minister a detailed account of the negotiations and the Federal Republic of Germany's use of the veto so that, when she goes to Milan this month and is lectured about European unity, she can draw the attention of the other member states to the realities of political life in Europe?

Mr. Jopling: I have done that already.

Bidston Steelworks (Closure)

4.5 pm

Mr. Frank Field (Birkenhead): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 10, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the proposed closure of the Bidston steelworks in Birkenhead."

My request is specific, because it relates to an announcement of closure made on Friday. It is urgent, because the closure will take place in an area where unemployment is already more than 40 per cent. It is important to have the debate, because it would allow me to illustrate how the proposed closure of Bidston steelworks is contrary to two central planks of Government policy. First, the Government say that they believe in competition, but Allied Steel is trying to buy Bidston steelworks only with the aim of closing a competitor. Secondly, the Government say that they are firmly committed to the private sector, yet Allied Steel, which is half owned by the British Steel Corporation, is using taxpayers' money to destroy jobs in Birkenhead.

Above all, I hope that my application will be successful because it will allow me to express at greater length the anger in our town following the announcement that those jobs will be snatched from our area and transferred to the south.

Mr. Speaker: The hon. Gentleman asks leave to move the Adjournment of the House for the purpose of discussing a specific and important matter that he believes should have urgent consideration, namely,

"the proposed closure of the Bidston steelworks in Birkenhead."

I fully understand the hon. Gentleman's anxiety, and I listened carefully to what he said, but I regret that I do not consider that the matter which he has raised is appropriate fo discussion under Standing Order No. 10, and I cannot, therefore, submit his application to the House.

BILL PRESENTED

Unsolicited Newspapers (Limitation of Delivery)

Mr. Tony Speller presented a Bill to prevent delivery of free newspapers to a dwelling where the occupier or his representative has given notice in writing to the publisher of a free newspaper that he or she no longer wishes to receive copies of that newspaper: And the same was read the First time; and ordered to be read a Second time upon Friday 7 June and to be printed. [Bill 148.]

Shop Hours (Auld Report)

Mr. Speaker: We now come to the important debate on the Auld committee report on the Shops Act. I have selected the amendment in the name of the Leader of the Opposition. I repeat that more than 42 right hon. and hon. Members have expressed their wish to take part in the debate. Therefore, I intend to limit speeches to 10 minutes between 6 pm and 7.50 pm; but if those who speak after then stick to that limit, or speak for even less time, I hope that there will be more than enough time for everyone to take part.

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Speaker. In view of your suggestion during the statement by the Minister of Agriculture, Fisheries and Food, will you give an assurance, in accordance with that precedent, that no one will be allowed to speak in the debate this evening unless he or she has heard the opening speech by the Secretary of State? It is not a bad idea, and you should stick to it through thick and thin.

Mr. Speaker: I am exceedingly grateful for the hon. Gentleman's tip.

4.9 pm

The Secretary of State for the Home Department (Mr. Leon Brittan): I beg to move,

That this House takes note of the Report of the Committee of Inquiry into Proposals to Amend the Shops Acts (Cmnd. 9376); accepts the case for the removal of legislative limitations on shop hours; and looks forward to the Government bringing forward legislation to remove such limitations.

Shop opening hours were last considered in depth by this House during the debate on the Bill introduced in 1983 by my hon. Friend the Member for Wycombe (Mr. Whitney). By then it was clear that there was hardly anyone who considered the present state of the law satisfactory. The argument for change was put forward on a number of different bases. In the first place, it was almost universally felt that the present distinctions between what could be sold on Sunday and what could not be sold were so arbitrary and outdated as to be indefensible. It was not just a question of a few items that were on the wrong side of the dividing line. There no longer appeared to be a rational dividing line at all. Secondly, there was deep anxiety about the continued existence on the statute book of a law that was being increasingly flouted, and which many if not most local authorities were either simply not prepared to enforce effectively or were unable to do so. These objections to the present law were not seriously challenged.

But in addition, many hon. Members put the case for change in a more positive way. They felt that restrictions on shop opening hours—let us not forget that we are talking about late opening as well as Sunday opening—were an unjustifiable and outdated restriction on the basic freedom that should exist for the consumer to be able to have the choice to shop when he wanted to and for the shopkeeper to be able to assess the wishes of his customers and meet them if he wanted to do so. It was felt by many that the limitations on shop hours were contrary to the interests of the consumer, no longer reflected current social patterns and preferences and were an unjustifiable hindrance to the growth of trade, and in particular the growth of tourism.

None the less, in spite of the virtually universal condemnation of the existing law and the widespread, although by no means universal, belief in the positive merits of change, the Bill introduced by my hon. Friend did not commend itself to the House. A considerable number of hon. Members feared the impact of complete deregulation on the fundamental character of Sunday. Just how many shops would open on Sunday, and which shops would they be? Other hon. Members were anxious about the impact of such a change on those working in shops and owning them. Would small shops close on an extensive scale, and would there be a major loss of jobs? Others again wondered whether some compromise or half way house was feasible. Although no one had really suggested any viable new basis for deciding when shops might open during the week or which shops should be allowed to open on Sunday, would not a more careful examination of the problem yield an acceptable and defensible solution falling short of complete decontrol?

It was because of the combination of almost universal dissatisfaction with the present state of the law, and a widespread feeling of uncertainty about the effects of change and the possible forms that it might take that I decided to accept the suggestions made from all parts of the House, that an inquiry should be appointed to look into the whole question. I accordingly appointed an independent committee of inquiry in July 1983 under the chairmanship of Mr. Robin Auld, QC. The following were the terms of reference:

"To consider what changes are needed in the Shops Acts, having regard to the interests of consumers, employers and employees and to the traditional character of Sunday, and to make recommendations as to how these should be achieved."

The House will note that the committee of inquiry was specifically required to have regard, among other factors, to the fundamental character of Sunday.

The membership of the committee was deliberately small, but in order to ensure that the main groups interested could satisfy themselves that the evidence submitted to the committee was comprehensive and rigorously scrutinised, I appointed six assessors. They represented the employers — both large and small — employees, consumers, the churches and the local authorities. Their main task was to ensure that the committee obtained evidence from across the spectrum of their interests and to offer comment on that evidence. My aim was to ensure that every possible solution to the problem was put to the committee and thoroughly examined by those likely to object to it, as well as by the members of the committee themselves. I know that the committee much appreciated the specialist advice it received from its assessors, and I am grateful to them for their work.

In addition, I commissioned the Institute for Fiscal Studies to carry out an economic review, which has been published as appendix 6 of the Auld report. This was designed to meet the concern that had been expressed that there was much speculation but little hard evidence on the economic effects that increased trading hours would have.

Now that hon. Members have had a chance to read and assimilate the report of the Auld committee, I am sure that they will wish to join me in thanking Mr. Robin Auld, QC and his colleagues, Mrs. Liliana Archibald and Miss Frances Cairncross for their comprehensive study. I of course realise that their recommendations are not universally accepted, but I am sure that their thoroughness has given us a solid and informed basis on which to take decisions.

Mr. Eric S. Heffer (Liverpool, Walton): Will the right hon. and learned Gentleman say how, exactly, he decided upon the membership of the committee? Frances Cairncross has written an interesting article in today's edition of *The Times* which tries to persuade hon. Members to go further, in one sense, than the Auld report by agreeing completely that the traditional character of Sunday should be abolished. How was Frances Cairncross chosen? Was she an independent character? Where does she stand and where does the right hon. and learned Gentleman stand in relation to what she said?

Mr. Brittan: At the time of the appointments there was no criticism whatsoever that any of those who were appointed to the committee were other than independent. I can assure the hon. Gentleman that I did not have the faintest idea about the views of any of the Committee members.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Will the right hon. and learned Gentleman give way?

Mr. Brittan: No, I must proceed.

As the report shows, over 300 organisations and individuals submitted evidence in response to invitations from the committee. In addition, another 7,000 people sent evidence to the committee which was able to consider it with the benefit of help from the assessors.

The report of the inquiry and the accompanying economic review place the discussion on the future of shop opening hours in an entirely different context to that when the House considered the Bill introduced by my hon. Friend the Member for Wycombe. Those hon. Members who took a particular view in 1983 are fully entitled to reconsider the position, now that a report has been published exploring all the main questions which caused anxiety in 1983 and led many hon. Members to feel unable to support the change in the law being then proposed.

The committee examined the obstacles and objections, but in considering whether trading hours should be the subject of legal restriction they started from the premise that

"the law should not interfere in the conduct of human affairs unless it serves a justifiable purpose . . . in doing so"—

a premise which I am sure that the House would share.

The committee examined carefully the arguments for legal restrictions in the light of the interests of consumers, employers, employees and of those wanting to preserve the traditional character of Sunday.

Mr. Skinner: Will the right hon. and learned Gentleman give way?

Mr. Brittan: No, not for the moment.

It came to the conclusion that none of these interests or combinations of interests justified the continuation of statutory restrictions on trading hours.

Mr. Foulkes: Will the right hon. and learned Gentleman give way?

Mr. Brittan: I shall in a moment.

The Committee considered very carefully all the possibilities for partial deregulation, with which I should like to deal before giving way to the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes), as I shall, of course, do. Just how widespread the present anomalies are was well illustrated by the article in last Saturday's *Daily Telegraph* which pointed out that on Sunday one can buy alcohol but not dried milk for babies, aspirin but not toothpaste or soap. Newsagents can sell sweets and newspapers but not the Bible or stationery. Grocers can sell fresh or frozen fruit but not tinned fruit. One can buy cut flowers but not plants. One cannot buy fish and chips in a fish and chip shop, but one can buy other take-away food.

The committee therefore naturally looked at various kinds of proposals for revising the schedules of goods that can be sold late at night or on Sundays. It concluded that there was no way of compiling a list which would not now or in the future be every bit as plagued with anomalies as the present legislation. It is relevant to point out the extent of those anomalies.

Mr. Foulkes: The Home Secretary has detailed all the further consideration that has taken place by the Institute for Fiscal Studies, and the Auld committee and its assessors and he invites hon. Members who voted one way on a previous occasion to reconsider their point of view. How can his hon. Friends reconsider their views if, because of the Whip, they are not allowed to exercise their own judgment and their own consciences?

Mr. Brittan: I am sure that my hon. Friends will be greatly assisted by the hon. Gentleman's intervention. The Government are fully entitled to express their views and to seek to persuade my hon. Friends of the merits of those views. As the hon. Gentleman knows, it has been made clear to my hon. Friends who have deeply held conscientious views, that their views are fully respected.

Mr. A. E. P. Duffy (Sheffield, Attercliffe): Will the Home Secretary give way?

Mr. Brittan: Not for the moment.

I was explaining that the Auld committee looked unsuccessfully at the possibility of compiling a different list of the schedule of goods that could and could not be sold on Sundays. Members of the committee also considered proposals that Sunday trading should be limited to certain kinds of shop or to shops of a certain size, but, again, they could see no way of finding a solution that would work. What type of shop should be allowed to trade? In these days of mixed shops, it would be hard to produce separate and distinct categories of shops that should or should not be allowed to trade.

The committee considered exemption by size of shop, exemption for self-employed retailers, exemption by area and exemption by periods of the year. It examined the call for a maximum number of hours or days per week. It looked at the possibility of an extension of the present trading hours. Chapter 5 of the report is a thorough, unprejudiced examination of all the alternatives that were put forward.

The committee no doubt felt, as do many hon. Members, that something short of complete deregulation might be more acceptable if it were viable. But the analysis is devastating. Each of the alternative limitations is shown to be either indefensible or unworkable. The conclusion, which is amply supported by a reason, is :

"In our view, all the forms of control canvassed in our Inquiry, while affording protection to some, would neglect the interests of others. More importantly, we are convinced that none of the suggestions for reform, short of complete abolition of restrictions, would work. None of them would work because they would not form the basis of a fair, simple and readily enforceable system of regulation."

The committee therefore recommended the complete abolition of all the statutory restrictions on retail trading hours, both during the week and on Sundays.

Mr. Harry Greenway (Ealing, North): Will my right hon. and learned Friend agree that we are dealing with Sunday, which is a day when people are expressing their religious convictions in one way or another, and the arguments of the Auld committee, important though they may be, deal only with facts? People's faith and their convictions must be considered. My right hon. and learned Friend's comments seem to take no account of that fact.

Mr. Brittan: I respect what my hon. Friend has said and I shall be coming to those aspects of the matter.

Mr. Laurie Pavitt (Brent, South): Will the Home Secretary give way?

Mr. Brittan: Not for the moment.

The Shops Act also contains provisions relating to the conditions of work of shop workers, in particular young shop workers. The committee concluded that it would be wrong to preserve the rigid provisions of part II of the Shops Act 1950 in statutory form. It was, however, worried about the demands that might be made on shop workers in the event of deregulation and, although it was not within its terms of reference, it recommended the retention for retail workers of the machinery of wages councils.

The House knows that, since the committee reported last year, the Government have produced a consultative paper on wages councils. The question whether the machinery of wages councils should be retained is important not only to workers in the retail trade, but to all the other workers covered by wages councils legislation.

The position of shop workers, vis-à-vis shop opening hours, will be given detailed and sympathetic consideration in the context of the consultation that is taking place, and what is said in the debate will be taken into account as part of that process of consultation. The Government will announce their conclusions on the future of wages councils before any legislation on shop hours is put before the House.

Mr. Pavitt: The Home Secretary read the last paragraph of chapter 5 of the Auld committee. Does he agree that the evidence in other chapters refutes the assertion that the evidence received by the committee was conclusive?

Mr. Brittan: The evidence was carefully analysed. Whatever else may be said about the Auld committee, its capacity to analyse specific suggestions for partial methods of decontrol cannot be doubted. It was particularly well qualified to do that, and its conclusion was nothing other than a proper assessment of the evidence.

Mrs. Elaine Kellett-Bowman (Lancaster): A comprehensive review of how people did their shopping was carried out by the National Consumer Council. It reported that only one respondent in 10 found existing shopping hours inconvenient. How can the Auld report support its contention in chapter 5 that there is no justification for the continued regulation of opening hours? Surely the reverse is the case. There is no excuse for changing the law when only 10 per cent. of the population want a change.

Mr. Brittan: Whether or not people find existing hours convenient is a different matter from whether the criminal law should continue to be used to enforce those hours.

I shall come later to the other safeguards for those working in shops and the impact on employment more generally. Faced with the Auld committee's conclusions about the lack of a viable halfway house, those who have anxieties about going along with the committee's decontrol recommendations have to ask themselves just what action they would now favour.

As a Minister whose primary responsibility is for law and order, I could not advise the House to let the present position remain unaltered.

Mr. Conal Gregory (York): Will my right hon. and learned Friend give way?

Mr. John Carlisle (Luton, North): Will my right hon. and learned Friend give way?

Mr. Brittan: In a moment.

The law is being regularly, flagrantly and publicly flouted up and down the country. Some local authorities seek to enforce it to the best of their abilities, others do so patchily and many have not the slightest wish to do so and go through the motions only when they are threatened with legal action if they fail to bring some prosecutions.

The result is inconsistency and injustice on a massive scale. Sometimes it is the small shops that are prosecuted and the large ones that get away. In other places, the reverse policy is followed. Everybody will be aware of situations where the same type of shop is prosecuted in one local authority area and escapes prosecution if it happens to be half a mile away in another district.

Mr. Gregory *rose*——

Mr. John Carlisle *rose*——

Mr. Brittan: I shall give way in a moment.

The reason why this has happened is quite simple. The Shops Acts do not penalise behaviour that is self-evidently of a criminal character. They are a means of prescribing a particular, limited pattern of trading. Social change has made that pattern of trading no longer one which is sufficiently generally acceptable for the criminal law to be regarded as an appropriate means of enforcing it.

Mr. Gregory: My right hon. and learned Friend lays a lot of store by the legal consequences. From his senior legal position, does he agree that much of the problem results from the fact that he has not sent a circular to local authorities and enforcement officers setting out their abilities and right to enforce the law?

Mr. Brittan: I do not believe that that is true. The local authorities are well aware of the law. The real reason why they are not enforcing it is that in large parts of the country local people do not want the law enforced.

Mr. John Carlisle: The fact that the law is an ass in this instance is no reason for the Government to do away with it completely. Is there not some halfway house—even if it was not considered by the Auld committee—that my right hon. and learned Friend could have looked at? This is a matter of deep conscience for hon. Members on both sides of the House.

Mr. Brittan: I look forward to hearing my hon. Friend's suggestion as to what that halfway house should be. The Auld committee looked at every variant that was

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presented. Indeed, the committee was equipped with assessors representing all views—not all of them were by any means in favour of deregulation—in order to ensure that it considered every variant. However, it was unable to find any variant that stood up.

Several Hon. Members *rose*——

Mr. Brittan: I shall give way in a moment.

I say this to those hon. Members who deplore that this has come about. I deeply respect and can readily understand the feelings of those who observe with sadness and regret the social changes that have taken place. But is it feasible for us now to turn the clock back? If no viable halfway house is available, for any society that believes in the rule of law, the only alternative to removing the sanctions of the criminal law is to enforce them. As long as the prospect of change was in the air, it was just about possible to tolerate a degree of inconsistency and injustice. But it was becoming increasingly uncomfortable to so so. We now have no excuse for not making up our minds, and if we do not proceed in the way Auld recommends, we will really have to do everything in our power to enforce the present laws.

Faced with clear evidence of an extremely widespread desire on the part of large numbers of shopkeepers and their customers to do what may be regrettable but is not inherently criminal, I frankly find the prospect of an attempt to enforce the present law almost impossible to contemplate. The protests that would rain down on us from our constituents if that were attempted would make the lobby against VAT on newspapers seem like an amateurish effort on the part of a particularly badly organised constituency party branch.

Mr. Michael Grylls (Surrey, North-West): Will my right hon. and learned Friend take comfort from the experience in Massachusetts and Sweden where shop hours were quite recently freed? Despite the fears of some small retailers that they might suffer, the opposite happened, and many new opportunities were provided for businesses and retailers, and for the creation of new jobs. If we are serious about new jobs, as we are, it is essential to sweep away this very old-fashioned law.

Mr. Brittan: I take the point that my hon. Friend has made. It would be unacceptable to enforce the present law to its full rigour because of the very great social changes that have taken place since the 1950 Act. In 1951, for example, only 24 per cent. of married women below pensionable age worked full or part-time. By 1981, that figure had risen to 57 per cent. It is not much use to those women—or to their husbands and families—if shops are open only during the time that they are at work.

Mr. Andrew Faulds (Warley, East) *rose*——

Mr. Brittan: But for many people Sunday is a special day to be set aside for religious worship and observance. Those who wish to confine what they do on Sunday to that deserve our fullest and sincerest respect. For most people, however——

Several Hon. Members *rose*——

Mr. Brittan: I shall give way in a moment, but I am making an important point.

For most people, however, there is no conflict between going to church and undertaking all the other activities that are popular on Sunday: leisure, entertainment, sporting and other outdoor activities, as well as cleaning, decorating, gardening or whatever it may be. Shopping is one of the activities that people would increasingly like to be able to undertake on Sundays. Sunday shopping provides an opportunity for shopping as a family, which is greatly welcomed by the very many families who cannot shop together during the week. The question that we have to ask is whether we have the right to continue to use the criminal law to deprive them of that choice.

Mr. Duffy: The Home Secretary has spelt out and, in his own words, respected, the special character of Sunday. That presumably explains why the Under-Secretary of State for the Home Department told the House the last time we debated Sunday trading that any decision about any change in the character of Sunday that involved deregulation would be a matter of conscience for each hon. Member. The Under-Secretary's speech to the House on that occasion can be found in column 557 of *Hansard* for 4 February 1983. Why has the Home Secretary changed his mind?

Mr. Brittan: The hon. Gentleman is well aware that my hon. Friend the Under-Secretary of State was setting out the position in the relation to the debate that day. The Government responded clearly to the request of the House that there should be an inquiry. Following that inquiry, which examined the very matters that cause concern to the House, the Government are entitled to express their views and to say to those of my right hon. and hon. Friends who feel unable to go along with them, that their consciences are fully respected.

Mr. Gerald Kaufman (Manchester, Gorton): The right hon. and learned Gentleman is misrepresenting what happened on 4 February. The Under-Secretary of State said:

> "There are important considerations and fears about the character of Sunday . . . These fears are held in many parts of the House and I agree that they are an important factor. That is why the Government adhere to the view, which successive Governments have adhered to, that the decision must be for the individual conscience of hon. Members."—[*Official Report*, 4 February 1983; Vol. 36, c. 557.]

The Under-Secretary of State was talking not about the Shops Bill but about the general principle. Why will the Government not keep their word and have a free vote today?

Mr. Brittan: The right hon. Gentleman knows perfectly well that the view expressed on that occasion related to that Bill, and it is utterly inconceivable that the Government would be expressing a view as to the position that they would take two years later in response to a report that had not even been commissioned, let alone published.

I was explaining why I took the view that the question that we must ask is whether the right to continue to use the criminal law to deprive people of their choice is justified. I believe that we should only take that view, quite apart from questions of enforceability, if there is reason to believe that a change in the law would lead to a substantial and damaging change in the quality of life on Sunday which would otherwise not take place. The example of Scotland, where there has been no general prohibition on Sunday trading for 50 years, does not lead one to believe that this would be the case. One of the reasons for this is

that, although deregulation provides freedom of choice, in practice the consequences of change are unlikely to be as great as some people have feared.

I appreciate the anxiety felt by retailers, particularly small ones, about the impact of deregulation on their businesses.

Mr. Patrick Cormack (Staffordshire, South): Will my right hon. and learned Friend accept that the explanation that he sought to give of the remarks made by my hon. Friend the Under-Secretary of State just will not wash? When my hon. Friend the Under-Secretary gave that undertaking to the House, it was widely believed that he was saying that this was, indeed, an issue of conscience on which we were all entitled to form an opinion without being pressurised. What most offends those of us on this side of the House who oppose the Bill is the way in which my right hon. and learned Friend the Home Secretary is seeking to steamroller this thing through the House.

Mr. Brittan: My hon. Friend is doing less than justice to my right hon. Friend the Patronage Secretary. From the moment that this debate loomed on the horizon it was made abundantly clear that my right hon. Friend fully accepted the conscientious objections of any of my right hon. and hon. Friends. Those of them who have such objections will, I think, testify to the fact that when they have spoken to the Whips, that readiness and respect has been quite apparent.

I appreciate the anxiety felt by retailers——

Mr. Heffer: On a point of order, Mr. Deputy Speaker. We cannot hear the Home Secretary.

Mr. Deputy Speaker (Mr. Ernest Armstrong): Order. The Home Secretary should address the whole House, and not turn his back on it.

Mr. Brittan: I appreciate the anxiety felt by retailers, particularly small ones, about the impact of deregulation on their businesses. The retail trade has been in the process of change for many years. The effect of deregulating opening hours will not in itself produce any large-scale change. The conclusion of the economic review by the Institute for Fiscal Studies states:

"it is unlikely that in any of the areas we have considered—costs, prices, employment and trading patterns—there would be effects which would be of sufficient magnitude to be distinguished readily from the other changes which would be occurring as the result of other influences on the style and structure of British retailing."

I also stress that the opportunities presented by deregulation will provide a stimulus to some sectors of the economy. Garden centres and DIY shops are obvious examples of the trade that will benefit, but there are many others, such as shops involved in the tourist trade. Tourists will certainly feel more welcome, and the economy will in turn benefit if tourists are able to spend more in shops.

Indeed, the British Tourist Authority, which is responsible for securing many jobs, told the Auld committee that the closure on Sundays of many shops causes a considerable loss of revenue for the nation from tourists and would-be shoppers.

None the less, there has been much genuine anxiety about the number of small businesses that will be destroyed if longer opening hours, particularly on a Sunday, are allowed. But, it does not follow that simply because late night or Sunday trading will be permitted, it will be anywhere near universal.

Looking at the scale of Sunday opening, for example, the IFS in its study for the Auld committee considered whether Sunday opening would or would not be profitable for various types of retailer.

The IFS concluded that shops accounting for 48 per cent. of turnover would find Sunday opening profitable. The number of shops that will open is likely to be significantly less than this. We believe that for most of the year it will be in the region of 20 to 30 per cent.

It is interesting to note the results of a survey by Terry Burke, of the polytechnic of central London, carried out in April this year. On the basis of discussions with managers of one of the country's largest multiple chains, and answers to questionnaires received from 40 major retailing chains, he came to the conclusion that only 15 to 20 per cent. of high street shops will open all the year around, but that there will be widespread pre-Christmas, sales and holiday Sunday opening.

Mr. Faulds: The Home Secretary is emphasising the commercial aspects of these considerations but a little earlier when I tried unsuccessfully to intervene he said that the committee had considered all points of view. Did the committee actually consider the proposition that instead of extending Sunday trading, more stringent restrictions should be imposed with which the Home Secretary should be prepared to require compliance? Does the Home Secretary realise that, perhaps more north of the border than south of the border, Sunday has a special significance?

Mr. Brittan: I do not think that that view commends itself to the majority north of the border. What I have said ties up with what happens in Scotland. In April this year, managers or assistants from 541 shops in Scotland were asked whether they would open the following Sunday—let us not forget that they are allowed to do so. Across the country 16 per cent. said that they would open but only 8 per cent. of those located in major town centres said that they would.

When the issue was last debated in the House there were also fears that increased retail trading hours would lead to an increase in prices. I think that the House should be reassured by the conclusion reached by the Institute for Fiscal Studies that in the long run the change will have a very small or negligible effect but that, if anything, they will tend to be reduced. If any savings were passed on to customers the effect would be to reduce the retail prices index by up to about 0·4 per cent.

The fears that have been most widely expressed have been those about the possible loss of jobs that might result from deregulation. The predictions from the study by the Institute for Fiscal Studies are that changes in the number of jobs available in the retail trade will be small both in relation to the total work force of some 2·2 million and to the recent trends of changes in retailing employment. Their model indicates that on the basis that there is no Sunday trading, although that is not now the case, there may be a loss in the short term of 5,000 full-time equivalent jobs and in the long term — by which is meant 10 to 20 years — a further 15,000 full-time equivalent jobs. But, of course, there is already a significant amount of Sunday trading which was not taken into account by IFS, so some of those job losses will have already occurred.

We believe that the Institute for Fiscal Studies probably underestimated the potential expansion in other related

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fields—for example, catering and tourism. It is a fallacy to believe that there is at any given time a fixed pool of shopping and that if shops are open longer, the same amount of goods will be bought, but over a longer period. It is quite likely that there would be some transfer of expenditure from the purchase of services to the purchase of goods. If sales were to rise by 2 per cent. the Institute for Fiscal Studies calculates that the equivalent of 9,000 extra jobs would be created over the next 10 to 20 years, and if they rise by 5 per cent. the equivalent of 51,000 full-time jobs in the same period.

Mr. Robin Maxwell-Hyslop (Tiverton): That is an interesting observation, because a considerable proportion of goods which are sold are imported, but 100 per cent. of services are the result of employment in Britain. Why should such a transfer from services to goods result in net employment rather than net lost employment?

Mr. Brittan: It is impossible to make such a calculation.

The House will recall that, in addition to its recommendations on shop opening hours, the committee recommended abolition of all the special provisions relating to the conditions of work of shop workers contained in part II of the Shops Act 1950 and its associated provisions in other parts of the Act, although it recognised that a case would be argued for continuing protection in the case of young persons. Whether even in the case of young persons such protection, as opposed to the protection provided by the health and safety provisions, is nowadays needed is by no means clear. Moreover, just as in the case of adults, there is considerable doubt as to the effectiveness of the present restrictions. In spite of our very considerable doubts on these points, we shall listen very carefully to the views of the House and we shall want to consider any evidence which may be presented on the need for continuing to protect young persons in this way.

Mr. Peter Hordern (Horsham): Earlier, my right hon. and learned Friend said that the Patronage Secretary would take account of those right hon. and hon. Members who had conscientious objections to the motion. However, we are not talking in particular about the conscientious objections of right hon. and hon. Members themselves, but of those which they know, from correspondence, exist among their constituents. Even more important, can my right hon. and learned Friend explain the Government's thinking about those shop assistants who have genuine convictions about not working on Sundays?

Mr. Brittan: I know that very real fears have been expressed, not only by my hon. Friend the Member for Horsham (Mr. Hordern), and that if regulations are removed, those working in shops now might be forced to work on Sundays.

I understand that concern, not only by those who would be troubled on conscientious grounds about working on Sunday, but also by people who see their Sunday as a day apart, as an opportunity to be with their families and as a day on which they do not wish to work. For example, many married women have for years worked in a shop on the basis that they would do so during the week but would be able to spend Sunday with their families.

That concern is reflected in the amendment to the motion tabled by my hon. Friend the Member for Bournemouth, West (Mr. Butterfill) and I know that it is very widely shared in the House. That is reflected in the signatures to the motion. Although the Auld committee did not believe that protection for those in this category would be feasible, on this issue I must differ from the committee. I accept in principle the case put forward by my hon. Friend and will look sympathetically at the best way of ensuring that established shop workers cannot be compelled to work on Sundays. Doing this will in no way detract from deregulation generally, as experience elsewhere suggests that there will be no shortage of volunteers who wish to work on Sundays.

Mr. A. J. Beith (Berwick-upon-Tweed): The Home Secretary has made an important statement, which could be an important concession. Will he clarify what he meant by established shop workers? Was he seeking to confer a right on those who happen to be employed in shops now, or was he talking about a right that would be extended to anyone seeking employment in the retail trade?

Mr. Brittan: The former. With the qualifications that I mentioned, I recommend that the House accepts the conclusions of the Auld committee. The Government will seek an early opportunity to present to the House legislation to that effect. It is not possible to put back the clock and I do not think that there would be public support for enforcing the current criminal law.

Many people want change for positive reasons—the main one being not the benefit that that would confer on any particular section of the economy, important though that may be, but rather that restrictions on the freedom of traders to trade and customers to buy what they want, when they want, are inconsistent with the development of a free economy. The onus must rest on those who seek to maintain such restrictions. I believe that that onus can no longer be discharged.

4.51 pm

Mr. Gerald Kaufman (Manchester, Gorton): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

"requires that any legislation relating to shop hours should include full and proper protection for the pay and working conditions of shop workers."

This is an issue that arouses strong feelings and very differing views. I was interested to hear the Home Secretary say that if a law is habitually not observed, it is important that that law should be changed. Does that mean that, as we now have the greatest outbreak of robbery known in the history of our country, the Government will remove the laws against robbery? Does it mean that if, under the new public order legislation, people do not observe the bans and restrictions on open-air meetings, the Government will remove them? Does it mean that where the law is sufficiently broken, the Home Secretary will not seek to uphold it but will change it to suit those who broke the law?

Mr. Brittan: As the right hon. Gentleman has put his remarks in the form of questions, I shall answer them. He knows perfectly well the difference between a law that is broken and a law that is unacceptable because it is no longer one that the majority of people want.

Mr. Kaufman: Therefore, we are to have laws maintained on the basis of opinion polls, are we? If an

opinion poll shows that the Government's employment legislation is unacceptable, may we take it that the Home Secretary will come forward and repeal that legislation?

Several Hon. Members *rose*——

Mr. Kaufman: I shall give way to everyone, but in my own time. I want to get under way for a minute or two, and I shall then give way.

Quite apart from the personal opinions that each of us may hold on this issue, every hon. Member will have received representations from large numbers of outside interests, both legitimate and less legitimate, on this matter. Trading organisations are making different calculations about how a change in the law might affect their profitability. The Union of Shop, Distributive and Allied Workers says one thing while the Association of Independent Retailers says quite another. The Retail Consortium sounds a discordant note, rather like the dissonance at the introduction to Mozart's 39th symphony. The co-operative movement speaks uniquely and more harmoniously, not only for its commercial interests but for its employees. That is highly proper because the co-op has 9 million members, and its employees, with their families, are also customers of its 6,000 shops.

Mrs. Kellett-Bowman: Does the right hon. Gentleman accept that the Labour party amendment is based entirely on material considerations? Surely other considerations, such as moral and religious, are far more important.

Mr. Kaufman: I shall be coming in a moment to precisely the point raised by the hon. Lady.

Like others, the co-op believes in changing and making sense of the law without completely revoking control. Like many, it accepts that current legislation is awkwardly drafted, difficult to enforce and full of anomalies. It is also a strong champion of the traditional British Sunday.

In its belief that change is necessary but should be limited, the co-op shares the attitude of the associations of local authorities which have the unenviable task of enforcing current legislation. But even they differ from each other. The Association of Metropolitan Authorities opposes general Sunday opening, while recognising the need for amending legislation. The Association of District Councils is divided on unrestricted Sunday opening, but united in its wish to protect shopworkers. The Consumers Association supports complete deregulation. The churches have serious misgivings about the effect of Sunday deregulation on the religious observance of the Christian sabbath. All those great institutions and important interests do their best to see the case of those who disagree with them. Some of them have undergone agonies of conscience in making up their minds.

I come now to the intervention by the hon. Member for Lancaster (Mrs. Kellett-Bowman). The Opposition believe that issues of conscience require each individual to make up his or her mind. For that reason, we are having a free vote on the main question. The only people who are absolutely certain on this issue are the Government—not for them doubt, not for them thought, not for them the freedom of conscience championed by the Under-Secretary of State when he spoke in the House two years ago on the Bill introduced by the present Under-Secretary of State for Health and Social Security. I shall repeat what he said, which I quoted in my intervention during the Home Secretary's speech. He said:

"There are important considerations and fears about the character of Sunday . . . These fears are held in many parts of the House and I agree that they are an important factor. That is why the Government adhere to the view, which successive Governments have adhered to, that the decision must be for the individual conscience of hon. Members."—[*Official Report*, 4 February 1983, Vol. 36, c. 557.]

Several Hon. Members *rose*——

Mr. Kaufman: I wish to say a few more words, then I shall readily give way.

When I intervened, the Home Secretary effectively said that Tory Members could have a conscience on a private Member's Bill, but they must abandon their conscience on the orders of the Government—even though, if they ask nicely, they may be given permission to think about having a conscience.

Mr. John Gorst (Hendon, North): I inform the right hon. Gentleman that I have come to the House to abstain because I do not accept that, although I am in favour of this measure, any of my colleagues on either side of the House should be forced either to vote for something in which they do not believe or to do something that other colleagues are not forced to do.

Mr. Kaufman: I accept what the hon. Gentleman says and I honour him for saying it.

Mr. Donald Anderson (Swansea, East): Setting aside the example of the arrogance of power displayed by the Conservative party, including the stage management of the early-day motion signed by more than 100 hon. Members, will my right hon. Friend remember that the organisations to which he referred did not mention the danger of the fragmentation of the family in our society and the additional pressure of this proposal, steamrollered through by the Government, on family life?

Mr. Kaufman: That point has, of course, been made in the many representations to us. It has also been made by the representatives of the shop workers who are worried, as they have the right to be, about the effect on their family lives if they are made to work on a Sunday. I shall deal later with the strange commitment given by the Home Secretary on this matter.

Mr. Faulds: As I have such warm regard for my right hon. Friend and do not want him to suffer any subsequent distress, may I make it clear to him that I shall not be voting for the Labour amendment tonight because it presupposes quite unacceptable subsequent legislation?

Mr. Kaufman: My hon. Friend has every right to vote in the way that he believes appropriate, even on a three-line Whip, and I do not challenge his right—perhaps the Opposition Chief Whip would—to say what he has said. In our amendent we refer to "any legislation"; we do not refer specifically to the legislation that is heralded in the Auld report.

Conservative Members are to be whipped through the Lobby on a three-line Whip on this matter tonight—*[Interruption.]*—and I hope that everybody interested in this issue, whatever view they hold, will note the difference between the free vote on the Labour Benches and the whipped discipline imposed by the Government.

While there can be, and are, differing views in the House and the country about whether there should be any alterations in shopping hours, I am amazed that the Government should cause division on the subject of the

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protection of shop workers. I am sure that even shoppers who want complete deregulation do not wish to obtain their shopping convenience at the expense of the exploitation of shop workers.

For myself, I find any change completely unacceptable if it will mean even less security for a large group of workers—one in 11 of the working population—who are already among the most disadvantaged, the most exploited and the worst paid in Britain. The Home Secretary's speech showed a lack of concern for shop workers which I found staggering. He hardly referred to them, except in one particular, in a speech lasting 45 minutes. Therefore, I make it clear for myself that, should the Government defeat our amendment tonight, I shall vote against their motion in protest at their lack of concern for the interests of shop workers.

The nature of provision in shops in Britain means that it is exceptionally difficult for shop workers to win the kind of working conditions that are available to others. It is difficult for them to be organised into trade unions, and, despite the gratuitous sneers by the Under-Secretary against USDAW at Question Time earlier this month, that union has done magnificently in recruiting and seeking to protect 250,000 shop workers.

What the Government propose emphasises the need for USDAW and other shop workers' unions even more strongly. If ever there was a case for the members of USDAW to vote for a political fund, that case was made by the callous speech of the Home Secretary today.

One reason for lack of union organisation is that so many shop workers are employed only part time. In 1983, 43 per cent. of shop workers were part-timers, and most of them were women. Women form 66 per cent. of the shops' labour force and more than half of them, 39 per cent. of the total, work part time.

It is, in addition, a young work force. In 1971, 15 per cent. of males and 21 per cent. of females in the industry were less than 19 years old, and among part-timers the ages were even younger. The 1968 figures showed that in retailing, 75 per cent. of Saturday only workers were under 18, of whom 64 per cent. were girls, and 87 per cent. were under 21. Those official statistics undoubtedly understate the true position.

Current practice where there is Sunday trading, legal or illegal, shows that part-timers are predominant. Retailers opening on Sunday employ double the number of part-timers as on weekdays. Not surprisingly, these workers are often poorly qualified, much less qualified than workers in other industries. They are also inadequately trained. Money spent on training per employee in the distributive trades is less than half that in manufacturing industries.

It is scarcely surprising that shop workers are disgracefully paid. In January of this year, the statutory minimum rate was only £70·66 in the retail food and allied trades, and £71·05 in the non-food retail trades. Women in those trades were receiving little more than half women's national average earnings, and men were receiving not much more than one third of men's average earnings.

We must remember, too, that those miserable conditions have been obtained with existing protections, such as they are. Auld wants to remove some of these protections, and the rest of them are endangered by the Government's attitude to wages councils, which the Auld report, to do it justice, strongly recommends should be retained.

Mr. Richard Shepherd (Aldridge-Brownhills): Part of the argument is that extending trading times to include, for example, Sundays would give an opportunity for the very lowest paid to double up on their terms of income and thereby earn more.

Mr. Kaufman: I shall deal with that as I proceed.

The Auld recommendation about the abolition of the Shops Act protection for retail workers is astounding in view of the committee's terms of reference, which instructed it to have regard to the interests of employees. Legislation on shop hours in the past has been very much directed towards the protection of shop workers. The Auld report reminds us:

> "Statutory restrictions on evening closing had their origin in the late nineteenth century concern to protect shop workers from exploitation".

The Shop Hours Regulation Act 1886, for example, specified maximum hours for persons under 18. That was a century ago, when legislation was governed by Victorian values. Even in 1911, the Shops Act of that year called for a half-day holiday for all shop workers. The Auld recommendations would remove that 75-year-old obligation.

The two major protections that shop workers have at present are the Shops Act 1950 and the wages councils. Neither has brought those workers conditions that are ideal or anything like ideal. However, they have meant that specific statutory protection has existed and that employers have to step carefully or face legal consequences.

The Shops Act 1950 prescribes maximum working hours and conditions of employment for young persons, and lays down regulations governing paid half days off, meal breaks and time off in lieu of Sunday working. The wages council orders prescribe minimum rates that are far from princely but are certainly much higher than they would be if wages councils did not exist. These lay down levels both for weekday and Sunday working and they influence pay in sectors of retail trading that are not covered by wages councils.

The Government's attitude to wages councils is especially deplorable. The way in which the Home Secretary brushed aside the issue of wages councils and simply said that he would listen was scandalous. The Auld report makes two specific recommendations—one is deregulation and the other is the retention of wages councils and a strengthened inspectorate. The Home Secretary—this is why his motion is framed in the way in which it is—accepts the recommendation that suits him and does not accept the other, on which, as I shall show, the first is based; without the second recommendation, the exploitation of shop workers will be absolutely intolerable.

Mr. Skinner: Does my right hon. Friend agree that, on reading the mind of the Government on this matter, one can conclude that their central strategy is to depress the wages and conditions that have been fought for by unions over the years? Their plan, in other words, is to get rid of Sunday as a special day, so that workers will finally work on Sundays as though they were Wednesdays or Thursdays, with the result that double time and time and

a half will be a thing of the past. They are not just after shop workers. Once they have established that Sunday is the same as a weekday, additional payments, including unsocial hours money, will be abolished for millions of workers not involved in the trades with which we are concerned. That is part of the jigsaw which my right hon. Friend is piecing together. Does he agree with my conclusion?

Mr. Kaufman: In many ways it is even worse than that, as I shall demonstrate as I proceed.

The Government's attitude to wages councils is deplorable. The need for wages councils was recognised more than three quarters of a century ago, in 1909, when they were first created. In this instance we are talking about Edwardian values. The councils' progenitor was Winston Churchill, the man to whom the Prime Minister so frequently refers as Winston, as if he was one of her most intimate friends. It was Churchill who said, when the Bill creating wages councils was introduced:

"It was formerly supposed that the workings of the laws of supply and demand would naturally regulate or eliminate that evil"

of living on a less than a decent wage.

"But when you have no organisation, no parity of bargaining, the good employer is undercut by the bad, and the bad employer is undercut by the worst."—[*Official Report*, 28 April 1909; Vol. 4, c. 388.]

Winston was right then, and he remains right now.

Mr. John Powley (Norwich, South) *rose*——

Mr. Kaufman: I shall proceed with my speech for a while. I have been giving way a good deal. There are 42 other right hon. and hon. Members who wish to participate in the debate.

Mr. Powley: I am one of them.

Mr. Kaufman: Wages councils are needed to establish basic minimum pay levels, rates of pay for overtime, weekends and bank holiday working and minimum holiday entitlements. Without the councils, pay rates in retailing as elsewhere would slump to intolerably low levels. Even now, earnings in the industry are slumping towards the councils' minimum levels. Ten years ago, women full-time shop workers earned on average 20 per cent. more than the wages councils' basic rate and part-timers were 16 per cent. above the basic rate. By last year, both categories of worker were only 10 per cent. above the minimum rate.

The Low Pay Unit has given dreadful examples of the exploitation of shop workers. I shall give the House just three. There is one young woman aged 22 years who is a jewellery sales assistant. She earns £54 gross for a 40-hour week. She says:

"Considering the responsibilities we have, I think our wages are disgustingly low. I personally have taken retail jewellery examinations, which was supposed to have made a difference to my wage packet. It did—£2."

Another woman, Miss S, is a manageress of a dry cleaners. She is 23 and works a 38½-hour week, for which she receives £44·56 gross. She says:

"I've got to do the pressing, work the machine and look after the counter. My wages don't go far. I give my mum £15 keep money, bus fares £5·70 a week, life insurance £3 and that doesn't leave a lot to buy clothes or go out."

The third example is that of a man aged 20 years who earns £65 for a 47-hour week as the manager of a video shop library. His take-home pay is £49·85, of which he spends £4 on bus fares.

Mr. Powley *rose*——

Mr. Kaufman: In 1983, the report of the wages inspectorate to the retail food and allied trades wages council showed that a check of 10·9 per cent. of the register revealed that 20,832 workers were being underpaid and that arrears totalling £2,416,353 were assessed as due. Where complaints were investigated, underpayments were revealed at 867 of the 1,096 establishments involved. That is what was found by the wages council, yet the Government will not say that they will keep the councils.

Mr. Powley *rose*——

Mr. Kaufman: It is no wonder that a working party of the distributive trades EDC reported in March as follows:

"The working group believes that any reform or abolition of the retail trade wages council could have a wide-ranging effect on retail trade employment prospects. It regards as largely unproven the assertion that increases in wage rates determined by wages councils are substantially reducing the employment prospects of young people."

Mr. Powley *rose*——

Mr. Kaufman: I ask the hon. Gentleman to permit me to continue. I have given way on several occasions. I have a great deal more to say and I should like to see how we get on before I allow the hon. Gentleman to intervene. It is no wonder—[HON. MEMBERS: "Give way".] If hon. Members who wish to speak will not be annoyed if I give way, I shall do so.

Mr. Powley *rose*——

Mr. Geoffrey Dickens (Littleborough and Saddleworth) *rose*——

Mr. Kaufman: I give way to the hon. Member for Norwich, South (Mr. Powley).

Mr. Powley: I am grateful to the right hon. Gentleman for giving way. Perhaps he will tell me how I should respond to a business man who saw me in my constituency yesterday——

Mr. Cormack: On a Sunday?

Mr. Powley: Yes, he saw me yesterday because of the subject that we are debating now. He put a complaint to me and asked me what I could do for him. He contended that the actions of a wages council and not the complaints of his employees were putting him out of business and making him bankrupt. The regulations that the council will be enforcing will mean that four people who have had a job in my constituency will be forcibly made unemployed.

Mr. Kaufman: I would say that he is a pretty lousy employer. I shall quote from the evidence that is accumulated in the Cambridge study which the Department of Employment has published. Evidence is available in the report of the Select Committee on Employment, which was published last Thursday. The evidence demonstrates that the employer to whom the hon. Gentleman has referred is in a tiny minority and that the effect of wages councils in supporting the miserable minimum wages of workers in the retail industry has a minimal effect on employment. If the hon. Gentleman is worried about bankruptcies in his constituency, he should speak to the Chancellor of the Exchequer about interest rates, which are driving companies out of business.

Mr. Dickens: We are talking about our sabbath day, and my right hon. and learned Friend the Home Secretary

[Mr. Dickens]

and my hon. Friend the Under-Secretary of State for the Home Department are both Jewish. I respect that. I understand that Mohammedans in Britain can choose whether to work on their sabbath day, which is Friday. Jews in Britain can choose whether they work on their sabbath day, which is Saturday. When the proposed legislation is before the House—we are having only a little debate on the issue today—it will seek to give Christians the opportunity to decide whether they wish to open their shops and work on a Sunday. The arguments about salaries and the tear-jerking examples that we have been given by the right hon. Gentleman relate to every day of the week or whatever days shops are open.

Mr. Kaufman: I do not know whether I should have given way to the hon. Gentleman in the circumstances.

Mr. Skinner: The hon. Gentleman should get back to the dance floor.

Mr. Kaufman: What the hon. Gentleman has said would come very well out of an early play by George Bernard Shaw. He is saying that he wants to give Christian employers the right to open their shops but he does not want to give Christian workers the right to say whether they will work. That is the issue and it is that sort of paradox that appears in "Widowers' Houses" and "Major Barbara". I recommend the hon. Gentleman to read both. They are available in the Library.

I shall quote from the study by the department of applied economics at Cambridge university. Addressing itself to wages councils, it states:

"There can be no strong presumption that the retail wages councils have had an important independent employment effect . . . in the absence of a comprehensive system for the orderly determination of wages in retailing, the wages councils serve a useful purpose in terms of both equity and efficiency."

That survey was carried out on behalf of the Department of Employment. It is no wonder that, only four days ago, the Select Committee on Employment reported:

"Ministers did not give an estimate of the increase in the number of jobs which might be expected to result from abolition"

of wages councils;

"when pressed to do so in respect of young people, they were unable to: the message was 'try it and see'."

No wonder, therefore, that the Auld report—a report that cannot be said to be over-solicitous of the interests of workers in its recommendation that all shops protection should be scrapped—deliberately went beyond its terms of reference to recommend "strongly", to use its own word, that wages councils should be retained for retailing. The report went on to recommend that there should be proper enforcement of wages council orders by an adequately staffed wages council inspectorate. We heard not a word about that from the Secretary of State.

Mr. Nicholas Lyell (Mid-Bedfordshire) *rose*——

Mr. Kaufman: Let me just finish what I am saying.

Mr. Jonathan Sayeed (Bristol, East): On a point of order, Mr. Deputy Speaker. The right hon. Member for Manchester, Gorton (Mr. Kaufman) has been speaking about wages councils for about seven minutes. We are actually discussing the motion before the House.

Mr. Deputy Speaker: I remind the House that 40 right hon. and hon. Members wish to participate in the debate. There have been 20 interventions during the speeches by the Front Benchers. A matter which is not a point of order merely delays the speeches of other hon. Members.

Mr. Kaufman: The hon. Member for Bristol, East (Mr. Sayeed) should be ashamed of himself for making that bogus point or order. This report, which I recommend that he read, has just two recommendations, one of which is the recommendation to retain the wages councils and strengthen the wages councils inspectorate. If the hon. Gentleman does not like that recommendation, he is telling us not only that he does not know what is in the report but that he does not care about the workers who are involved.

Mr. Sayeed *rose*——

Mr. Kaufman: I shall not give way. You, Mr. Deputy Speaker, have clearly shown that you believe that no more interventions should be taken; therefore, I shall proceed.

The way in which the Home Secretary brushed aside the issue of wages councils was most offensive and showed no concern whatever for the interests of shop workers. The report makes two recommendations—one is accepted in the Government motion; the other is ignored in the Government motion.

Mr. Brittan: The right hon. Gentleman obviously wrote that before listening to what I said. That is, of course, his custom. Otherwise, he would have heard me say specifically in relation to wages councils:

"The position of shop workers, vis-à-vis opening hours, will be given detailed and sympathetic consideration in the context of the consultation that is taking place".

I said that what was said in this debate would be taken into account. Moreover, although this debate is about opening hours and Sunday opening, I made it quite clear that the Government would announce their conclusion on the future of wages councils, not today but before any legislation on opening hours is brought before the House.

Mr. Kaufman: I am afraid that that simply will not wash. The Government have had the report for six months. They have had the opportunity to think about this report for six months. They have thought about the recommendation on deregulation and have made up their minds. I should have thought that six months was long enough for the Government to decide whether to accept the other recommendation. The Government do not care about the other recommendation because they do not care about shop workers.

Protection for workers in this industry becomes all the more essential when we examine the likely effects of deregulation on workers' jobs and conditions. Discussion of the effects of deregulation concentrates on Sunday trading, partly because Sunday trading understandably arouses the strong feelings and consciences of many people, and also because legal shopping hours on weekdays are already so long that major extensions are unlikely between Monday and Saturday, even if there is complete deregulation. Yet for workers, the effects of Sunday deregulation would spread over into the other six days. Unless the type of protection demanded in our amendment is provided, those effects will be painful.

Refering to the effect of deregulation on employment, the Auld report said:

"De-regulation would have an immediate effect on employment in retailing. Sunday opening would generate Sunday jobs, but the resulting fall in week-day demand would mean fewer jobs at other times. In the short term, the IFS suggests that the net effect of these two conflicting influences on

manning requirements would be a small reduction in employment in the retail trade, possibly about 5,000 full-time equivalent jobs . . . In the longer term, the reduction in retailing capacity would inevitably involve a further loss of jobs. Although more people might be required in the remaining shops, the IFS predicts that the net effect would be a reduction of about a further 15,000 full-time equivalent jobs."

That is a net calculation, based on full-time equivalent jobs rather than full-time "real" jobs, as the Prime Minister describes them. The calculation in the report shows that, overall, 110,000 new Sunday jobs are expected to be created — all of them part-time or supplementary to weekday working. On the other hand, 135,000 weekday jobs are expected to be lost and many, if not most, will be full-time jobs. That is additional to the 130,000 full-time jobs that have been lost since 1979.

The real implications are shown in a statement issued by Asda which aimed to demonstrate that Sunday trading produces job increases. Asda said:

"An additional 65-90 staff are needed to operate a superstore on a Sunday. Some 75-90 per cent. of these will be specially recruited via the job centre; others will be existing full or part-time staff."

Asda is saying that most of the people it recruits for Sunday working are part-timers and that it is not creating additional employment for many of its weekday workers. Tesco expects at least 75 per cent. of its Sunday staff to be Sunday-only employees.

These expectations are emphasised by a special report that has just been issued by the Institute for Fiscal Studies, which also provided the jobs assessment for the Auld report which the Home Secretary quoted with great approval. This new report was carried out for the Federation of Multiple DIY Retailers, so we cannot suppose that it was intended to be biased against the deregulation recommendation. The report stated:

"First, weekday turnover will be smaller and thus retailers will find they can economise on staff. Second, because Sunday sales will tend to reduce sales at peak times — typically weekday evenings and Saturday—retailers may find they can make more effective use of existing staff as demand during the week is more even."

That is bad enough, but even that assessment of the harmful effects of uncontrolled Sunday opening without protection is made, as the Institute for Fiscal Studies takes pains to emphasise, on the assumption that the continuation of the wages council system will ensure that double-time rates will be paid on Sundays. The institute made that estimate on the best possible assumption of the wages councils being retained and being effective. The IFS went on to say:

"left to market forces the size of the Sunday wage premium would probably fall."

The IFS calculated that, with the fall in that premium, the number of lost weekday jobs would rise to 130,000. Only the maintenance of full protection for shop workers can prevent a massive deterioration in working conditions for those workers, because the industry faces, without their protection, huge dilution by casual and part-time workers.

Dr. Keith Hampson (Leeds, North-West) *rose*——

Mr. Kaufman: I shall not give way.

Less full-time working means worse pay and lack of statutory protection in key areas, such as employment protection, redundancy payments and maternity rights. They are especially important in an industry with so many women workers. More casualisation and part-time working means not only less protection for such workers but pressure on full-time workers. Full-time workers will face the evident danger of replacement by part-timers if they cause too much of a fuss over such embellishments as halfway decent pay, let alone holiday and other rights. The Thatcherite dream will become the shop workers' nightmare. That is in an industry in which workers are already inadequately protected. The Auld report itself states that shop workers

"lack the trades union protection enjoyed by most other workers."

In the main, shop workers have to fend for themselves on the subject of working hours and conditions. Yet what hope does the Auld report offer those workers in the absence of statutory protection, including the protection that they themselves say should be removed by the total repeal of Shops Act protection? The report says:

"where an employee might be prejudiced by a requirement to work on Sundays or late at night, so that refusal to do so would lead to dismissal, it might be that the provisions governing unfair dismissal in the Employment Protection (Consolidation) Act 1978 would in certain cases provide a safeguard.

"Might be . . . certain cases"—that will not do. That is not protection. That is optimistic speculation.

Mr. Lyell: Will the right hon. Gentleman give way?

Mr. Kaufman: No.

The Employment Protection Act, 1975 even if relevant and applicable, does not provide for reinstatement even if an action is successful. Employers could apply a whole range of pressures short of dismissal. It is no good Ministers saying that other workers are involved in Sunday working without dire consequences because the report dismisses that argument:

"it is notable that a substantial proportion of regular Sunday employment occurs in industries, such as the railways and health service, with a high degree of unionisation and relatively traditional labour practices. Retailing, by contrast, is characterised by less strong unions and exceptional flexibility in the use of labour."

Therefore, for all of us in the Labour party, including my hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott), whatever attitude may be taken on deregulation and late and Sunday opening——

Mr. Lyell: Will the right hon. Gentleman give way?

Mr. William Cash (Stafford): Will the right hon. Gentleman give way?

Mr. Kaufman: —protection of the workers—[HON. MEMBERS: "Give way."]— protection of the workers becomes a sticking point on which we are implacable.

We insist that any legislation must include specific protection for workers. Many of the private Members' Bills that have been introduced on this subject deliberately included some form of protection such as those introduced by the hon. Members for Chelsea (Mr. Scott), for Cambridgeshire, North-East (Mr. Freud) and for Clwyd, North-West (Sir A. Meyer), as well as several others.

I address this remark to the Secretary of State in response to his reply to the intervention of the hon. Member for Berwick-upon-Tweed (Mr. Beith) about protection of workers on Sunday. We do not regard as satisfactory his limited and mingy commitment that established workers will be protected. The Secretary of State, in response to an intervention by the hon. Member for Surrey, North-West (Mr. Grylls), commended the legislation in the commonwealth of Massachusetts. The commonwealth of Massachusetts legislated on Sunday trading in 1983, and included this provision, that no employee—not "no established employee"—

[Mr. Kaufman]

"shall be required to perform such [Sunday] work, and refusal to work for any retail establishment on Sunday shall not be grounds for discrimination, dismissal, discharge, reduction in hours, or any other penalty."

That is what they have in Massachusetts, and that is what we demand in the Bill. Nothing else will do. [HON. MEMBERS: "What Bill?"] The Bill is coming. The Government say that they are going to legislate.

We demand that all Shops Act protections required by the industry's unions should be retained except where other statutes unequivocally and indubitably provide such protection. Those include half holidays, meal times, refreshment breaks, the number of Sundays to be worked and time off in lieu of Sunday working. We insist on full Shops Act protection for young people.

Mr. Cash: Will the right hon. Gentleman give way?

Mr. Kaufman: The report is extremely unsatisfactory on safeguards for young workers. It says that gaps not at present covered by current legislation could be filled by amendments to other statutes. "Could be" is not good enough. We demand an assurance that such gaps will be filled. Above all, we demand that full wages council protection for shop workers be retained. Heaven knows, such protection is barely adequate as it is. We insist on the full retention of the wages council system, and for young people, too.

The Government's consultative paper makes absurd and dangerous statements about the effect of wages council protection on the employment of young people. Those statements are rejected by the Select Committee of this House, by the Cambridge study and by the National Economic Development Council working party. We demand full wages council protection for young people both in regard to minimum rates and age coverage.

The British public are decent, caring people. Many of them may wish for wider shopping opportunities, but none of them would want to enjoy those opportunities at the expense of underpaid, overworked and exploited employees, including women and teenage girls. We are amazed that the Government cannot accept our simple and uncontroversial amendment. We shall be speaking not only for shop workers but for the whole country when we vote for our amendment tonight.

5.35 pm

Sir Ian Gilmour (Chesham and Amersham): The right hon. Member for Manchester, Gorton (Mr. Kaufman) went on with his prepared text in utter disregard of what my right hon. and learned Friend the Home Secretary said. The right hon. Gentleman's language would have been inappropriate in any event. He talked about my right hon. and learned Friend's callous attitude to shop workers when in fact he gave the undertaking to consider carefully the amendment tabled by my hon. Friend the Member for Bournemouth, West (Mr. Butterfill). That was totally inappropriate. The right hon. Gentleman should have amended his speech drastically.

The right hon. Gentleman began his speech with a series of noisy questions asking whether what my right hon. and learned Friend said about the law being unenforceable meant that we should not have a law against robbery. That was a total misconception of the position. There is an obvious distinction, of which the right hon. Gentleman must be aware——

Mr. Skinner: Is this a rebel I see before me?

Sir Ian Gilmour: I supported the Bill of my hon. Friend the Member for Wycombe (Mr. Whitney) because I thought that it was sensible. No doubt the hon. Gentleman opposes it for the same reason. That would be characteristic.

There is a distinction between laws with which it is often difficult to catch the offender and laws which are so illogical and thus so riddled with abuses, inconsistencies and anomalies that no Government or local authority can enforce them. The right hon. Member for Gorton must be fully aware of that distinction. That is the key point.

I am not sure whether the right hon. Gentleman is in favour of Sunday opening. He made an extremely long speech, which was interesting in many ways. The most interesting part was that he did not state where he stood on the main issue. Perhaps at some stage later in the debate we shall hear from the Opposition what their attitude is.

The key point is that we are being asked to continue using the criminal law to enforce a law that nobody in his right mind thinks can go on being enforced. I fully respect the sabbatarians on both sides of the House, and those who wish to continue the traditional English Sunday, whatever exactly that may mean——

Mr. Cormack: Rather like the traditional Tory.

Sir Ian Gilmour: No, that is not so. The Tory party was against making Sunday a miserable affair. That was very much a Roundhead whim. Although sabbatarianism has quite a long history, it is essentially a Victorian idea. Most of our legislation dates from Queen Victoria. In fact, Karl Marx said that the chief sufferers from the sabbatarian legislation were the working classes. It is paradoxical that now their alleged representatives are very much against the amelioration of these laws. I am not an admirer of Victorian values, and I am grateful that, in this respect at least, the Government are departing from them; although it is fair to say that Queen Victoria was not a sabbatarian, and was opposed to the sabbatarianism of those days. *[Interruption.]* Luckily I cannot hear the hon. Member for Bolsover (Mr. Skinner). He is raucous but inaudible.

In the earlier debate, the Government were asked to hold an inquiry and not to act before it had reported. In general, that is a sensible procedure. The Government have now done exactly what was asked. The findings of the inquiry are unequivocal, and the Government now have no alternative but to legislate. I agree with both parts of the Auld report. I believe that it is important that, unless some other safeguards can be found, wages councils should be preserved. I am not opposed to the reform of wages councils, but I believe that they need to be preserved in this case.

My hon. Friend the Under-Secretary of State was right in 1983—I supported him then—and I believe that the Government are right now.

5.41 pm

Mr. A. J. Beith (Berwick-upon-Tweed): There has been an exchange about the line taken by the Under-Secretary in an earlier debate. I believe that this is a matter on which the individual conscience is of supreme importance. It is a matter on which I speak for myself, although I believe that my hon. Friends will agree with almost all that I say, and that they all agree with me when I say that, in any legislative change, the shop worker

should be protected. My hon. Friend the Member for Cambridgeshire, North-East (Mr. Freud) took that view when he introduced his legislation, the protection offered in which was far more stringent than the measly concession offered by the Home Secretary today.

On 4 February 1983, when replying to some issues that I had raised, the Under-Secretary said:

"These fears are held in many parts of the House and I agree that they are an important factor. That is why the Government adhere to the view, which successive Governments have adhered to, that the decision must be for the individual conscience of hon. Members." — [*Official Report*, 4 February 1983; Vol. 36, c. 557.]

In referring to "successive Governments" the hon. Gentleman could not have been speaking solely about the legislation then being discussed. I do not believe that that was what was in his mind. I believe that the hon. Gentleman has now been asked to stand his own words on their head. He should not accede to the pressure to do so. He should make it clear that individual conscience should have free rein, not only in today's debate but in the debates on the details of legislation which, I suspect, will occupy us for many long weeks in some future Session.

The right hon. Member for Chesham and Amersham (Sir I. Gilmour) referred to the Auld committee as though it were a body of impeccable impartiality and breadth of background knowledge. That is far from the case. Committees set up by Governments are normally of two kinds. Some are intended to debate an issue at length—preferably until after the next general election. Others are intended to secure a certain verdict, and to do so as quickly as possible. The committee just appointed by the Home Secretary to consider advertising on BBC television—the membership was announced on Friday—falls into the former category. Its members range from the Home Secretary's brother to people who have spent most of their working lives in the BBC. It represents a wide range of opinion and its debates will no doubt be lengthy.

The Auld committee has no such breadth. No one could say that the members of the committee represent the full range of opinion on the issue. I can find among the members no one who holds the traditional view of the place of Sunday in our society and in the Christian religion.

Mr. Mellor: The hon. Gentleman is kicking the referee because he does not like his ruling. Not a single word of criticism was advanced about the composition of the committee until it made its report. What right does the hon. Gentleman have to call into question the integrity of the three members who produced the report in good conscience? Further, is the hon. Gentleman aware that there were also six assessors, at least three of whom represented views antipathetic to the final result of the inquiry? Not one of them has called into question the good faith of the inquiry process. Why is the hon. Gentleman doing so?

Mr. Beith: I do not call into question the good faith of those conducting the inquiry. I question whether they represented the range of views on this issue. They did not.

If the Minister consults his files, he will find there some correspondence from me on certain aspects of the committee's initial actions, which immediately caused me to doubt the breadth of opinion that it represented. The Minister sees fit to ignore that correspondence, but I shall refer to it.

It is possible that the members of the committee initially had no views at all. However, they certainly did not start with a representative breadth of opinion on the subject such as can be found in the committee considering advertising on the BBC, which was clearly set up on the basis that it should contain a breadth of views. I believe that the reason for the difference is that the Government wanted a certain result from the Auld committee whereas they do not want the other committee to produce a result for some time.

Immediately the Auld committee started work, there was a straw in the wind. I wrote to the Minister about it. The committee quite properly placed advertisements in newspapers seeking evidence from people holding different views. However, it placed the advertisements exclusively in Sunday newspapers. The committee had embarked on its task with no grasp of the fact that a significant minority of people, on religious grounds, do not read Sunday newspapers.

The Minister has referred to the assessors. The assessors had no part in writing the report, and cannot be held responsible for it. Their position was quite clear. They were to provide factual evidence on the areas about which they knew.

No one reading the article by Miss Frances Cairncross in *The Times* today could come to any conclusion other than that she is strongly in favour of Sunday opening on a slightly more widespread scale than was envisaged even in the report. She is fully entitled to hold those views, but they give a flavour of the basis of the report.

It is difficult to avoid the conclusion that the report is somewhat disdainful of the Christian religion and attaches far too little weight to the views of those who, because of their Christian convictions or on other grounds, do not wish to work on Sundays.

The most balanced criticism of the report was produced by the British Council of Churches and the Free Church Federal Council. The critique states:

"The Auld report appears to have been written to sustain the case for abolishing all regulation of shop opening hours . . . That part of the case which the churches, with others, made on behalf of shop-workers and their families is accepted, but rather than abandon the conclusion that there should be no regulation of hours the Committee makes the proposal for a Wages Council, which it must know the Government is unlikely to accept . . . There is a serious conflict between the evidence they present and the conclusion they reach. What appears to be a closely argued case is a much more tendentious document. Market forces, it seems, are now to determine every aspect of our life in community."

Dr. Hampson: I shall not take up the theoretical arguments. There are many examples of Sunday opening around the world, and the right hon. Gentleman lives next to the Scottish example. How does he deal with the fact that only 16 per cent. of Scottish shops open on Sundays and that 98 per cent. of Scots say that they are not inconvenienced by Sunday trading? What is the evidence that the Scots are any less religious as a result of Sunday opening?

Mr. Beith: I am close enough to Scotland to know that the situation there is very different. The pressures to bring about more Sunday trading are far less intense in Scotland than in much of the United Kingdom, and many people in the retail trade in Scotland do not want to see much Sunday trading. Secondly, I hope that the hon. Gentleman does not

[Mr. Beith]

prefer the social pressures against Sunday trading that operate in some parts of Scotland to a proper regulation of the matter by law.

In seeking to implement the Auld recommendation of complete deregulation without the other recommedation about retaining a wages council, the Government are taking no account of the fact that Sunday is, and has long been, regarded by many people as different from any other day of the week. The moulding and shaping effect of the Christian religion in our society should not simply be thrown aside.

The factors have special significance in some parts of the country, which the Government have not mentioned. In Wales, for example, legislation requires referendums on the opening hours of public houses. The constituents of my hon. Friend the Member for Ceredigion and Pembroke, North (Mr. Howells) can vote not to have public houses open on Sundays, and did so, but they will have no control over Sunday trading, although these things have a special place in their hearts. If people discover that we have irrevocably changed the character of Sunday, they will be critical of a House of Commons which did this with such carelessness.

It is crucial to protect shop workers from the pressures to work on Sunday when they do not wish to on religious grounds or because they are prepared to work five or six days but want Sunday with their family. When my hon. Friend the Member for Cambridgeshire, North-East, with whom I disagree on the issue, introduced proposals considerably to deregulate Sunday trading he nevertheless went to great lengths to protect shop workers. His proposals included limiting overtime payments and therefore the extent to which workers can be bribed to work on Sunday.

Some Conservative Members suggested that we should welcome deregulation because shop workers can get a decent living wage only by working double time on Sundays, and that deregulation offers a wonderful opportunity to extend an otherwise small wage. An alarming range of pressures on shop workers to work on Sundays in the event of complete deregulation would include their desire to augment a low income and the pressure to keep a job. There would also be pressure on people wanting to get a job, as they are likely to be asked to fill in an application form declaring whether they have any objections to working on any day of the week. I take issue with the Home Secretary and his vaunted concession in this regard. I was hopeful when he said that he wanted to provide for shop workers who had a conscientious objection to working on Sunday. However, he talked of established shop workers. It is a dated provision for people now working in the retail trade. It is like trying to buy shares in the Trustee Savings Bank—only people who had an account last year will have priority in buying them. Only people who were employed in the retail trade before the proposed legislation is brought in are to have any protection. As that group of people dies out, fewer will be protected, and anyone who wants to apply for a job will be asked whether he is prepared to work on Sunday. If an applicant has any reservations, or a statement of his religious activities arouses any doubt, he will be passed over in favour of someone else. Without protection, we shall eventually have economic persecution of people who persist in their belief that they should not work on Sunday.

Mr. Nicholas Fairbairn (Perth and Kinross): On the principle of Sunday, how does the hon. Gentleman, who represents Berwick which, but for an odd mistake, is part of Scotland, defend the sanctity of Sunday from shopping when, since 1950, when attitudes were much more rigorous, the Scots, with all the Free Presbyterians and the Free Church, have had no objection to Sunday trading? Does he not realise that his constituents cross the border on Sundays to go shopping?

Mr. Beith: There are massive objections to Sunday trading in many parts of Scotland. No doubt the right hon. Member for Western Isles (Mr. Stewart) will voice some of them. Some of the social pressures are less desirable than a general framework of law under which people know what they are entitled to do and are free to do it.

The Home Secretary's concessions to shop workers are not good enough. The consequences of deregulation for those who feel strongly about working on Sundays will be loss of pay, loss of job or an inability to get one, unless there is protection. Small shopkeepers will be put under enormous pressure. Hon. Members have received extensive representations from the meat trade, for example, which believes that the Government, who claim to be sympathetic towards small businesses, will put unreasonable pressure on many members of it.

We should also consider people who live near shopping centres and who rely on Sunday for peace and an opportunity to sit in their garden without the constant slamming of car doors and the noise of traffic coming and going. It is not enough to say that they should not live there. If people are to live in city centres, it is reasonable to assume that there should be some difference in the pattern of life between weekdays and Sundays. Moreover, many tourists like to go around normally busy areas such as the City of London and other town centres when it is quiet.

There are wider and more general disadvantages of deregulation which have been argued in the Institute for Fiscal Studies report, such as the potential loss of jobs and of trade and an effect on prices. To put it at its lowest, it has not been argued that general economic benefits will follow.

The Government seem to be able to contemplate only deregulation or nothing but there are many choices. I favour revising the Shops Acts to clarify the categories of shop which are allowed to open on Sunday and to define them so as to minimise the difficulties that I have described. The Government seem to have rejected that possibility out of hand, as did the Auld report. There are various compromises. The Home Secretary mentioned Massachusetts and the right hon. Member for Manchester, Gorton (Mr. Kaufman) said that the Massachusetts experiment involved specific protection for shop workers: it is also confined to Sunday afternoons. Most other countries which have made such changes have limited the trading to some extent.

We shall also have to consider planning control. Local authorities must be allowed to exercise some planning powers because, if there is deregulated Sunday trading, arguments about the siting of shops will be much more important to objectors when the shops remain open seven days a week.

The Government must protect shop workers, their job security, the basis on which they are paid — that involves retaining wages councils — and enabling

applicants for jobs or workers to contend that they have been unfairly discriminated against for objecting to work on Sundays. However many regulations we build in, workers will still be discriminated against in practice if we deregulate generally.

I say to my hon. Friends that the hon. Member for Wycombe (Mr. Whitney) waved the flag of liberty and liberalism in support of his private Member's Bill on deregulation. He should remember that John Stuart Mill said that, when defining the right of the individual, we must always have regard to the extent to which it infringes on the liberties of others. Shop workers and other people affected by Sunday trading are among those others. I say to the Labour party that its amendment improves the motion, but does not go to the heart of the matter.

I say to Conservatives that if the Government accept the Auld report without providing permanent protection for Sunday, they will have signalled themselves as being firmly on the side of Mammon rather than of God, and of substituting the religion of the market place for the religion that has guided and sustained this nation for more than 1,000 years. The Government might win the day on this occasion, but when they get to the details of the Bill, I hope that they will find that many Conservative Members are no more willing than I am to see that happen.

5.59 pm

Sir John Wells (Maidstone): Tomorrow is the opening of the Chelsea flower show, which is the greatest flower show in the world. The Chelsea flower show is the showplace of nurserymen from this country and overseas, and specialist plants are presented. However, the man and woman in the street buy their plants from garden centres, which are the most important phenomenon in the leisure industry today.

The do-it-yourself movement is also of fundamental importance in the shopping pattern of families. The Government have got their project wrong. My right hon. and learned Friend the Home Secretary said that there had to be change because of garden centres, and do-it-yourself and tourist shops. But surely we merely need to alter the planning law to make a new planning classification because local authorities do not know what a garden centre is. They cannot decide whether it is a farm shop, a shop or farm land. Under planning laws and regulations, garden centres are neither one nor the other. Do-it-yourself shops are called warehouses. Are they warehouses or shops? That area is fraught in many respects.

If the Government had tackled the problem from the other way on, and had introduced new planning classifications for garden centres, do-it-yourself shops and, to a lesser extent, tourist shops, Sunday trading could have been easily permitted in those three areas.

A fourth category, which is also of great importance to the tourist trade, is exhibitions that stay open on Sunday. I began my speech by mentioning the Chelsea flower show, but there are many other exhibitions, such as the Ideal Home exhibition, at which goods are sold and which stay open on Sunday. That is also a fraught area because, provided the shopper buys a souvenir and carries it away in a souvenir bag, he is not technically breaking the law. That is absurd.

Although I welcome the Government's intentions to change the law in those four limited respects, they have got it wrong because they are trying to change the law for more than those four areas.

6.2 pm

Mr. Thomas Torney (Bradford, South): I must declare an interest in that I am sponsored by the Union of Shop, Distributive and Allied Workers, as many hon. Members know. It is obvious from the debate and the many interventions that the crux of the matter is the Sunday trading argument. I subscribe to the consensus that there is a need to reform the Shops Act 1950. I accept that it generates some curious anomalies, but we do not need complete abolition of the Act to minimise those anomalies.

The abolitionist case is unconvincing, and potentially highly expensive and disruptive. The Auld committee report says a great deal about the dangers to shop workers and the environment and, indeed, much of the report is correct. Despite that, it reaches the wrong conclusions. I am amazed that the best a Government committee can offer is to say, "It is all too difficult. We must abandon all attempts at regulation."

The proposal that small shops and self-employed retailers should be allowed to open is dismissed summarily by the committee, despite the fact that changing the law in that respect would legitimise much of what now takes place without causing danger to shop workers' conditions, upheaval in the high street, or interference with the traditional Sunday and the Christian belief in the sabbath. That may have proved too difficult, or perhaps too troublesome, for the Auld committee to deal with, but parliamentary draftsmen have much more complicated measures to deal with than this, and would find it a doddle to draft suitable changes in the law to implement such a proposal.

It is said that there is a need for shops to open on Sundays, but we should consider the existing position. Most shops are open by 9 am—some food stores open even earlier—and in most cases they do not close until 6 pm. They are open from Mondays to Saturdays, and the majority of supermarkets and multiple stores have two and sometimes three late nights every week when they stay open until 7 pm, 8 pm or even later.

Some people, and even some hon. Members, talk about not being able to shop and say that their only free time is on Sunday. Yet I have never heard of anyone who has starved or gone short of food because shops are not open. Nor have I heard of a person being short of something to wear or being without apparel because shops are not open. In the Third world and the north of England, which I represent, some people are short of those things because of insufficient money and mass unemployment, but never because the shops are not open.

The mass of our working population work from 8 or 8.30 am to 5 or 5.30 pm for five days only. Those people have all day Saturday to shop and can easily shop on late opening nights with their families, if they wish.

The arguments of the abolitionists are ludicrous. There is no need for shops to open on Sundays. I accept that there is a desire among some people to go shopping when the whim suits them. Others are disorganised and cannot remember to prepare for the times when shops are closed or cannot even remember when the shops are closed or what time of day it is. Perhaps we should open shops on Christmas day and Boxing day in case someone forgets the stuffing for the turkey or even the turkey itself, or that a new party dress is required. Hon. Members may think that that sounds ludicrous, but those are precisely the type of

[Mr. Thomas Torney]

people to whom the Government are pandering with the Bill. The Government have confused the meaning of "need" with the meaning of "desire" or "whim".

Over the years, shop workers have been a disadvantaged section of the working population — unsocial hours and low pay have been their lot. I shall not deal with this subject for long because my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) made an admirable speech in which he dealt with many of the subjects that worry me. As a young man, I worked in a shop. I can well remember my employer sending me along the high street to see whether our competitors were closing, before he would allow me to start closing. That is the shape of things to come. Such is the battle of the high street today that, when some shops open, all must follow. Competition is so intense that no trader can afford to be closed and therefore to lose business to a competitor who is open.

Only so much trade can be achieved overall. To divide it seven ways instead of five or six ways would not mean greater trade for everyone. The higher costs of lighting, cleaning, wages and even rates would mean greater overheads. There is only one way in which a store can recoup such additional costs and that is from the consumer. Prices would undoubtedly rise, despite what the Home Secretary said.

The Government have in the past advocated helping small businesses, yet Sunday trading would cripple the small corner shops. They already suffer from intense competition from supermarkets that have all the modern techniques and the bulk-buying facilities that enable them to sell goods more cheaply. The corner shop does considerable business, by its standards, on a Sunday. If superstores open on Sundays it would lose most of this business and many corner shops and small businesses would disappear—*[Laughter.]* Hon. Members do not like my modern, efficient way of tackling the debate by using a computer print-out.

The average high street would eventually become almost as busy on Sundays as it is on Saturdays, with all the noise and bustle associated with a busy shopping area. Other services would be required, such as policing, street cleaning, bus services as on a normal weekday, and the full cover of emergency services. In addition to shop workers, this would mean more people working on a Sunday. All those people would have to be paid, thus causing greater burdens on rates and taxes. Ultimately, we would have to pay for those services.

Sunday as we have known it for generations would be gone. Gone would be the peace. Gone would be the family Sunday, because mother or father may be working. Gone would be the opportunity for many to practice the freedom of religious worship. Sunday would become far less a sabbath day than it is now.

The Auld report calls for——

Mr. Speaker: Order. The hon. Gentleman will have to stop speaking in half a minute.

Mr. Torney: I have very little to go, Mr. Speaker.

The Auld report calls for protection for shop workers. It advocates the retention of the wages councils. The committee must have known that the Government intend to abolish the wages councils because they have published their intention repeatedly over a long period. After all this, the conclusion of the committee was the complete abolition of the Shops Act 1950, which means complete abolition of any protection the shop worker may have.

Wages councils were formed to protect the low paid and those least organised in trade unions. They were meant to put a bottom to wages paid in industries where exploitation was rife. Without that base, shop workers will again be seriously exploited. They will have little choice in refusing to work on Sundays if their employers demand it, because they know that, from the ranks of the 4 million unemployed, people will be found to do their jobs——

Mr. Speaker: Order. We must say farewell to the hon. Gentleman.

Mr. David Crouch (Canterbury): On a point of order, Mr. Speaker. Is it in order for a computer to make copious use of an hon. Member?

Mr. Speaker: Computer or not, the hon. Gentleman speaks from great personal experience.

6.13 pm

Mrs. Sally Oppenheim (Gloucester): I welcome the opportunity to debate the Auld report and all its implications. First, I must declare two interests. I am on the main board of Boots, one of the largest retailers in the country, and I am a former Minister for Consumer Affairs.

Mr. Foulkes: An ordinary housewife.

Mrs. Oppenheim: I have not heard much about consumers from Labour Members.

Boots does not advocate Sunday trading, for several reasons, but if the law is changed, and if that is what its customers want, it will open. However, I advocate the implementation of the proposals in the report, subject to adequate qualifications and safeguards.

Five major considerations should be borne in mind when discussing Sunday opening: consumers, traders, those who must work on Sunday, the religious implications, and the effectiveness of the current legislation. Before I discuss those categories in detail, I should emphasise that I believe that we shall do no service to any of them if we try to exaggerate either the advantages or the disadvantages of the proposals before us. There is an obvious temptation to do so, but I shall try to resist it.

No right hon. or hon. Member could seriously defend the current legislation. The House will agree that such a law, which is riddled with anomalies, frequently flouted and held in contempt by so many, brings the framework of British law into disrepute. The anomalies in the law are so bizarre and they have been mentioned often, that I shall not mention them again.

Perhaps worse than the anomalies themselves are the conditions that they have created, whereby normally law-abiding shopkeepers regularly break the criminal law by selling to their customers on Sundays items from the banned category. No policman will walk into a shop and arrest the shopkeeper for selling a can of baked beans to a customer who wants it on a Sunday. What is even worse is that many small and medium-sized shops, especially in the do-it-yourself category, cannot open on Sundays because they cannot afford the fines, while their larger competitors can open on Sundays and sometimes flout the law because they can afford the fines. It is clear that the law operates unfairly and unenforceably.

The Auld report concludes, I believe correctly, that reform is not practical and would lead to greater

confusion, and that, therefore, abolition is necessary. Such a proposal would leave traders free to choose whether to trade on Sundays, and would leave consumers free to choose whether to shop on Sundays. No element of compulsion is involved. Some people, especially Labour Members, dispute whether that freedom will apply in practice across the board, and whether it will be beneficial or disadvantageous. Others are understandably worried on religious grounds. I hope that I can deal even-handedly with those issues.

Since the 1950 Act, nearly 1 million more women are at work. Family activities have widened, and shops have become bigger. Many shops have moved from city centres to the edges of towns. For many families, Sunday is a day of rest and of family activity, so I have no doubt that, for the majority of consumers, the abolition of the Shops Act 1950 and the freedom to choose whether to shop on Sundays would be beneficial from the point of view of convenience and for another important reason: it will reinforce consumer power and stimulate competition in some, but not all, sectors of the market place.

Such a change would not greatly affect the character of the traditional Sunday, because, except in special cases, most households will not choose to do their major weekly household shopping on Sundays. They will continue to use their new freedom to carry out top-up food shopping at their local shops for convenience. They will not drive in their cars or take public transport to out-of-town or in-town centres to do minor top-up shopping. On the contrary, the corner shop will keep its trade and will have the added advantage of being able to offer its customer a wider range of goods on a fair, legal basis.

Those who have not chosen to take public transport, or to get into their cars, or who do not wish to shop on Sundays, will have the convenience of knowing that many necessities that they may have run out of in the home, garden or in do-it-yourself activities are available to them if they are willing to go out and get them. The real surge in Sunday shopping will be felt in the edge-of-town shops selling furniture, major domestic appliances, and do-it-yourself goods, and in garden centres.

The growth will arise in family shopping involving expensve purchases, in which the views of the whole family can be shared. However, these purchases will not take place every week and they will have repercussions elsewhere in the market place. Above all, I do not believe that a change in the Sunday opening laws will result in people flocking to town centres to do their shopping, or that many town centre shops will open on Sundays. I have observed Sunday opening in several states in the United States. The overall effects are minimal but variable, just as they would be in this country, according to different circumstances.

Mr. John Butterfill (Bournemouth, West): Will my right hon. Friend give way?

Mrs. Oppenheim: I regret that I cannot give way to my hon. Friend. I must get on with my speech.

For example, most of the major shops and department stores in the city centres of California do not open, but on the edge of the cities shopping malls and the larger drug stores open. In the centre of Chicago, where there has been major investment in a city centre mall, most of the shops open and do very well. Therefore, no precise comparisons can be made. The same variations will apply here, as they already do on Saturdays. One only has to walk around the west end of London on Saturdays to see that some department stores are open all day while others are open for half a day, and some shops do not open. They have gauged their market. They know what their viability niche is. I am of course not referring to those shops which do not open on Saturdays for religious reasons.

I turn now to the effects upon traders of Sunday opening. The benefits and disadvantages for traders are not nearly so clear as they are for customers. Many traders, especially in the categories I have mentioned, will benefit, others will do so only marginally and some will lose. The corner shops will not lose. They are among the marginal gainers. Some shops, in particular the city centre multiple retailers, will have to open on seven days a week, but their turnover will be no higher than it is when trading on six days a week. They will have to open, because if they do not some of their customers will buy elsewhere on Sunday the goods that otherwise they would have bought from them during the week. This is a genuine concern of the Retail Consortium which cannot be dismissed. However, we should not allow this genuine objection to outweigh the benefits that Sunday opening would bring to the majority, nor should we exaggerate the significance of the increased costs. If local authority rates were to be kept lower all over the country it would wipe out any disadvantage for most of the major retailers.

As for the effects of Sunday opening upon those who work in shops and their future interests, I firmly believe that those interests must be protected, but not by wages councils, as the report recommends. Their protection should be enshrined in appropriate legislation and should be fair and equitable. It is only right and fair that those who have a conscientious objection to working on Sundays, or those who, for personal or family reasons, do not wish to work on Sundays should not be forced to do so. Their existing or potential jobs should not be endangered as a result. That is a fundamental prerequisite to any change in the law which should be enshrined in the law itself. On the other hand, traders, especially those whose costs will increase, should not be asked to pay part-time Sunday-only workers for eight hours when they work only two. That would be inequitable, would add to costs and would undermine the commercial viability of opening on Sunday.

The benefits of abolition will be more marginal than some people believe. Nevertheless, they will be significant. The disadvantages will be a good deal less than some prophets of doom foretell. I respect the views of those with strong religious convictions, but overriding everything is the need to get rid of a bad law and to uphold the great principles of fairness and freedom.

6.23 pm

Mr. Donald Stewart (Western Isles): The hon. Member for Gloucester (Mrs. Oppenheim) ended her speech by saying that we need to get rid of a bad law. The Act to which the Auld report refers has been on the statute book since 1950. If it had been so bad as the hon. Lady and certain other hon. Members have maintained, it is odd that neither of the two main parties that have formed Administrations during the last 35 years have done anything to get rid of it. Such attempts as have been made were left to private Members.

The motion standing in the name of the Prime Minister is one with which I disagree entirely. I regret that the

[Mr. Donald Stewart]

Conservative party, which was regarded as the great bastion of religion in this nation, has accepted the recommendations of the Auld report. The amendment which stands in the name of the Leader of the Opposition is not much better. Although it regards legislation as desirable and essential, it carefully avoids the central issue and is almost as bad as the motion itself.

When he introduced the debate the Home Secretary said that he was a Minister for law and order. My forecast is that when the legislation eventually reaches the statute book there will be further disruption of law and order because of what will happen to the traditional observance of Sunday in this country. I find it offensive that those who would not work on Sundays, apart from washing their cars or working in their gardens, find it acceptable that others should work on Sundays as well as on the other days of the week. We are told that we must have Sunday trading for the benefit of tourists. Many tourists come from countries where they do not enjoy such facilities. If they come from countries which do not have Sunday trading, they observe what happens in this country. Do we have to alter what has been the tradition for generations just to suit tourists who may come here for only three weeks once in every 10 years? That is a ridiculous argument.

The consumer interest has been referred to on many occasions in this debate. Consumers are not demanding that shops should be open on Sunday. I challenge hon. Members to say whether their mail bags are full of letters from people who complain that they cannot buy goods on Sunday. No hon. Member can say that. There is no basis for that assertion.

Mr. Fairbairn: Will the right hon. Gentleman give way?

Mr. Stewart: No, I shall not give way, because of the time limit on speeches. I am restricted to 10 minutes.

I do not see the mail bag of every hon. Member, but while I have been a Member of Parliament I have received no request that shops should be open on Sunday. I do not believe that such a demand exists. The demand comes from Conservative Members. Non-religious bodies, such as the Trades Union Council, the Scottish Trades Union Council and the unions, are greatly opposed to Sunday trading. The British Council of Churches has also made its view clear on that point. The Auld report recommends that the regulation of shop hours should be abolished. This is a twin recommendation. Nobody who wished to implement it would implement one part of the recommendation without the other.

Mr. Fairbairn: Why on earth is the right hon. Gentleman speaking against the abolition of Sunday opening when the Shops Act 1950 specifically exempted Scotland from clauses 32 to 52? There has been Sunday opening in Scotland ever since 1950, but the right hon. Gentleman has never included in his manifesto the promise that the law would be changed.

Mr. Stewart: The hon. and learned Gentleman knows as well as I that when he goes through Scottish towns on Sunday he never sees shops open in the main street. Other restraints are placed upon Sunday opening in Scotland, apart from what might be on the statute book.

The recommendation is in two parts, which have to be considered together. In addition to the abolition of shop hours regulation, the Auld committee also said:

"we strongly urge the retention for retail workers of the machinery of the wages councils".

The one cannot be implemented without the other. All hon. Members know about the Government's attitude towards wages councils. I do not support the deregulation of shop hours. Many people object to the sweeping changes urged by the report, but agree that the 1950 Act is out of date in some ways and contains some anomalies. Some reform is needed, but there is no proven case for Sunday opening or for late-night opening.

It is all very well to talk about a shop owner's freedom of choice about when he should open, but if some in a trade decide to open late at night or on Sundays, most—not all—will have to follow. If each retailer is to maintain his share of the market and his credibility with his customers, he will be virtually forced to stay open as long and as late as the others. Deregulated trading hours will inevitably mean extended trading hours, which will result in increased costs to traders, which will be passed on to the consumers about whose interests we have heard so much.

The lack of Sunday trading in Scotland is the result of respect for the fourth commandment. There is a need for one day a week to be different and to be set aside for relaxation, rest and worship. The Church of England has been called the Conservative party at prayer, but if Conservative Members are whipped on the motion, the Church of England will be shutting up shop.

I do not believe that we are any longer a Christian society. It seems more like a pagan society. If the motion is passed, and is followed by legislation, the effects on the individual, the family and the nation will be disastrous.

6.31 pm

Mr. John Butterfill (Bournemouth, West): My main worry has concerned the position of existing workers in the retail trade who, for religious reasons or on conscience grounds, might not wish to be forced to work on Sunday and might fear that they would be discriminated against.

Therefore, I was particularly pleased to hear my right hon. and learned Friend the Home Secretary say that the only matter on which he disagreed with the Auld report was the protection of workers in the retail trade [HON. MEMBERS: "Existing workers."] Yes, that is exactly what my right hon. and learned Friend said. He was referring to paragraph 279 of the report:

"We explained in Chapter Four why we believe that existing shop employees might deserve greater protection against having to work on Sundays or late at night than those who enter the trade in the future, knowing of the likely requirements if our recommendations were to be adopted. Some of those now employed in shops would have religious objections to working on Sundays, and we believe that such objections deserve particular respect. Others might be equally unwilling to work on Sundays or late at night because of family or other commitments, and we believe that it would be wrong if they were forced to choose between such commitments and keeping their jobs."

I agree with that and I do not understand why the Auld committee adopted the attitude shown in the next two paragraphs. It refers to the law passed in Massachusetts in 1983:

"No employee . . . shall be required to perform such [Sunday] work, and refusal to work for any retail establishment on Sunday shall not be grounds for discrimination, dismissal, discharge, reduction in hours, or any other penalty."

I hope that the Home Secretary will use that law as a model for the Government's legislation. It seems to be eminently sensible. However, the Auld report said that, because the Massachusetts law had not been tested, it did not know how useful it had been. That was an extraordinary statement, because if the law has not been tested, that surely means that it has worked well and that there has been no need to test it.

Mr. John Prescott (Kingston upon Hull, East): Read the next bit.

Mr. Butterfill: I will read the bits that I want to read, but I do not think that the hon. Gentleman will disagree with those bits. The committee quotes in paragraph 281 the evidence given by the Bishop of St. Germans who said that he did not think that legislation on the lines of the Massachusetts law would work here. On the basis of the evidence of one bishop of the Church of England, who ought to be ashamed of himself, the committee says that it does not think that it would be a good idea to put such protection into our law. I am glad that my right hon. and learned Friend has chosen to ignore that section of the report and I look forward with interest to seeing the Bill that is to be produced.

There are many other matters about which I am unhappy and on which I and, I am sure, other hon. Members will require much reassurance when a Bill is brought before us. However, on the vital question of the protection of workers, I thank the Home Secretary for his concession on the most important point that we should be discussing.

6.36 pm

Mr. Barry Sheerman (Huddersfield): I immediately declare an interest as vice-chairman of the co-operative group in the House and as an hon. Member sponsored by the co-operative movement. I hope that that sets a good example to all hon. Members in declaring their interests.

We must put the debate on Sunday trading into context. I do not believe that it is a debate merely about liberalising trade on Sunday. One needs to consider the matter in the light of the overall strategy of the Government since 1979 and of the people who control the Government. Most hon. Members have preferred the topic to remain in the area of individual conscience and private Members' Bills. We all know what has been the fate of those Bills over a long period. That traditional view has served us well, but now we see a change.

The Auld report made only two recommendations and the fact that one is completely ignored in the Government's motion ought to make the Opposition suspicious.

The first recommendation has been up taken with great enthusiasm by some members of the Government. I believe that many hon. Members on both sides of the House regarded the Home Secretary's speech today as pretty deplorable. The only highlights were the interventions. But it was not the right hon. and learned Gentleman's speech; it had all the hallmarks of the Prime Minister's view.

The Government are searching frantically for new sacrifices on the altar of market freedom. Over the past six years, we have seen many sacrifices on that altar, and our traditional Sunday is to be the latest victim. Deregulation and simple solutions to complex problems are the hallmarks of the Prime Minister's thinking. Here we see a simplistic approach and the abolition of all controls. Does not that smack of the Prime Minister's view? Once again, the Prime Minister has got it wrong.

All hon. Members know that there is some middle ground on this issue. We all know that over the years society has altered. There are real anomalies, and there is a need for change. We also know that shopping patterns are different. Many of us would say that the anomalies could be ironed out by legislation and that a small expansion covering, perhaps, do-it-yourself shops and garden centres, could be considered. But the main thrust of the shops legislation could be kept intact.

Mr. Hugh Dykes (Harrow, East): Will the hon. Gentleman give way?

Mr. Sheerman: I shall not give way. I am short of time.

The Auld report is very poor. The evidence given is quite contrary to the committee's conclusions. All the evidence shows that there should be a sensible reform of the legislation, which we could all agree on. However, three people have come up with the recommendation that all the legislation pertaining to shop hours and trading should be scrapped. There will be many casualties, including shop workers and not only their families but the families of transport workers and of people who are now to be forced to spend time apart when they should be together on a Sunday.

Several Hon. Members *rose*——

Mr. Sheerman: I shall not give way.

The complexities of modern life are dividing our families. Too often, families do not have the opportunity to gather together during the week, and this legislation will make it even more difficult for parents to see their children and for mothers, fathers and children to gather round the table or to gather in the church or chapel and to communicate with one another.

This proposal seriously underrates the long-term social damage that will be done to the fabric of the family and of the community. That has consequences, too, for law and order, vandalism and all the other things that worry us as legislators. But there can still be common ground if hon. Members of good will decide that this proposal is bad, and kick it out. Many hon. Members have derided what they call the traditional Sunday, and have described those of us who support and defend it as sabbatarians. That seems to be their common way of saying that we are do-gooders or kill-joys. That is apparently the trendy terminology for those of us who want to stick up for something that we believe to be right. I believe that the freedoms of workers, families and of those who want to live in peace on Sunday and who live near our urban shopping centres should be given some priority. But this Government, who give priority to the free market, to business and to their worship of Mammon, remind me of Oscar Wilde's reference to knowing

"the price of everything and the value of nothing".

A chain of unsatisfactory social consequences will flow from any such legislation and will make both it and the Government very unpopular. Indeed, they will be known as the Prime Minister and party who killed the British Sunday. It has been said that we should change our law because the tourists do not like it. Perhaps we should go further, and dress up in 17th century costume in order to

[Mr. Sheerman]

appeal to them. Perhaps we should extend the way in which we appeal to tourists. Incidentally, I exempt you, Mr. Speaker, from those remarks and would never refer to you as part of the tourist industry.

We want a sensible and step-by-step approach that will protect shop workers and the traditional English Sunday. I have looked at the Conservative party's manifesto for 1983. The Prime Minister often tells us that her party has a mandate to abolish the GLC. However tenuous that argument maybe, she certainly has no mandate arising from that manifesto to change something as fundamental to British people as the British Sunday. The Government have no mandate to make such a change, and should not make it until they have one.

The change is so far-reaching that there must be a mandate. After all, it would fundamentally change the lives of shop workers and the nature of retail distribution in this country. I speak as someone who knows the co-operative side of the retail movement. Not in five, but in 10 or 15 years' time, we would see a complete change in the nature of our commercial life. Legislation would have a domino effect. No major retailer could afford to stay out once another retailer had opened on Sunday, and Sundays would become like every other day of the week. I do not believe that the British people want that.

The Auld report and the report of the Consumers Council show that the British people have never given their consent for such a drastic change, even in an opinion poll. The British Council of Churches made exactly the right comment in the introductory remarks to its booklet. With the exception of the document from the co-operative movement, that has probably been the best thing to come out of the past week's intensive period of lobbying. The BCC says:

"Our pattern of life in community has changed and the law needs revision to reflect those changes, but not to go far beyond them. Governments have a responsibility to see that such changes of the law are within an overall ethical framework which strengthens the community and safeguards the needs of its weakest members."

This proposal does not do that, and will make changes that are well beyond what is needed in this country today.

6.46 pm

Sir Bernard Braine (Castle Point): That the present law is chaotic and full of anomalies none can deny. That this is undesirable one can only agree, but to sweep away all restrictions on shop opening hours, as the Auld report recommends, is no answer, as I shall endeavour to show.

Anomalies arise because certain goods are exempt under the existing law but not others. It is not necessarily a bad law, but it has not been properly administered or amended. Nevertheless, certain goods are exempt under the existing law forbidding Sunday sales, and these are listed in the fifth schedule to the 1950 Act. One way around the problem might be to extend the exemptions where a clear case could be established for so doing, or to remove some of the restrictions on weekday trading. But that would not justify the Auld report's conclusion that the removal of restrictions

"offers the best—indeed the only—way forward"—

an arrogant view—and that any adverse effects

"would be far outweighed by the substantial benefits".

That is a monstrous presumption, and I object most strongly to being summoned here under a three-line Whip ostensibly to support it. I can do no such thing. It would be a contradiction of everything that I have stood for and said in the House for many years and, furthermore, it would run counter to the facts.

I assert, as do many of my constituents who have taken the trouble to raise the matter with me, that one cannot weigh in the same scales commercial gain, even convenience to the shopper—which are the supposed advantages—and the social benefit of keeping Sunday as a day of rest, a day that is different from all others. One is simply not comparing like with like. For most people, even those who do not go to church—and many still do—Sunday is different.

I do not know about the rest of the country, but the fact that Sunday is different is welcome in south-east Essex. Its pace is slower. It is quieter. It is a time for relaxation, reflection and recuperation. It is a healing day, one for family togetherness, and for many it is the only day in the week for corporate worship.

Every one of us knows in his heart that physical and mental health requires at least one day a week set apart from the rest. There is no evidence that the nation wishes Sunday as we have known it to be abolished.

I hesitate to agree with the hon. Member for Huddersfield (Mr. Sheerman) in his strictures, but I have to say that no mention of legislation on these lines appeared in the Conservative party manifesto at the last election. I can recollect no mention of my party's intention to change the nature of Sunday. I recall no pledge to that effect at any time.

Since 1950, when the Shops Act was passed, some 13 attempts have been made to change the law, but they all failed. That shows that there is no support in the country for the sweeping changes now envisaged.

Mr. Sayeed: Will my right hon. Friend give way?

Sir Bernard Braine: I shall not give way, because I am subject to the ten-minutes rule.

Let us consider the impact of the proposals on family life. It could be profound and damaging. Young and Wilmott found in a survey in Greater London that 52 per cent. of shift workers and 34 per cent. of weekend workers said that work interfered with home and family life, while only 27 per cent. of other workers did. On the one day that men are most likely to be at home, many wives will be out at work. Some 66 per cent. of retail workers are women and many of them are married. The point which needs to be underlined is that work on Sunday, whether by father, mother or teenager, reduces the possibility of the members of the family doing things together.

Take the effect on shop workers. The report concedes that,

"while some people are obviously happy to work on Sundays, others are not",

that there might be difficulty in getting sufficient volunteers, and that pressure might be applied on unwilling employees, with refusal to work on Sundays leading to dismissal or prejudiced promotion prospects. Constituents have told me that that is what they fear and I have no doubt that other right hon. and hon. Members have been told the same. Pressure on shop workers to work on Sundays would be difficult to monitor.

Let us consider the effect upon communities and consumers. Retail outlets will be open for longer, but because the turnover available to support retail enterprises will hardly rise at all — no one contests that — the

number of outlets is likely to decline. Fewer outlets generally will mean fewer nearby outlets for those who find it hard to travel. I refer particularly to the old, the sick and those on low incomes. Fewer outlets will mean fewer local shops. That is a consequence that should be measured.

Let us consider the impact on church life. Congregations will be fragmented. Some people who would like to attend the main service of the week on a Sunday morning will be unable to do so because they will be required to work. It will rarely be possible for the church members in any one area to gather together as a whole. Church attendance will be made more difficult.

Let us weigh the effects——

Mr. Fairbairn: Will my right hon. Friend give way?

Sir Bernard Braine: No. I have already explained why. No one in the House is less fearful than I of standing up to criticism or intervention. I am simply obeying the Chair's ruling, and my hon. and learned Friend knows that. I hope that that intervention will be deducted from the time allotted to me.

Let us weigh the effects of the proposition on the trading community itself. Frequent references have been made in the debate to the economic review by the Institute for Fiscal Studies. That makes it plain that the tangible economic benefits of permitting Sunday trading are negligible. Retail turnover will rise almost not at all. In the short term, unit costs in retail industry will rise. The effect might well be upward pressure on prices. Alternatively, retail profit margins might be squeezed.

In practice, both those effects may be experienced. That will accelerate the decline in the number of small retailers. Employment will suffer. The institute estimates that in the short term the equivalent of 5,000 full-time jobs will be lost and that in the long term 20,000 will be lost. Because of part-time working, the number employed might rise in the short term and fall in the long term.

The Auld committee's argument is that people on both sides of the market want to trade and that it would be wrong in a free society for us to prevent them from doing so. That argument is totally unconvincing.

The Institute for Fiscal Studies notes:

"it might pay many individual retailers to open on Sundays even though it would pay all retailers collectively to shut on Sundays, and it is very likely that this is in fact the case."

As one of my constituents who wrote to me recently remarked, at a football stadium the first person who stands up has a better view, but soon everyone stands. The net result is that no one's view is improved but that everyone ends by standing instead of sitting.

I take note of the Auld report. I do not accept the case for legislation to remove the restrictions on shop hours. I regret that the Government contemplate introducing legislation to remove those limitations, and I shall vote accordingly.

6.57 pm

Mr. A. E. P. Duffy (Sheffield, Attercliffe): Those who favour Sunday trading make much of the anomalies that have arisen from the Shops Act 1950, but, given the extent to which the face of retailing has changed since the war, it is not surprising that such anomalies should have arisen. I know of no one on either side of the debate who would not agree that we should deal with the anomalies. However, do we really require seven-days-a-week shopping to do that?

The dynamic that has changed the face of retailing has been fierce, uncompromising, unrelenting, no-quarter-given competition. The number of retail outlets has declined from more than 500,000 in 1961 to 472,000 in 1971 and to less than 350,000 in 1981. The trend continues.

The number of independent grocers fell from 86,000 to 47,000 between 1971 and 1981. The proportion of national income devoted to spending in the shops has declined from 46 per cent. to 36 per cent. since the war, yet the Home Secretary speculated irresponsibly about the possibility, not of a 2 per cent. increase in that proportion on spending in the retail sector, but of a 5 per cent. increase. He is not in touch with the realities of the retail sector.

Pressure continues to concentrate in order to achieve economies of scale. Above all, the incentive is to retain the market share. Is it not arguable that concentration will accelerate under fiercer competition and that competition will be stimulated by longer shopping hours and Sunday trading? Those who say that shops need not open must be unaware of what has happened to the retail trade since the war.

The steady change in the pattern of retailing and the growth of superstores and hypermarkets have already had serious consequences, not only for the corner store but for disabled people and old-age pensioners. It is interesting to note how old people and others in rural communities have reacted differently from the rest of society—according to recent opinion surveys—as the car-borne shopper predominates and public transport becomes more costly and less frequent. Not only is the small shop under pressure, but USDAW is properly concerned about those trends and their effect on its members.

Irrespective of which side of the argument we support, none of us can fail to respond to the appealing speech of the right hon. Member for Castle Point (Sir B. Braine). I am proud of his stand on this topic. We must all share his concern about the effect of these proposals on the quality of life as so many of our precious social values come under strain and are eroded.

The Auld committee considered the traditional character of Sunday and accepted that widespread Sunday trading would probably

"affect the traditional character of the day."

It believes that the tradition of Sunday as a day of little activity outside the home and the church has long gone. Hon. Members on both sides of the House have already rejected that view. The resolution passed by the Free Church Federal Council and the British Council of Churches in March last year said that there was a social need for Sunday to be a day for the family to be together.

The Auld committee said of retailers that if, following deregulation, Sunday opening occurred on a wide scale, there was a risk that some small shops, and the weaker units among the multiples, would be unable to compete and would have to close.

Many small shops survive only because they are family businesses, because they open all hours and because there is less control of the wages they pay their employees—but the social costs that the families must endure are enormous.

It was difficult to listen to the peroration of the Home Secretary and not think that he was really seeking a free-for-all. The Auld committee said that, although the evidence by USDAW and other organisations representing

[Mr. A. E. P. Duffy]

shop workers is against having to work on Sundays, those retailers who work on Sundays report no difficulty in finding staff willing to work.

My right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) mentioned the impact of Sunday working on staff and on the current composition of the retail trade. Many of its workers are women, a high proportion of whom are married. There will be a considerable impact on their family lives.

The Auld committee commented on shoppers and said that there was an argument that additional shop opening hours would lead to greater demand upon public services. But it did not believe that there would be any great increase in public spending on public services. There will be greater recourse to weights and measures legislation, health and hygiene legislation, the Sale of Goods Act 1979, the Fair Trading Act 1973, the Trades Description Act, wages councils orders and the Offices, Shops and Railway Premises Act 1963.

Scotland has been cited, and we shall hear more about that from my hon. Friend the Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes). Factors prevailing in Scotland are unique, so we cannot compare like with like.

The Home Secretary argued that prices would not be affected by Sunday trading. When corner shops have closed and competition is reduced, price movements will undoubtedly reflect costs and rise. I refer those who believe that the proposals will lead to the creation of jobs to the findings of the Institute for Fiscal Studies. Some say that the current law is unsatisfactory because of social and economic changes, but to seek to scrap it altogether is defeatism. Everyone in retail trading fears that the proposals will mean a widespread extension of Sunday trading. Such a development would be detrimental not only to small shopkeepers and their families, USDAW members and other involved in the retail sector, but to those who have gained hitherto. I refer to the vast majority of the population who have Sunday as a day of rest or for corporate worship.

The proposals will have far-reaching implications for the flavour and rhythm of life in Britain. They will encourage the growing secularisation of the sabbath and make for a further erosion of Christian standards. When Sunday is an ordinary shopping day, it may become an ordinary working day for many people in addition to those employed in the retail sector.

Can we not have one day off? Must all the seven days now become the same because, in the words of David Lipsey in *The Sunday Times* yesterday:

"Reform of laws to allow Sunday trading, epitomises what Mrs. Thatcher's government is supposed to be about."?

7.6 pm

Mr. Tim Rathbone (Lewes): Unlike some of my hon. Friends and most Opposition Members, I welcome the Government's motion. I also welcome the whipping because it is a new interpretation of whipping—when there is a three-line Whip, we have only to be here; it is no longer a question of what one does. That should be welcomed by Back Benchers on both sides of the House.

I am reassured by the condemnation of the Auld report by the hon. Member for Huddersfield (Mr. Sheerman). It sounded as though he was talking about any piece of Conservative legislation, and if he condemns the report in that manner, it must be right.

The Auld report, which nobody has yet praised, is clear, concise and sensible. The removal of limitations on shopping hours and on Sunday trading is long overdue. I do not, however, welcome the absolute certainty that appears to underlie so many of the speeches about the dire future for those who work in shops or wish to shop at later hours or on Sundays. I want to put forward some tentative thoughts on some of the points made.

Underlying the Government's intentions in welcoming the report and promising legislation is the increased choice that it will give. It is difficult to measure a hypothesis that does not yet exist, either by opinion polls or by voting behaviour — and that was measured many years ago, before the introduction of commercial television. However, the report mentions a research measurement on page 193, table E2. It clearly shows that two thirds of people are in favour of changes in the hours and the days during which shops are allowed to open.

I do not believe that we should take that research measurement literally. It is one of the essential elements of our membership of this place not only to listen to majorities and interpret their wishes but to protect minorities. Therefore, I question the Government's denial of the second half of the report, while welcoming the Home Secretary's reassurance about the protection of minorities working in shops.

The claim by some Labour Members that there would be a decline in jobs if Sunday opening were permitted bears investigation. The Auld report uses the phrase "full-time equivalent" through its pages, though sadly, in small print buried in the report, is the view that up to 5,000 additional employment opportunities could be created by Sunday trading, with increased turnover of £300 million. That is nothing to be sniffed at when people are pressing the Government to take steps to improve the economy and employment opportunities.

On the technical, as against the sociological side, is the argument of the risk of the eventual diminution of choice in that, by extending Sunday opening to embrace all shops, some might be forced out of business because they could not, or would not open on Sundays. That is unlikely. In the village in Sussex where I live, because the locally owned food shop opens on Sundays, the local Spar shop, which is part of a network, has to open also to meet that competition. There will therefore be more encouragement for shops to open where such trading is seen to be needed to meet local desires.

On the sociological side, much reference is made to the erosion of the traditional British Sunday. That is an emotive phrase, and I agree that we should all be justifiably proud of that tradition if it still existed.

Mr. Cormack: It does still exist.

Mr. Rathbone: Contrary to that intervention by my hon. Friend, it does not exist with the same tradition as we associate with it. Cinemas are open, television is on and sport and recreation are taking place. Indeed, recreation is encouraged. Public services are provided. People man the telephones and offer taxi services and some still offer on Sundays, to a lesser degree than most of us would wish, train services. Indeed, it was greatly deplored, certainly on these Benches, when the Sunday collections and preparations for postal deliveries were withdrawn.

In those countries — I embrace in this remark, I assure my hon. and learned Friend the Member for Perth and Kinross (Mr. Fairbairn), the area north of the border —where Sunday opening is allowed, there has been no diminution of family cohesion and family worship. Many hon. Members have visited the United States and reference has been made to laws that have been passed in Massachusetts. There is hardly a place—there may be no place — in the United States where there are not much more liberal laws allowing trading on Sundays. There is also hardly a place—there may be no place—in America where family churchgoing is not more prevalent than it is in Britain.

The two march together. The family unit does different things nowadays. Families do not just sit at home and play games. They go out to play them. They do not stay at home and garden. In addition to doing that, they go to the garden centre to buy the plants with which to do the gardening. Nor do they stay at home doing jobs about the house. They go to the DIY stores to buy the drills, wood, nails, even the furniture, with which to live a fuller life in the home.

There is no substantiation, except terrified theorising, of any underlying desirable effects on family life of Sunday trading. If there is a germ of possibility that I am right in my contention, who are we to tell everybody in every town and hamlet in Britain how to live their lives on one day of the week?

We are not saying that shops must open or that people must go shopping. We are talking of the possibility of a permissive law to allow people to go shopping as well as going to church, to go shopping as well as working in their homes, to go shopping or to do the things on the day that they want to do them with the people closest to them— the members of their families.

7.15 pm

Mr. Laurie Pavitt (Brent, South): When I first came into the House, the late Nye Bevan, apart from warning us of the green acres of boredom, gave me and others new to the place some extremely good advice. He said, "I am afraid that you new Members will have to learn to stand up and make speeches when most of the points that you wanted to make will have been made far more effectively by previous speakers."

In this case, I am grateful to the right hon. Member for Castle Point (Sir B. Braine), to my hon. Friends the Members for Bradford, South (Mr. Torney) and for Huddersfield (Mr. Sheerman) and to my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) for giving a comprehensive analysis of the subject. That is more than can be said of the speech of the hon. Member for Lewes (Mr. Rathbone), who began by saying that no references had been made to the Auld report. All hon. Members who have spoken have mentioned it, and my right hon. Friend the Member for Gorton dealt with two chapters of it.

I must at the outset declare my interest. I am a co-op sponsored Member. Many hon. Members whom I regularly call my hon. Friends may not know that I belong to a separate political party which is in coalition with the Labour party, and that has been the case since 1926.

Hon. Members have received a large amount of correspondence and have been lobbied by interests of all shapes and forms. The one that I have appreciated the most has come from the Lord Bishop of Willesden, the Right Reverend Geoffrey Hewlett Thompson, who sent me some extremely interesting propositions following an examination of the issue by his synod.

The document that he sent me was not in the least sabbatarian. It recognised the whole concept of community life and dealt with what would happen — apart from the religious impact — if the Auld recommendations were implemented and the shops law was abolished. It referred to an outgoing community becoming an ingoing one, with less pressure being applied to the way in which we used our leisure, with less of it. Obviously that is a problem that we should face if we had a seven day working week, with the rat race not ending after five and a half days for shop workers.

The co-operative movement has always been the champion of the housewife and consumer, and I shall deal with the aspects of the report that deal with the consumer. It emerges immediately from a reading of the report, and from a re-reading of the debate in February 1983 on the private Member's Bill introduced by the hon. Member for Wycombe (Mr. Whitney) — sufficient hon. Members turned up on that occasion to make the Friday debate viable—that two aspects must be taken carefully into account.

The first is that there is a section of consumers for whom convenience is an important point. Against that, however, must be put the power of the purse. Hon. Members on both sides of the House have said that the inevitable consequence of Sunday opening must be increased costs of retail distribution. Those increased costs must be passed on, and finally they come out of the housewife's purse.

The Auld committee looked too much at the convenience aspect, although I agree that that must be borne in mind—for example, for the large number of married women who go out to work. Against that, however, must be placed the inevitable consequence of the economic pressures on family spending that would result in increased prices.

Several hon. Members, including the hon. Member for Bournemouth, West (Mr. Butterfill) referred to the issue of freedom of conscience, and the Home Secretary dealt with that. I suppose that I am the only Member who knows anything about conscientious objection, because I was a conscientious objector. I realise that in this debate we have been presented with inadequate blanket phrases, especially for those who could be affected by the proposal to work on Sundays. There are many disparate reasons that will cause a considerable number to feel it wrong that they should have to work on Sunday. They will take that view on religious grounds and many others. I accept that there can be safeguards for those who are already in work, but if someone wants to work as a shop assistant and he or she states in applying for a job an unwillingness to work on Sundays, that person will not get the job. If the recommendations in the Auld report are implemented, such an applicant will not be successful.

I am profoundly disturbed about the plight of low-paid workers. Tremendous pressure is building up on the Government Benches against wages councils in general. Therefore, it was the second recommendation in the report which found favour with me. The committee realised that retail employees formed one of the lowest paid sectors of the working population. It recognised that they needed to be protected by a wages council and that the relevant council should be preserved. Indeed, it recommended that

[Mr. Laurie Pavitt]

the inspectorate should be strengthened and improved so that the retail sector will receive the same protection, whatever follows the Auld report.

Experience tells us that the lowest paid need the greatest protection. Those engaged in retail distribution have traditionally always been, with agriculture workers, at the bottom of the heap. Whatever else happens, it is vital that we retain for them the present safeguards. Estimates of job losses have been bandied about the Chamber. I have considered the figures of the Institute for Fiscal Studies and other organisations, including the Retail Consortium, and it seems that if the proposed Sunday working is put into effect we shall have another turn of the unemployment screw.

It is true that there is much part-time work in retail distribution. If there are fewer full-time workers, there will be a greater burden upon the state when it is called upon to provide social security payments and unemployment benefit. We often fail to take into account the social consequences and costs of changes in employment patterns. I have watched the Government pursue economic policies that lead to the rich becoming richer and the poor becoming poorer. We exist in an economic jungle and the rich and powerful have the means to protect themselves, but those on low wages need the protection that the House can provide for them. Therefore, the second recommendation in the Auld report is vital.

It has been accepted generally that the 1950 Act needs changing. Social and economic circumstances have changed. However, that does not justify the Home Secretary's callous approach of scrapping the previous legislation because of the complications that would arise if we tried to amend it. The right hon. and learned Gentleman has adopted a defeatist approach and one that the House should reject wholeheartedly.

Change there must be, but there is no need for abolition. The parliamentary draftsmen are more than capable of introducing changes that will have the desired effect while preserving what is best in our family, cultural and social life within the community. We can preserve what is best in our traditions and habits while making the adjustments that are necessary to meet the changes that have taken place. There have been many changes since 1950 and it is clear that they must be reflected in legislation.

I began my speech by referring to the synod and I shall bring my remarks to a close by referring to it again. I ask the hon. Member for Harrow, East (Mr. Dykes) to reflect upon the quotation that I am about to submit to the House, as his constituency and mine come under the same bishop. The synod stated:

> "We acknowledge that the provisions of part IV of the 1950 Act are unjustifiably anomalous, widely disregarded and unenforced, and we are greatly concerned that the law is being brought into disrepute."

I do not have time to read the four pertinent and practical suggestions that follow. However, the synod added:

> "space therefore needs to be made in the pattern of community life for people simply to be, and to cultivate truly personal relationships in which people seek to know one another for their own sakes rather than as a means to acquisition."

I hope that the House will agree with that sentiment and that, when subsequent legislation comes before it, it will be scrutinised with the utmost care.

7.26 pm

Mr. Ivor Stanbrook (Orpington): Sunday occupies a special place in the Christian religion and there is a tendency to regard all objections to Sunday trading as matters only of conscience. My right hon. Friend the Chief Whip has said that he will extend his indulgence to his right hon. and hon. Friends who feel compelled to vote against the motion on grounds of conscience, but no such indulgence is offered to those who oppose the motion on its merits. I am opposed to the motion on grounds of conscience and also because I believe that the Government are making a terrible mistake in seeking to push through changes in Sunday trading. The Government are guilty of a disastrous error of judgment which has political as well as religious overtones and they will pay dearly for it.

No one seriously disputes that the law governing Sunday trading is in need of reform. However, few people want Sunday to be like any other day of the week. The removal of all restrictions on Sunday trading, as recommended by the Auld committee, is bound to have that effect, because it is largely in the restriction on trading on Sundays that the day gets its special character.

A wise Government, especially one who claim to have respect for Victorian values, would seek to avoid such a result. Who can doubt that we all benefit from the weekly pause in the rhythm of everyday life? That pause—the enforced rest, the quietness, the opportunity for recreation and time to be with one's family, in the special character of Sunday that has been brought about in Britain—has been an essential part of the British way of life for centuries. It helps to keep us all sane.

In the past few decades our pace of life has quickened. Urban society has grown more complex and noisy and there is more mental stress in everyday life than ever before. We need the pause that Sunday provides. We need the extra breathing space more than ever before. It is a basic human need that is recognised by the great religions of the world, the wisdom of the ages and sheer common sense.

What is the argument about? Why do do we need wholesale change in the law? To be fair to my right hon. and learned Friend the Home Secretary, he does not base his case on the allegedly beneficial effects of unrestricted trading on Sundays. The objectives of those who do so base their case are entirely materialistic and irrespective of public good. The reason given by my right hon. and learned Friend for his support of the abolition of restrictions is the state of the law. I accept that the law is confused, and confusion exists because it is not evident to the public why one item may be sold on Sundays while another which is not greatly different may not. This leads naturally to resentment of the law and the inclination to break it. That attitude is taken because it is regarded as a foolish law. There follows a disinclination to enforce it and, ultimately, contempt for all law. We all agree that we should avoid that at all costs.

That is the case of my right hon. and learned Friend the Home Secretary, but does it follow that the remedy is to abolish all restrictions? The Auld report is disappointing in this respect. It pays too little regard to the desirability of retaining our traditional Sunday and too much regard to anomalies in the law. Abolition is not the only answer. It is not right to abandon what has always been accepted as part of the British way of life. It is possible to strike a balance between the commercial and the truly public

interest. All we need is a logical, and obviously logical, statement in our law of what goods may be sold on Sunday and who may trade on Sunday. This is the task which my right hon. learned Friend the Home Secretary and the Auld committee faced, and they funked it. They chose the easy way out. They found the task too difficult, so they surrendered to the commercial and libertarian lobbies, believing that the sabbatarians, the Christian churches and the trade unions were in retreat.

I was not surprised by the Auld committee's conclusions. They were predictable, considering the way the wind was blowing. I was however surprised that the Government thought it right to force this measure through on a three-line Whip. As if they had not enough enemies already, within and without, they seem determined to alienate a sizeable part of the electorate who hold deep-rooted beliefs about Sunday trading and have hitherto given the Government solid support. These include small traders, shop workers and small business people. They include also many people with a Christian conscience about Sunday. Nowadays, we may not all subscribe to the Christian faith and the Christian church may no longer be entitled, because of dwindling support, to the special position it occupies in the state. But those of us who are still adherents of the Christian faith will fight strongly for it to keep its position and influence in our national life.

As I understand it, the Christian argument for the maintenance of respect for the fourth commandment in our law is that it is positively good, in the scheme of things as God created it, to have a day set apart for rest and recreation and family life. This is so, if not just because it is one of the ten commandments, then because it is for the good of society and sanity and, indeed, employees.

A Government who seek to undermine one of the ten commandments do so at their peril, for they are abandoning Christian morality as the basis of their actions. As Lord Devlin said in the Maccabean lectures in 1965:

"A state which refuses to enforce Christian beliefs has lost the right to enforce Christian morals".

If the report is accepted, there are likely to be further encroachments on the Christian position in our society.

Mr. Eldon Griffiths (Bury St. Edmunds) *rose*——

Mr. Stanbrook: I am sorry, but I do not have sufficient time to give way.

If we destroy the traditional Christian Sunday, how long will it be before compulsory religious education disappears from our schools? Will some other Secretary of State appoint some other Robin Auld to say that, because it is so widely disregarded, the requirement for morning worship in schools must be abandoned and section 25 of the Education Act 1944 repealed? I hope that the Government will think carefully before going further along that path.

In February 1983 a private Member's Bill proposed to do what the Auld committee recommends we should do now. The Bill was defeated on a free vote by 205 votes to 106. I abstained because I thought that some reform of the law was needed to eliminate anomalies, but 41 of my hon. Friends had no such qualms. They voted against the Bill as it stood.

Tonight, all my hon. Friends are summoned to be here. How will those 41 vote this time? Will they fall into line behind the Home Secretary? Those of us who will not are good Conservatives upon whom the Government have relied in foul weather as well as fair. We believe that this time the Government are simply and absolutely wrong. We are not prepared to accept dictation in a matter of this kind. I hope that all those who voted against the Whitney Bill in 1983, and many more besides, will join me in the No Lobby tonight.

7.35 pm

Mr. Austin Mitchell (Great Grimsby): I have long prevaricated and equivocated on this issue, to such an extent that I am fed up with my own indecision. I have generally kept my head down, as one does when the arguments are irreconcilable. I have been pulled both ways by an instinct for liberalisation and change and yet also by a desire to protect the small shopkeeper, the co-operatives and the standards and conditions of shop workers, as well as a general conservative instinct, which naturally is strong in the Labour party, to preserve our way of life on Sunday for sociological, if not religious, reasons.

I decided tonight that sentimentality is not enough, that the time has come to choose, that we cannot hold back the tide — to give three platitudes — and that we face essentially a straight choice, as the Home Secretary said, between deregulation and the present mess. The House had dithered on this issue for far too long, and 19 Bills show the extent of that dithering.

There is no possible compromise between deregulation and the present mess. I do not see any way of deciding that shops should be kept open on the basis of their size. There is no possibility of including some sections of business while excluding others, opening some sections of a supermarket and closing others. I see no middle ground, except the hypocrisy in which we are involved. Once one starts trying to define a middle ground, there is no possibility of agreement.

I must plump for deregulation. I shall, therefore, vote for the Government's motion—on three grounds. First, the present position is a mess, as has been admitted on all sides. Enforcement of trading hours depends not only on the will of the local authority but, often, on the pressure that is brought to bear on that authority. Some authorities reluctantly enforce the regulations, while others do not. Unpredictability brings the law into disrepute. It is a mess of follies, fines, fiddles and fuss which is untenable.

Secondly, the public want an extension of hours and trading on Sunday. All the poll evidence shows this. One must go with the evidence of the polls, which give an overall opinion, not with the pressure of individual fanatics and people with strong feelings. We serve the community and by acting in favour of Sunday trading and deregulation, we are giving the people what they want. Indeed, we are giving the people something for which they have already voted with their feet, their cheque books, their credit cards and their cash.

Thirdly, it is wrong for a minority of any type, religious or otherwise — indeed, in the case of the religious minority, it is a "minority of that minority", as Bishop Gummer, of Suffolk, Coastal has pointed out — to impose their wishes, attitudes and inhibitions on other people. They wish to impose the inhibitions and attitudes of a way of life of 50 years ago and do so by bringing the law into disrepute. They can impose their wishes only by making other people law breakers in a totally undesirable fashion. It is even more undesirable for the Scots, who have freedom, to come down here and attempt to dictate what controls we should have in this country.

[Mr. Austin Mitchell]

Those of us who are taking part in the debate are white, not representing Pakistani shopkeepers. Most of us are male, and do not represent the bulk of shoppers. The only exception is my hon. Friend the Member for Thurrock (Dr. McDonald) who, I know, is a Stakhanovite shopper. Thus our contributions are unrepresentative of the attitudes of the community.

I support the Government. If anything could have put me off, it was the speech of the Home Secretary, with his equivocation on wages councils. It is essential that the Government commit themselves to retaining wages councils in this area. That is a strong recommendation of the Auld report. If the Government carried out that recommendation, there would be much support for the measure by the Opposition, because our principal concern is about the wages and conditions of shop workers. The Government should have been magnanimous and big-hearted enough to say that they would commit themselves to the retention of wages councils, which can enforce the proper conditions.

The conscience provision should also be extended, because the industry has a rapid turnover, with new people coming in all the time. It should be extended to all employees, to give them the right not to work on Sundays if their conscience dictates. The protection of pay and conditions should be built in.

I shall support the measure because I believe in competition. It will stimulate business and increase trade. It will stimulate the economy as a whole. Therefore, the predictions of the Institute for Fiscal Studies about job losses will not be borne out. I believe that Sunday trading and the extension of hours adds to the gaiety of life and the convenience of the consumer. It adds to the opportunities for the family. People may say that the morbidity, boredom and dullness of the traditional English Sunday brings the family together—[HON. MEMBERS: "Speak for yourself."] All my family can do on a traditional English Sunday is go for a walk on Cleethorpes front, which is not the most exciting form of activity.

I believe in opening up opportunities for the family to shop together, as well as the opportunities for the working wife. Let us not forget that 57 per cent. of married women work. There are also opportunities for the shift worker and for those who cannot shop in normal shopping hours. My predecessor as Member of Parliament for Grimsby wrote in "The Future of Socialism" in 1956 that we needed more open-air cafes, brighter and gayer streets at night, later closing hours, and so on ad infinitum. That means giving the kiss of life to Sunday, not keeping it as a dead day of closed shops, miserable streets, furtive law breaking and total hypocrisy. Let us have the choice. That is what the implementation of the Auld report will give us.

I do not know whether the change that the report brings will be drastic. Personally, I hope it is, because I should like to reinvigorate Sunday and give new life to it. In implementing the report, we shall allow choice as to whether the change is drastic to those to whom it properly belongs—to the consumer, the shopper and those who want to use the choice. We should do that rather than impose it on them. I believe that that is right.

7.43 pm

Mr. Andrew Rowe (Mid-Kent): I like Sundays even though they deprive me of the company of most of my hon. Friends. They allow me to go home and have a peaceful time with my family.

Having looked into the background of the debate, I have a considerably enhanced appreciation of and gratitude towards the 17,000 to 19,000 employees of London Transport, the 30,000 to 40,000 manual workers in local authorities, the 22,000-plus flight staff of British Airways, the 16,000 staff in the fire services, the 60,000 staff of British Rail and the 26,000 staff of the Central Electricity Generating Board, who are among the hundreds of thousands of people who make it possible for me and my family to enjoy our Sunday. Sunday seems to be traditional only in the Victorian sense that the Victorian Sunday was carried on the backs of a large number of people who worked so that the rest could enjoy the Sunday that has passed into legend.

In that catalogue of people to whom I feel gratitude, I should have mentioned the unascertainable number of police who spend their Sundays shepherding those of us who choose to spend our family day marching through the streets, in order to avoid threats to public order. I should also have mentioned all the people who are busily preparing Monday's newspapers.

It seems to me that faith is a matter of seven days a week. Already, many of us spend part of our Sunday in church, at our own choice, but it is also true that many of the churches are moving towards meeting their members outside the confines of Sunday. It is a poor church that relies on the shops being closed to attract a congregation. Although he has left his place, I am sure that the hon. Member for Berwick-upon-Tweed (Mr. Beith) would not rely on that in his other capacity.

Modifications are possible. In Massachusetts, to which much reference has been made, trading on Sundays does not start until 12 noon. That is a compromise to which my right hon. and learned Friend the Home Secretary might care to give his attention.

Mr. Roger Gale (Thanet, North): Does not my hon. Friend accept that in Massachusetts they have enshrined in law the right of a man not to work on Sunday? That matter has worried many of us deeply.

Mr. Rowe: I entirely accept that. The right of people not to work on Sundays and not to be put under that pressure is important.

Sunday has also been described as the family day. I am unclear as to exactly what is meant by "the family day", but one thing that is certain is that many families enjoy shopping together. I happen to believe that simple Christian slogan that "the family that prays together stays together". I also believe that it may be possible that the family that shops together stops together.

However, it is true that life is changing anyway. The hon. Members for Bolsover (Mr. Skinner) and for Huddersfield (Mr. Sheerman) are entirely wrong to attribute any Machiavellian motives to the Government. However, they may be right that such things as five and six-shift working are altering the shape of the working week. So are flexitime and shorter working hours. All those things will make it easier for families to choose how best to coincide. If, as a long-term result, the difference between Sunday remuneration and that for other days

gradually disappears, that will be no bad thing. It would also be a good thing if overtime and double time eventually disappeared.

As the vice-chairman of the Small Business Bureau and editor of its newspaper *Small Business*, I have heard the fears of many small traders. I believe that they are grossly exaggerated. In Sweden, Sunday opening has led to the development of some 2,000 convenience stores. In the United Kingdom we already have less than 25 per cent. of the number of convenience stores which United States experience suggests we should expect if our small business proprietors were as energetic and optimistic as their peers overseas.

Disgraceful practices such as discriminatory discounts, which this Government of ours are far too slow to tackle, are a menace, but Sunday shopping is not one of the perils hanging over the small shop. The Swedish food retailers have said that free hours have proved to be a competitive tool for the small retailer. I believe that it would be the same here.

I bring to the attention of my right hon. and learned Friend the Home Secretary a minor but important point, which was first brought to my attention by the Kent Association of Small Shopkeepers. If there is a relaxation of trading hours, the Post Office must be expected to change its regulations governing the rules on sub-post offices which, at the moment, are required by those rules to stay open during normal shopping hours. They should be able to shut on any day of the week.

We are not talking about shops staying open seven days a week. Shops should be able to choose when to open, within the spectrum of the seven days. People do not want shops to be open for seven days a week; they want to know when they will be open, and they want them to be open at convenient times.

Many shopkeepers may find that closing the shop on Monday, Tuesday or Wednesday will be better for them and for the public, and will give them the opportunity to enjoy leisure facilities when they are not overcrowded.

We owe our local authorities a clarification of the law. They detest being required to enforce a law that, if the experience of my local garden centre is anything to go by, the public holds in total contempt.

7.51 pm

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): The hon. Member for Mid-Kent (Mr. Rowe) gave away one of the real reasons for the Government's enthusiasm for this report. He said that he—and no doubt the Government too—want to do away with time and a half and double time, and to make the wages for each day of the week exactly the same.

I declare an interest as a Co-operative Member. [HON. MEMBERS: "Oh."] To the hon. Gentlemen who made those sheep-like noises and to the Minister, I should like to say that I have had, and retain, a strong commitment against Sunday opening irrespective of that fact. If I had had no such conviction, the shallow and spurious arguments and the tendentious and biased polemic in the report would have convinced me.

The Parliamentary Under-Secretary of State for the Home Department (Mr. David Mellor): Will the hon. Gentleman give way?

Mr. Foulkes: No. The Minister will have an opportunity to reply later on.

The members of the committee seem to have decided on their conclusion in advance and then gone out of their way to justify that conclusion with arguments rather than facts or evidence. As my hon. Friend the Member for Huddersfield (Mr. Sheerman) said, the first conclusion is not supported by evidence. There is no overwhelming public——

Mr. Fairbairn: What about Scotland?

Mr. Foulkes: I shall deal with Scotland. The hon. and learned Gentleman is behaving in his usual tendentious way.

There is no overwhelming public demand for Sunday shopping. The right hon. Member for Western Isles (Mr. Stewart) challenged hon. Members to prove that there was an overwhelming demand and, as we expected, there was no reply. The majority of retailers strongly favour the retention of controls on Sunday shopping. I therefore found it disappointing that the Retail Consortium, in its letter to us, did not make that clear.

The Auld committee deals, first, with anomalies. We had expected to hear clever speeches about bibles on the one hand and pornographic books on the other—about gin and dried milk—and we heard them. However, we had not expected to hear them from the Home Secretary.

The anomalies could be dealt with without scrapping the controls completely. We can certainly accept rational exemptions, as in the case of airports. However, there are anomalies in the law in many other areas. Food put up for sale as pet food is subject to VAT at the standard rate, but if the label of a food makes no reference to pets, it may be regarded as a zero-rated animal feeding stuff. Pies and pasties sold hot are subject to VAT at the standard rate but if sold cold may be zero-rated. There are many anomalies in the application of VAT. However, although such action would certainly be more welcome than the present proposals, we do not expect the Government to abolish VAT.

The second argument in the Auld report is that the current legislation is too complicated. Amazingly, the report states that the law is not easy for lawyers to understand or interpret. That is a characteristic of most legislation, and I thought that difficult legislation was popular with the lawyers. In any case, to suggest that because the law needs simplification it should be abolished is somewhat drastic.

Some hon. Members have referred to Scotland. Paragraph 243 of the report states:

"The most frequently cited comparison is Scotland. . . the pattern of Sunday opening in England and Wales under de-regulation would not necessarily be the same. Scotland is a predominantly rural country, with few large shopping centres outside Edinburgh and Glasgow, and with more strongly rooted religious traditions of Sunday observance. Moreover, many of its larger shops are operated by companies whose headquarters are in England. Some may have remained shut on Sunday because their English based managements have geared all their retailing to their trading patterns south of the border. . . De-regulation of opening hours in England and Wales might prompt a new look at Sunday trading there"—

in Scotland—

"as well."

The majority of people would agree with Auld that Scotland is different and that, for the reasons put forward in Auld, we have not seen a rash of Sunday opening there. However, if there is Sunday opening in England and Wales, all our shops will open. Auld says so, but Auld does not draw the right conclusions.

Mr. Fairbairn: Will the hon. Gentleman give way?

Mr. Foulkes: Scotland is the most quoted example, although it contradicts the Auld conclusions, but Scotland is not the example that the Government are following. They are following the example of the United States of America. I am fed up with suggestions that, like the United States, we should deregulate in every way. I have been to the United States many times. I do not like the American Sunday. I like the traditional British Sunday.

Mr. Fairbairn: Will the hon. Gentleman give way?

Mr. Foulkes: My hon. Friends have expressed many worries about the wages councils. Not only is that second recommendation of the report not to be implemented, but many speeches and statements have made it clear that the Government intend to get rid of the wages councils.

I should like to say a few words about the quality of the British Sunday. I speak not as a practising Christian but as an hon. Member who represents a large number of practising Christians and who respects their views. I wish that the hon. Member for Suffolk, Coastal (Mr. Gummer), the chairman of the Conservative party, had the courage of his convictions. I do not believe that he really supports the legislation. I believe that, as in many instances, he has been sat on by a certain lady.

I respect strong religious convictions. In 1961 the Crathorne committee referred to the special character of Sunday. The Auld report quotes the words of Bishop Hugh Montefiore:

"it gives space in the midst of a busy week, and it acts as a marker in the rhythm of everyday life."

The hon. Member for Mid-Kent referred to journalists, television producers, taxi drivers and others who have to work on Sundays. The fact that certain people have to work on Sunday is no argument for legislating to end the traditional Sunday for the shop workers and the rest of us.

Mr. Fairbairn: Will the hon. Gentleman give way on Crathorne?

Mr. Foulkes: It has been suggested that those who argue along these lines are killjoys.

Mr. Austin Mitchell: Hear, hear.

Mr. Foulkes: My hon. Friend the Member for Great Grimsby (Mr. Mitchell) agrees. It is said in the report, and has been repeated this evening, that shopping is a leisure activity. I have a wife and three children and I have been shopping with them. Do we call that a leisure activity? I have read several of those books the titles of which begin, "The Joy of". If my hon. Friend the Member for Great Grimsby (Mr. Mitchell), great author that he is, wrote a book entitled "The Joy of Shopping", it would not be a best seller. My joy is the joy of Sunday with the kids and no toyshops open. Is that not marvellous? None of the pressure to buy, buy, buy.

I reject Auld, the co-operative movement rejects it and I hope that the House will. It is amazing that the Government are being pressurised into legislation such as this by illegal and renegade do-it-yourself shops and garden centres. That is where the pressure is coming from.

Dr. Hampson: The pressure is coming from the public.

Mr. Foulkes: It is not coming from the public. Is it not appalling that DIY shops and garden centres should decide the law of the United Kingdom? I hope that Parliament is strong enough to reject that pressure.

8 pm

Sir Peter Mills (Torridge and Devon, West): I shall not follow what the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) said, although his views were extremely interesting. I declare an interest—that is what is being done at the moment—as a reader in the Church of England. I am therefore deeply worried about some of these proposals.

This is not a happy day for me, as I am afraid that I am at variance with the Government whom I have supported loyally for so long. Their views on this important subject and those of the Auld report do not coincide with mine. Perhaps I might tell the Under-Secretary of State, a young Minister whom I admire, that he must be a little more careful in his attitude. I can see from his reaction that he is not very pleased with those who speak against what he is trying to promote. The way forward in any legislation, especially something as sensitive as this, is to take along those who disagree. My hon. Friend's attitude will not be helpful tonight.

I am amazed that there is a three-line Whip tonight. Our Chief Whip and the Whips have been most helpful. I am grateful to them, and thank them for their consideration. However, I must tell the House, the Government and my hon. Friend the Minister that the climate of the debate would have been much better if there had been no three-line Whip. Without it, many of those who will abstain or vote against the Government tonight would have supported them, or at least taken a different view. The three-line Whip is a serious mistake.

I do not apologise for stating my beliefs clearly. I should be dishonest to myself and the House if I did not. Keeping Sunday as a holy or different day is one of God's commandments and Christians still have to try to maintain those commandments. I find it difficult enough but we must try. Canon B6(1) of the Church of England states clearly that the Church of England believes that Sunday should be different and a holy day. That is not a bad aim in a modern world in which many people do not accept the Christian standard.

We all have memories of the past. The Victorian Sunday was not the sort of day that I like. It was a grim, joyless and highly restricted day. There should be a proper balance between work and rest. Sunday should be a joyful day for worship, relaxation, family and pleasure. The loss of that distinctive quality, which Sunday still has, would be a grievous loss to the nation as a whole, not just Christians. How dreary it would be if Sunday became a normal day. It is difficult, but we must try to maintain Sunday as a different day. For Christians, of course, it is a day on which one tries to worship and to give to God what is due to Him.

It is obvious that work has to be done on Sunday. I have listened carefully to the arguments that have been adduced today. I remember the years when, as a farmer, I had to work on Sunday mornings and afternoons. Work has to be done by farmers and others in essential industries, and by doctors and nurses. However, I never want Sunday to be another commercial day and for the seven days to be blurred into a continuous working period. Irrespective of the Christian attitude, that would be tragic for the nation and for the people, but it could easily happen if we abandon the legislation and give complete freedom.

I also fear for family life. Sunday trading would create a lot more part-time working. That would inevitably mean

children with parents who work part time not having a day when there is a chance, no more, of enjoying a day together, perhaps having a meal together. It is only a chance in a difficult world, but family life could be seriously affected. There are enough attacks on family life at the moment and I do not want my Government, at the end of their term, to be known as the Government who reduced its quality. There are signs of our doing that and I do not want them to continue.

Workers would be under pressure. There would be moral and social pressure on people to take their turn in Sunday work. Christians have a duty to ensure that employees are not exploited or deprived of their rights of worship, leisure and recreation.

I am also worried for small shopkeepers. In a town such as Bideford, which has one pretty huge supermarket which sells everything, the effect on small shops of that supermarket opening on Sunday would be devastating. Small shopkeepers are under enough pressure already and Sunday trading would end many of them. That is contrary to the Government's aims. I admit that there are anomalies, but there must be a middle way. Indeed, I do not accept that there cannot be a middle way. We must find out how best to adjust to modern life.

I should like to conclude by quoting someone who has put it nicely from the Christian point of view — His Holiness the Pope. He said:

"Open up your working week to God by keeping the sabbath holy and partaking regularly of the eucharist. Respect the Lord's day as a precious gift. In this way we can avoid becoming the slaves of work or entertainment."

That is where I stand, and I shall not support the Government tonight.

8.9 pm

Mr. Ray Powell (Ogmore): The Opposition have established their case, especially my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman), who covered all aspects of the Auld report. I am one of the two sponsored members of the Union of Shop, Distributive and Allied Workers and represent about 400,000 workers. My union and its officers contributed greatly to the inquiry when it was set up. I well recall the Friday when we turned up to discuss the Shops Act 1950, and the suggestion from an hon. Member to introduce a private Bill to amend that Act. The Auld committee was then set up.

Before Christmas, at Question Time, I asked the Prime Minister whether she agreed with the full implementation of the Employment Act 1980 when she was prepared completely to ignore the implementation of the Shops Act 1950. Yet they are both Acts of Parliament, and should bind trade unionists, shoppers, shopkeepers and everyone. She agreed that both Acts should be implemented.

I have read the Auld report in detail—it is a lengthy document—and examined the input of USDAW into it. I am surprised to find that in many instances USDAW and the committee agreed. The USDAW policy statement says:

"Together with USDAW, the Committee believed that established retail workers would be under real pressure to conform to Sunday trading requirements wherever their employers saw fit. If they entered the trade believing that Sundays were their own, they could begin to think again. Without the 1950 Shops Act to protect them only those in strong, USDAW organised stores may be able to resist the pressures to work regularly on Sundays.

Together with USDAW, the Committee believed that potential retail workers had better view Sundays as a routine working day if they were considering a career in a retail sector without the 1950 Shops Act.

Together with USDAW, the Committee believed that statutory control over retail workers' terms and conditions was an absolute requirement and that without effective and properly enforced Wages Council Orders retail workers, especially non-USDAW members, would be very vulnerable.

Together with USDAW, the Committee believed that some traders would profit very handsomely if the 1950 Shops Act was scrapped but many small traders would suffer increasingly. Their businesses would be the price to pay for extended late night and Sunday trading."

Dr. Hampson: I understand the worry that people may be exploited for seven days a week and miss the opportunity of Sunday worship. However, the information given by the right hon. Member for Manchester, Gorton (Mr. Kaufman), which is borne out by all experience in all countries, as it is in Saturday trading and Sunday pubs now, is that employees would primarily be Sunday-only employees—women and the young. Therefore, the rest of the case falls. Does the hon. Gentleman agree that people would be exploited only if they also worked the rest of the week?

Mr. Powell: I do not entirely accept what the hon. Gentleman suggests, for many reasons. In some retail establishments, most shop workers must be trained in the job. Some of our employers will train people for a full week's work, but I am sure that they would not train them only for Sunday. If one asks for a drink in a pub or club, usually the barmaid or barman must be trained to serve that drink, to know the prices, to work the till and in many other ways. Not all individual traders would be prepared to volunteer training for one day's work week. A great deal more pressure would be put on people who are already working a five or six-day week to work on Sunday. If we abolish the wages councils, there will be even further pressure. Therefore, I reject the hon. Gentleman's suggestion, and praise the speeches from my right hon. and hon. Friends.

I shall return to the input of USDAW to the Auld committee, and that was agreed. The statement continues:

"Together with USDAW, the Committee believed that local residents would be subject to increased noise, traffic and disturbance wherever Sunday trading occurred.

Together with USDAW, the Committee believed that some consumers would enjoy more flexible options to time their shopping, but that other such as the elderly, the unemployed, the poor, inner city residents and the majority of consumers without private transport would find they had less choice and fewer options as small traders closed down and the large multiples moved out of the High Street onto out-of-town sites.

So, in six key areas USDAW and the Committee were in agreement on deregulated trading:

on the pressures on retail workers' terms and conditions

on the need for statutory protection for them should the 1950 Shops Act fall

on the heavy price to be paid by small traders

on the undesirable impact on local residents

on the severe restrictions which many consumers would face

on the job losses which would follow and the increased use of part-time and casual labour in the retail industry."

Yet, in the face of that agreement and all the objective evidence for which the Auld committee called, the committee recommended the abolition of the Shops Act 1950.

The impact of USDAW has been formidable. The Auld committee examined our reports and the reports from 500 organisations and individuals, with 7,000 responses to the invitations sent out, and undoubtedly and conclusively

[Mr. Powell]

came to two major recommendations. The Government are prepared to implement and act on only one of them. As my right hon. Friend the Member for Gorton said, if the Government are prepared to respond to one recommendation, why will they not respond to the most important recommendation? The second recommendation relates to wages councils, and is far more important to the workers whom I represent.

On Tuesday 2 April, I tabled a question to the Secretary of State for Employment, asking him to make a statement about the future of wages councils. He replied:

"My right hon. Friend published a consultative paper on wages councils on 21 March. This invites comments by 31 May. Decisions will be taken when responses to the document have been considered."—[*Official Report*, 2 April 1985; Vol. 76, c. *531*.]

I accept that reply. However, I fail to understand why this debate was brought forward. Why are we not debating the matter after the consultations have taken place—on 30 May—when the Home Secretary would be equipped with the necessary information to inform the House whether or not we should abolish the wages councils? The Government continue to drag their feet on the issue. When the Home Secretary says that he may be sympathetic to wages councils, it makes me shudder on behalf of the USDAW members whom I represent.

My hon. Friend the Member for Bradford, South (Mr. Torney), who is also sponsored by USDAW, used a sheaf of paper when he made his speech. However, he did not have enough time, as a result of the 10-minute rule, to conclude his speech. May I conclude his remarks by referring to the wages councils and the Low Pay Unit? I wish that I had more time to go into detail, because this is an important subject. My hon. Friend would have said that the wages councils were formed to protect the low paid and those who were least organised in trade unions. They were meant to put a bottom to wages paid in those industries where exploitation was rife. Without that base, shop workers will again be seriously exploited. They will have little hope of refusing work on Sundays if the employer demands it, knowing that, from the ranks of 4 million unemployed, people would be found to do their jobs and would readily agree to even greater exploitation just for the pleasure of a job of work.

Advocates of total abolition tell us that it would create more jobs. That is a fallacy. They talk without knowledge of shop life and shop practice. Abolition would increase the employment of part-time labour, and the employment of schoolboys and girls at weekends——

Mr. Edward Leigh (Gainsborough and Horncastle): On a point of order, Mr. Deputy Speaker. Is it in order for a speech that was terminated by the 10-minute rule to be continued by another hon. Member?

Mr. Deputy Speaker (Mr. Ernest Armstrong): That is not a point of order.

Mr. Powell: Already, hosts of stores employ many part-time workers and, at weekends, they employ schoolgirls and boys. It is cheaper for the firms to do that, but opening on Sundays will create hardly any extra employment of full-time labour.

8.19 pm

Mr. Mark Robinson (Newport, West): I have listened to more of the speeches in the debate than has the hon. Member for Ogmore (Mr. Powell), and I wonder whether life is different in south Wales from life in the areas of some other hon. Members who have spoken. On Sundays in my constituency I can buy almost anything I want within a five-mile radius of my home. There is Sunday trading in my region regardless of the state of the law.

Many hon. Members have mentioned garden centres. There are no fewer than four garden centres in my constituency, and I regret to say that, more than once, my wife and I have visited them on Sundays. In selling my wife pot plants, those centres were in breach of the law.

There are three clear issues in the debate. The paramount one is whether the Shops Act 1950 is acceptable. There are three aspects to that, the first of which concerns the origin of the Act. If one can believe it, it was introduced as a temporary measure in response to the report of the Gowers committee. It was never intended that it should remain permanently on the statute book. It was a consolidation measure to bring together several existing laws on trading. It made no attempt to deal with the anomalies that existed, even in 1950. Those anomalies have remained, and have increased considerably during the past 10 years. As a result, hundreds of thousands of people in England and Wales, but not in Scotland, shop on Sundays and are therefore in breach of the law. It is wholly wrong that such a law should remain on the statute book.

The second issue is whether the 1950 Act can be replaced by new legislation that would cure the anomalies and find an acceptable balance between those who believe that there should be some limited Sunday trading and those who want a completely free system. The Auld report clearly demonstrated the difficulty of achieving that. How can we regularise the law so that it will control Sunday trading? Should we do it by location? Should we say that high street shops must remain closed, but that the out-of-town shopping centres can remain open? If we did that, we should only accelerate the move away from town centres into the new shopping areas.

Should we regulate it by the type of goods sold? In the multi-purpose store, how can one distinguish which part of the store should be open, so that people can make purchases there, and which part of the store should remain closed? Should we do it by size of store? Do we say, "If a store is a certain size, it may open on a Sunday, but if it is larger, it may not."? Should we regularise Sunday trading by producing a list of goods that can be posted near the cash register so that the person operating the till can say, "I am sorry, but you cannot buy that on a Sunday?"

The answer is that, whatever route we take, the anomalies will still exist. Even if a satisfactory formula could be found, decisions will inevitably be arbitrary. If we find an acceptable formula, how can we enforce it? The burden of enforcement is placed on district councils. As one store owner said to me, if Newport district council decided that his store should not open on Sundays, he would simply go across the border to Cardiff. Therefore, Newport would lose his business, and Cardiff would gain it. If we leave enforcement to district authorities, that is the sort of difficulty that they will have. I am sure that they do not want the burden.

I should be interested to hear the Minister's thoughts on whether, in terms of Sunday trading and late-night opening, it would be possible to exercise more regulation through the planning authorities so that at least the peace

and quiet that is wanted in most residential areas can be maintained. Is it realistic to use the existing mechanism of planning law rather than the criminal law?

The third issue is whether the abolition of the Shops Act will require additional protection for shop workers. From some of the speeches by Labour Members one would have thought that that was the only issue in the debate. I welcome the assurance of my right hon. and learned Friend the Home Secretary that he accepts the principle behind the amendment in the name of my hon. Friend the Member for Bournemouth, West (Mr. Butterfill). I also commend to him the Massachusetts precedent as it is reproduced in the Auld report. It may contain the answer to the problem of the retail worker who, because of his religious views, does not wish to be forcerd to work on Sundays.

At present, there is no protection for the British Sunday in areas where shops open on Sundays. In Scotland, where Sunday trading is permitted, and in England and Wales, where it is illegal but still happens, people continue to enjoy the traditional British Sunday while at the same time using the shops that are open.

8.29 pm

Rev. Martin Smyth (Belfast, South): I am puzzled by the speech of the hon. Member for Newport, West (Mr. Robinson). In both his speech and those of other hon. Members there was a recurring theme: that if the law is broken sufficiently often we should no longer seek to uphold and enforce it. As I come from a part of the United Kingdom where there has been a fair amount of murder and mayhem, I am beginning to wonder whether the same kind of thinking permeates Government guidance as in the realm of Sunday trading. In other words, if the law is broken we should no longer try to uphold it.

Several aspects may not have been given sufficient consideration in this debate. Mention has already been made of the fact that there is no large body of public opinion that favours drastic change. Although some anomalies could be removed, I do not believe that the arguments contained in the Auld report are sufficiently convincing to require us to legislate and therefore change the character of the British Sunday. There are several reasons for this.

The first has already been alluded to and glibly set aside —that is, the reference to the fact that young people will be employed on Sundays. It amazes me that hon. Members are prepared to tolerate cheap labour so that multiple stores may continue to prosper while we relapse into one of the worst aspects of an outdated Victorian society. Therefore I urge the Government to give deeper consideration to this aspect before they legislate, because it will not ultimately enrich the country and help the community. An increasing number of part-time workers will result in an increase in the black economy, but the economy of the nation as a whole will not be improved.

The hon. Member for Mid-Kent (Mr. Rowe) said that he believed in the old adage that the family that prays together stays together. He also believes that the family that shops together stops together. I am not sure whether we have examined family shopping sufficiently closely. I have discovered that it becomes a nightmare not only for their mothers and fathers but for other shoppers when children run hither and thither through multiple stores. I submit that there is ample time on other occasions for the family to shop together and to stick together through thick and thin. It is a travesty of one of our fundamental values to equate shopping together with praying together. It reflects the commercial attitude which predominates on certain Benches, to the detriment, I believe, of the nation. In Ulster there are business men who would sell their granny if they could get enough for her. There are those who let the commercial and profit motives take control.

I hope that hon. Members will reflect, not upon what will happen to businesses, but to communities. I am sure that other hon. Members know of the difficulties that are experienced in shopping complexes in urban areas. Planning permission has been given for their construction without considering the consequential knock-on effect upon the neighbourhood. Many of my constituents have been in touch with me about what happens in their areas. It is all very well for the shopper who comes to the shopping precinct, gets a bargain and goes away again. However, for six days of the week, from the early hours of the morning until late at night, large vans arrive and are unloaded, trolleys clatter and quietness disappears from the community. Those communities are now being asked to tolerate yet more noise and thereby lose the one day upon which they can enjoy peace and quiet. I plead on behalf of those people for a re-examination of the legislation.

As one who was nurtured on a respect for the Lord's day, I urge this Chamber to pause before it moves in the direction of accepting one basic element of the Auld report and ignoring the other basic element. That element has already been alluded to, but I ask hon. Members to think afresh about the Christian Sunday—the Lord's day, as some of us prefer to call it. Since I became a Member of Parliament, there have been innumerable allusions in debates to the lack of respect for authority. This Chamber could take a step towards leading the nation back to a respect for authority if it set its seal upon observing the authority of the King of Kings and Lord of Lords.

Whatever the religion of people may be, I discover that we have this in common: that although we may disagree on the day, we believe in the principle that one day in seven ought to be set aside for rest and worship and family life. You, Mr. Deputy Speaker, could do it as effectively as I, but I do not intend to deliver a sermon upon the New Testament doctrine of the Lord's day. Nevertheless, I wish to emphasise the principle. Exceptions are therein allowed, but I plead with hon. Members to look afresh at this question.

Victorian principles have often been upbraided, but, whether or not we like every aspect of Victorian society, one principle which remained true was concern for the family. Even when families broke up, we discover that the Victorian society provided help and support for those who were in particular need. I believe that if the Auld report is implemented and we depart from the principles of the Old Book, family life will continue to be eroded, as will respect for authority which manifests itself in riots on the streets. Therefore, I urge the House to think carefully. If it accepts the principle contained in the Auld report, I hope that the Government will examine the matter carefully before introducing legislation.

8.39 pm

Mr. Patrick Cormack (Staffordshire, South): The hon. Member for Belfast, South (Rev. Martin Smyth) speaks for more people than he perhaps realises. We often forget that more people go to church on Sundays than go

[Mr. Patrick Cormack]

to football matches on Saturdays. That is a statistic which I offer to my hon. Friend the Under-Secretary of State for the Home Department.

I wish to concentrate upon two or three aspects. Although the right hon. Member for Manchester, Gorton (Mr. Kaufman) did not tell us where he stood on the issue of Sunday trading, and gratuitously distorted the points made by my right hon. and learned Friend the Home Secretary, nevertheless there was real substance in what was said by the hon. Member for Belfast, South, who referred to the suggestion that a law should be abolished if it is unenforceable. That is an exceptionally dangerous doctrine. It could be argued that speeding restrictions are far less popular than restrictions on Sunday trading. It could also be argued that speeding restrictions are just as difficult to enforce, but it would not therefore be sensible to argue that there should be no speeding restrictions.

Most hon. Members who are very troubled by the subject that is being debated today are not killjoy sabbatarians. We believe that Sunday should be a joyful day when people enjoy themselves to the full—it is irrelevant whether they go to church as part of that—and a different day from the rest of the week. We believe that there is a traditional British Sunday, and the Auld report recognises that its proposals are bound to have a corrosive or eroding effect on that traditional Sunday.

We believe that there is much to be said for a family having a meal together on a Sunday. That is as important in its way in making a family unit cohesive as is going to church. We do not suggest that the present law is perfect or that it is not riddled with ridiculous anomalies, about which my right hon. Friend the Member for Gloucester (Mrs. Oppenheim) spoke with great conviction.

However, I was disturbed by one aspect of the speech of my right hon. Friend the Member for Gloucester. She rightly declared an interest as a director of Boots and said that she would not obey the Boots whip but would vote with the Government and against her fellow directors. That is an honourable and proper position, but hon. Members who are doubtful about how to vote ought to note that my right hon. Friend said that although Boots did not wish to open on Sundays and agreed with the Retail Consortium in underlining all the objections that have been put so reasonably, if Sunday trading came, Boots would open.

Mrs. Sally Oppenheim: I did not say that.

Mr. Cormack: My right hon. Friend certainly gave that impression.

Mrs. Oppenheim: I said that if our customers wished us to open, we would do so.

Mr. Cormack: I apologise if I slightly misquoted my right hon. Friend, but there will be pressure and many more shops will open, not only to the detriment of the character of the British Sunday, but to the detriment of the small shop, whether the corner shop, the village shop or the small establishment in a rural area.

I believe that there could be a reasonable compromise. I gave evidence to the Auld committee and tabled an amendment to the motion. Mr. Speaker did not select my amendment which, imperfectly, suggests that one solution could be to limit the easing of restrictions to establishments employing fewer than a certain number of people. The Home Secretary dismissed that suggestion and said that he did not think it sensible. However, he did not put up convincing arguments to demolish my proposal.

Many of us believe that garden centres and village shops that are struggling to keep open fulfil a useful social function and we argue that freeing them from restrictions and anomalies should not mean that we would automatically have the cash tills jingling in every high street on every Sunday, thereby creating a second Saturday or, even worse, transferring the pressure so that Sunday becomes a peak shopping day.

The Government are on a dangerous course which carries the serious threat that part of our national life will be seriously undermined. On whatever terms we were debating the motion, I should find myself in the opposite Lobby to my right hon. and learned Friend the Home Secretary and his ministerial colleagues.

I have been here long enough for three-line Whips not to mean a great deal to me. If I believe that the merits of an issue are not particularly great, I shall vote against the party. I have done so on a number of occasions, though not with any relish or enjoyment. I greatly resent the fact that this issue has been made the subject for a three-line Whip. That flies in the face of one of our better and more honourable parliamentary traditions, which is that an issue that is, broadly speaking, one of conscience and not of party politics should be left to the discretion and conscience of hon. Members who should vote accordingly.

I have been given a little licence. I received a pleasant letter from my right hon. Friend the Patronage Secretary in which he acknowledges my misgivings and says that my conscientious scruples are fully respected. I appreciate that and I understand that my hon. Friends who have made similar representations have received a similar licence. However, that is not an answer, because I know that other colleagues are disturbed about the Government's policy, but, because a three-line Whip has been put on, they feel obliged to support the Government. That applies particularly to Parliamentary Private Secretaries, the great extra army of unpaid members of the payroll vote.

If the Government wish to test the opinion of the House, which should be the object of the debate, there should be no Whip on. The matter should be treated as any other major issue of conscience would be treated, and hon. Members should be allowed to vote without fearing that they are being disloyal.

Mr. Lyell: And no abstentions.

Mr. Cormack: I always think that abstention is an undesirable course.

My hon. Friend the Member for Lewes (Mr. Rathbone) placed the most charitable interpretation on the new Government view of the three-line Whip. He said that it means what it says; hon. Members turn up and do what they like when they get here. If I thought that that really was the Government's new approach, I should be the happiest man in the Chamber. However, I cannot believe that that is what it means.

The Government have imposed a three-line Whip and they expect Conservative Members to support the declared policy. I believe that policy to be wrong, but whether my misgivings are correct or not—it is just as likely that my right hon. Friend the Member for Gloucester is right;

we have equally deeply held convictions — it is unnecessary to place on Conservative Members an obligation and subsequently to issue a licence saying that it does not matter.

The matter should be treated as an issue of conscience. My hon. Friend the Member for Torridge and Devon, West (Sir P. Mills) made a moving speech in which he pointed out that he had been one of the Government's most loyal supporters, through thick and thin. He should not be made to feel that he is rebelling against the party line.

I shall vote against the Government's policy because I do not believe in it. Even at this late hour, I urge my hon. Friend the Under-Secretary of State for the Home Department, who is to reply to the debate, to have hurried consultations so that when he winds up the debate he can tell us, "The Whips are off. Vote according to your conscience and your belief." In that way, the Government will discover the true opinion of the House and, by behaving in that sensible, magnanimous and realistic way, they will avoid many problems for the future.

If the Government embark on legislation, with many unhappy Members on the Conservative Benches—even though the unhappiness of those hon. Members may be stifled today—that unhappiness will manifest itself and the Bill will not have a smooth passage.

I urge the Under-Secretary of State to think again and I hope that, whatever he says, all my hon. Friends will regard the matter as one which should be determined on its merits and according to their consciences and not on the basis of an edict issued from on high.

8.49 pm

Mr. Michael Hancock (Portsmouth, South): This afternoon the Home Secretary put forward a very unconvincing argument in order to try to get his right hon. and hon. Friends to toe the party line. It is diabolical that anyone should try to test the water by putting a proposition before the House and then twisting the arms of his colleagues to ensure that he gets the answer he wants.

I happen to believe in the proposal to widen the opportunity for shopping on Sunday. People undoubtedly want a change, and more than one hon. Member has already said that recent opinion polls show that the population are in favour of such changes by a majority of two to one. I had hoped that the Home Secretary would respond to such opinion polls and to the feeling of the House and the country, and would try to do more to answer the questions worrying so many of us. Those questions have certainly not been answered so far. I refer to issues such as the protection of staff, the role of the traditional British Sunday and the part that religion has to play.

I shall try to show why I believe that there is a case for relaxing the regulations on Sunday trading. As has been pointed out, it is nonsense that people should be able to buy soft porn on a Sunday but not a bible, or a Chinese take-away but not fish and chips. We have also heard the argument about religion. I am proud to say that I am an active member of a church that has survived for 2,000 years, despite the slings and arrows of all sorts of evils. But I do not believe that my church or religion will fall apart because shops are allowed to trade on Sundays. Moreover, I do not think that the majority of those who go to church regularly feel that that will happen. I am sure that many of them will continue to go to church on Sundays and to go to the shop afterwards if they so wish.

Some hon. Members have said that it is against their religious beliefs for people to have the freedom to decide what they want to do on the day that we all put aside as being somewhat different from the other six days of the week. Hon. Members on both sides of the House have spoken of the millions of people who are already committed to some form of Sunday working. I come from an area in which the economy survives because people are prepared to work on Sundays. The tourist trade in the south of England relies wholly on our ability to adjust to the demands of those who want that service. Tourist attraction after tourist attraction depends wholeheartedly on that commitment to work.

We do not want lukewarm policies such as those that we heard today from the Home Secretary. We want cast-iron guarantees that people's rights in employment will be protected and that the right to choose whether to work is given not only to those in employment now but to those who will become employed later. I believe that support for such cast-iron guarantees is widespread. We also need to consider consumers' needs. We need to think about the changing shape of the society in which we live and to realise that shopping patterns and our way of life have changed.

People undoubtedly want to use shopping facilities on Sundays and it is nonsense that we should take it upon ourselves today to deny them that opportunity. As has been said, we must also consider the protection of those who live closest to shopping centres. There are three shopping centres in my consituency which would rank as major centres. One, indeed, is a regional shopping centre. Thousands of people live close to them and for six days a week they have to tolerate that unholy alliance of their homes being close to major shopping centres. I do not relish the thought of telling those people that I want to impose such problems on them for another day. However, there is sufficient scope within existing planning laws—if they need to be tightened, they should be—to ensure that proper protection is given to them. The problem is not insurmountable. It should be recognised as a problem, and it can then be solved.

We must consider carefully what we are achieving this afternoon. I regret that the Government needed to whip in Conservative Members to support their motion. The merits of the case must stand or fall upon the individual's right to choose whether to support it, and hon. Members should not have to have the Government's boot put up their backsides in order not only to get them to the Chamber but to get them into the right Lobby. That is not in keeping with what I should have thought were the traditions of the House, and of this Government. But of course it is up to each retailer to choose whether to operate — *[Interruption.]* Perhaps I have just made a Freudian slip. It is a pity that my right hon. Friend the Member for Plymouth, Devonport (Dr. Owen) did not come in at a more opportune moment.

It is up to the individual retailer to choose whether to open up for business. It is also for the public to choose whether to go shopping. I am sure that there will be a rush of people to open up on a Sunday once the legislation has been passed. But I am equally sure that over a period things will even out. People will operate on Sundays if that meets the demands of market forces and perhaps more shops will open at Christmas than during the rest of the year.

[Mr. Michael Hancock]

A case has undoubtedly been made for giving people the opportunity to exercise that choice, but as I have said, I believe that my religion, which has survived 2,000 years, will not suffer irreparable damage as a result of any such legislation. I urge hon. Members not to fall into the trap of trying to convince themselves that such damage will be caused. We are faced with the opportunity to give a vast number of people the chance to make use of facilities that they should have had long ago. We cannot continue with a law that is abused and broken time and again by hundreds and thousands of people every Sunday. It is nonsense to allow such a law to persist. I urge right hon. and hon. Members to support the Government—for that reason and not because the Government have told them to do so.

8.56 pm

Mr. Nicholas Lyell (Mid-Bedfordshire): In the few minutes available to me I shall take up the remarks made by the hon. Member for Portsmouth, South (Mr. Hancock), because they lie at the centre of this debate. Reform of the law is long overdue. I welcome the Auld report all the more strongly because the right hon. Member for Manchester, Gorton (Mr. Kaufman) did not even have the courage to say what the Labour party would do about the central issue in this debate: whether it would deregulate, maintain the existing law or just sit on the fence. The Labour party certainly did not say whether it would enforce the existing law.

At present, the law is unenforceable. Millions of offences are committed every Sunday in tens of thousands of retail establishments. We must decide now to regularise the position one way or another. I know that some of my hon. Friends and hon. Members opposite are profoundly sincere in their opposition to change, but the existing state of the law does nothing to enhance the moral position that they promote. Furthermore, I do not believe that the abolition of the fifth schedule to the Shops Act would have the disastrous effects which have been suggested on the traditional Sunday, which I also cherish; on the interests of shop workers for whom my right hon. and learned Friend the Home Secretary has implied that he will make safeguarding provisions, or on the position of small shopkeepers.

I speak for the garden centres on whose behalf I sought to promote a Bill about four years ago. It is nonsense that people should be able to sell vegetable seedlings only on the ground that they are part of the greengrocery trade and that they should be breaking the law if they sell a fork or a bag of peat. As several hon. Members have said, we can best illustrate how radical the effect of such a change would be on our society by making a comparison with those countries that have no such restrictions. For us, the best example must be Scotland. That country provides not a small sample, but a sample of 5·5 million people, some of whom — they are represented by the right hon. Member for Western Isles (Mr. Stewart) — have such strong religious convictions that they do not open their shops anyway. But the majority of them, although rather better churchgoers than we are in England, trade a little on Sundays and reach a sensible balance that I am confident we shall reach if we are given the same opportunity.

We know that on 28 April 16 per cent. of shops opened in Scotland, although only 8 per cent. opened in town centres. Although 25 per cent. of people shopped in some way, only 1 per cent. did any major shopping, while the remainder topped up. About 98 per cent. of the population said that they were content with what was happening and were not inconvenienced. The same pattern applies to the United States — in Texas and in other states where Sunday trading is permitted and which have an excellent record of churchgoing.

The existing law brings itself into so much disrepute that no Government should stand by and leave it as it is indefinitely. Change with sensible safeguards will help the gentle change that is already occurring. It will not undercut the traditional values which I—and others of my hon. Friends, with misgivings—support.

9 pm

Mr. John Prescott (Kingston upon Hull, East): The debate has been excellent. The issues are fundamental and I shall state my opinions immediately. It is clear that our amendment is not acceptable to the Government. We are debating the motion on the Auld report with no qualification about the conditions of the workers who are affected by the proposed changes. That is the heart of the debate.

I am a traditionalist about Sunday. One of the bishops who gave evidence to the committee said that Sunday was a break in the week. I agree, as do many others. Many of us receive calls on a Sunday from people who apologise for ringing on a Sunday. That does not stop them from ringing, but they are conscious of intruding on Sunday. Sunday is different from the rest of the days in the week and it is important to maintain that difference.

I have been a Sunday worker. As a seaman I had to work seven days in a week. I have also worked in hotels, so I know that many people have to work seven days a week. I accept that some people have to work so that others can enjoy the luxury of our traditional Sunday.

I have also shopped on Sunday. I do not approach the question from a moral view, but I wish to retain the character of Sunday and that means that I do not want shops to open as if Sunday were the same as Monday or any other day of the week.

Hon. Members should be able to make their own judgment. I deplore that right not being given to Government Members. Those who have spoken out against the proposition have spoken for the House as a whole. Individuals should be able to make their own decision, although for some of us the issue is not one which involves conscience. That is a problem for the Government. Their members are subjected to a three-line Whip. They cannot vote against the motion unless they can prove that they have a conscientious objection to it. They have to pass that test before the Patronage Secretary will agree that they are fit to exercise that judgment.

The Auld report lists the many anomalies and the difficulties of enforcement which have been described by many right hon. and hon. Members. I am sorry that the report did not discuss in detail the 10-year Swedish experiment. At the end of that experiment, many people were still against extended trading hours, but the Swedish Government decided to maintain the open shop. The Government should see how important it is to maintain social conditions — premium hours at weekends, guaranteed overtime, holidays, meal times and other conditions which the Swedish Government believed to be important.

It is crucial to maintain certain conditions. The Auld report said that wages council conditions should be maintained. As many hon. Members have said, the Government are actively considering the abolition of the wages councils—indeed, they are notifying internationally that they are prepared to renounce that international obligation—the only country of the 94 countries which ratified that agreement to do so—and are leading the way for an attack on the low paid. That characterises much of our attitude towards the Auld report and the Government's motion.

We listened carefully to the Home Secretary, who said that he was prepared to listen to the views of the House and keep an open mind on wages councils. He said that he was prepared to depart from the conscience clause. He did not say how it would be implemented, but we await legislation. I do not believe that the Government have any intention of keeping an open mind — they are blabbering. I shall give evidence to support that view rather than simply make the point.

Mr. Lyell: On deregulation, do the Opposition support it, do they want to enforce the current law, do they want a halfway house or are they not able to say anything?

Mr. Prescott: The Opposition are prepared to operate a free vote on the main question, as we consider it to be a matter of conscience. I favour the traditional Sunday and would not want to see more shops open. However, there is a middle way. The committee funked the issue and did not take the opportunities presented to it. Amendments on the Order Paper take a middle course and people should reach their own decisions. We have, for example, debated abortion and left voting to the conscience of hon. Members, although Front Bench spokesmen have put thier point of view. It is an honourable tradition of the House.

The Home Secretary has said that the Government would try to find a way in which people could refuse to work on Sundays without penalty. He said that that would be for established workers, which we saw as a code phrase. Does it apply to both part-time and full-time workers? The majority of women workers in that industry are part time. The hon. Member for Bournemouth, West (Mr. Butterfill) tabled an amendment, and when he spoke he quoted from the Auld report, saying that the committee thought that we could reflect the proposal put forward in Massachusetts, and that Massachusetts was not short of people wanting to work on Sunday. However, if he had continued to read from the report he would have seen the reason for that —because premium payments are available on a Sunday and people get additional money. That is why there is no difficulty in obtaining workers.

The committee says that it is concerned that there may be dismissals over this matter. It said:

"the provisions governing unfair dismissal in the Employment Protection (Consolidation) Act 1978 would in certain cases provide a safeguard".

That would have been true until most Conservative Members last week willingly trooped through the Lobby to reduce the rights of people who have been unfairly dismissed. Therefore, one of the protections envisaged in the report has been taken away.

When I hear the argument about conscience, I am reminded of a concern that does not express itself on conditions but simply on whether one is refusing to work on a Sunday. There is no equal concern about the maintenance of the premium payment, working so many hours or the limits laid down in current legislation.

It seems to reflect the concern that was shown in the 19th century, when anxiety was expressed about women working in the pits—not because they were having to push heavy loads and were suffering physically but because miners were seeing naked women in the pits and it was thought that that would affect the moral fibre of the miners. Thus, legislation was introduced to stop women going down the pits. That action may have been said to have been motivated by concern and conscience. Frankly, the concern was not really about the conditions under which the women were working.

That is at the heart of our argument. The conditions that have been won for shop workers are crucial. Nor is it just a vested interest being raised. I have no vested interest in USDAW, my union being the National Union of Seamen. However, I worked in hotels and my wife was a hairdresser, so we have both worked in wages council industries and appreciate the conditions and wages that apply in such industries.

If one works and lives in a hotel, as I did, the thought of arguing with the manager about being given better wages or conditions does not arise because he can simply reply, "If you do not like the conditions and so on, get out." One's bed is in the hotel, and one has to make up one's mind whether to accept his terms or leave. That is one of the difficulties with the wages council industries and why those councils are important.

A method is necessary to govern the wages and conditions in certain industries because the unions have found it difficult to organise the workers in them. Until the Tory Government came to power, that principle was accepted by all previous Governments. Indeed, it has been pointed out that Winston Churchill introduced legislation in 1909 because he accepted that the good employers' conditions were undermined by the bad and that the bad employers' conditions were undermined by those who were even worse.

That argument applies to wages councils now just as it applied to them at the turn of the century. One need only examine the wages and conditions in the industries concerned to see how vital the councils are. Wage rates determined under wages council terms are 50 to 60 per cent. of national average earnings. When one thinks of £50 and £60 being a weekly wage, mostly paid to women, many of them working part-time, one sees the problem in its proper perspective. Many of those employees are not working for pin money but for a family income. More and more of them are one-parent families.

We are talking about poverty in employment. If changes of the type that we are discussing were to be made without some statutory control, we should have more poverty in low-wage situations. Indeed, that seems to be part of Government policy. All their proposals appear to be geared to driving down wage levels. Their employment protection legislation seems designed to remove workers' rights that have been established over the years by various Governments, and not only by Labour Administrations. That is why tonight we are concentrating on the whole issue of workers' conditions.

The right hon. Member for Gloucester (Mrs. Oppenheim) said that she had not heard much about the consumer. She will be aware that much has been said

[Mr. Prescott]

about consumers wanting extended Sunday trading. I suggest that the reaction of the consumer depends on the way in which the question is phrased.

What would be the response if the question was asked, "Do you want Sunday trading, even if it resulted in wages going down from £60 to £50 or even £40, thus having it at the expense of the work force, particularly women?" Unfortunately, that is not the way in which the question is framed when polls are taken. Not many people would want the change if they knew that it would mean workers being exploited.

The Government say that they are listening to our arguments about wages councils and other matters. Frankly, I cannot believe that they will give serious attention to our views. Let us be clear that we are speaking of industries which employ many youngsters, a lot of them women and a great number of them part-timers.

The Government's deregulation approach is very much an American one. It seems that deregulation has become part of our language. Over the weekend an American gentleman appeared on our television screens talking about targeting unemployment benefit and social security benefit. That, too, is the Government's language. Their aim is to reduce social welfare benefits, and now they want deregulation of conditions within retailing. Deregulation is not confined to shop hours for it involves conditions of work.

The Government argue that the abolition of wages councils will lead to the creation of more jobs. It is claimed that there will be 5,000 more jobs if legislation is introduced to enable shops to open on Sundays. I accept that it is laudable for the Government to shape their policy to the creation of more jobs but the Government have been losing about 5,000 jobs a week since they came to office. That must be set against their concern to create 5,000 jobs.

Even if more jobs are created by shops opening on Sundays, a price will have to be paid. That is the factor that concerns the Opposition. The Government argue that individuals must price themselves into a job. They claim that many workers are overpaid and that the wages councils should be abolished. I have not yet heard a Minister argue that the councils should be abolished so that wages can increase to a proper level that will provide for incentives and generally for more money to be earned. The hon. Member for Mid-Kent (Mr. Rowe) has said that wages are far too high and that we should abolish wages councils.

Mr. Rowe: I have never said that.

Mr. Prescott: The hon. Gentleman has often said that. He has been heard to say it by many Opposition Members. He has offered that opinion at Question Time and on other occasions.

Mr. Rowe: Words are being put in my mouth. I have never said that wages councils should be abolished. I am a member of a Select Committee which has specifically said that that should not happen. I call upon the hon. Gentleman to withdraw.

Mr. Prescott: If I have made a mistake, I unreservedly withdraw. I was distinctly under the impression that the hon. Gentleman had urged abolition, but I shall not argue about that. The hon. Gentleman has made his position clear and I withdraw unequivocally.

I am thinking on my feet, but I remember that the hon. Member for Mid-Kent said that he would like to see a reduction of overtime payments for weekend work. Premium payments were one of the conditions laid down in the Swedish experiment. That is why the Swedes have come to live with longer hours. The hon. Gentleman argued for a reduction of the very benefits that are currently provided for in legislation. I certainly heard him say that this evening.

Mr. Dykes: If the hon. Gentleman feels so strongly about the proposals, will he explain why there will be a free vote on the motion, which will be contrary to USDAW's position, which appeared to be that of the Labour party, and a whipped vote only on the amendment?

Mr. Prescott: The amendment spells out our belief that an extension of working hours should not be at the expense of working conditions. The Government do not accept the amendment, so they are prepared to tolerate longer hours and conditions that will be adverse to workers. That is the heart of our case. The House will remember the remarks of my hon. Friend the Member for Great Grimsby (Mr. Mitchell) about wages councils and the need for their position on conditions of work to be clarified. I agree that the time has come to make decisions and I have tried to make my position clear. I shall vote against the motion.

It is the Government's policy to reduce the standards and conditions of workers, especially in the wages council area. Their aim is to establish a lower wage structure and there is much evidence to support that contention. One piece of evidence is the proposed abolition of the wages councils. I think that the Government will admit that that is the direction in which their policy lies. I have read the evidence that was taken by the Select Committee on Employment. When the Secretary of State for Employment appeared before the Committee, he said that there was no evidence to establish whether more jobs had become available in the light of the proposal to abolish the councils. He said that it was too early to come to a judgment. However, it seems that the decision has been taken and we have heard from contractors who have been affected by the fair wage resolution that the Government's policy has led to a reduction in wages and conditions of employment.

Mr. Torney: Does my hon. Friend agree that the proposed free-for-all in Sunday trading highlights the issue of wages councils? This issue has been brought about by the imposition of Sunday trading on everyone. Legislation to this effect will be introduced later.

Mr. Prescott: This is the floodgate opening the way to that type of policy. If we accept these proposals, without a guarantee on conditions, the policy will not stop just at the shops. It will apply to the industries associated with the wages councils and, eventually, to all industries. This is part of the Government's policy to force down wage rates. There is no reason to be mealy-mouthed about this—every part of the policy is geared by the Government to achieve that end.

This policy did not come about during the past few months. I have been interested to read the various Cabinet Committee documents that have come to my hand. They involve the right hon. Member for Waveney (Mr. Prior) who fought a valiant fight against the unfair dismissal and wages council aspects of the Employment Act 1980. All

his arguments to the Cabinet Employment Committee make it absolutely clear that he did not believe that the Conservatives should follow that route. He said:

"My conclusion therefore is that there is insufficient justification to amend the employment legislation further in favour of employers. Moreover, I believe that any attempt to do so would alienate large sections of the working population, trade unionists and others and would therefore be politically damaging to the Government."

That document was dated 17 July 1981. The right hon. Gentleman continued to argue the case with regard to wages councils. He got the Cabinet to agree that the wages councils should not be abolished, but was asked to investigate whether part-time women and youngsters should be excluded from wages councils. The Home Secretary made a similar suggestion today. That policy emerged not from the Auld report but from the battle in Cabinet in 1981-82 by those so-called wets who were fighting against a policy to reduce the working and living conditions of the people in those industries. A report produced by the right hon. Member for Waveney made clear his view about the proposal to exclude women and youngsters from the wages councils awards. The document states:

"Young persons and part-timers . . . probably account for about half the total number of employees covered by wages councils. They are amongst the lowest-paid in the workforce. The majority are not trade unionists. A move to exclude them from minimum-level wage protection would be widely portrayed as an attack on those who are particularly vulnerable. Public sympathy would be readily enlisted on their behalf."

The right hon. Gentleman concluded:

"My conclusion is that the exclusion of young persons and part-time workers from the scope of wages councils would be unlikely to lead to more than a very marginal increase in job opportunities for these categories, and that largely at the expense of full-time adult jobs. I am in no doubt that the serious political and legislative difficulties of such a course would outweigh any conceivable benefits."

The right hon. Gentleman was right. Other documents concerning the same Cabinet Committee argue that case extremely well, showing the vindictive nature of such legislation. I am pleased that the right hon. Gentleman was able to convince the Cabinet. Unfortunately, the right hon. Member for Chingford (Mr. Tebbit) followed in the footsteps of the right hon. Member for Waveney.

Mr. James Prior (Waveney): I do not know whether I was right or not. I do know that whoever leaked that information to the hon. Gentleman was wrong.

Mr. Prescott: The document has the right hon. Gentleman's name and the date appended to it. I am prepared to make it available to the right hon. Gentleman. I do not seek to do him an injustice. The issue is crucial. With the appointment of the right hon. Member for Chingford, the position changed—I have the document showing this—and the civil servants were ordered to bring about that change.

Sir Bernard Braine: I am following the hon. Gentleman's argument with great interest. I would not contest it for one moment when he talks about safeguarding the rights of workers. However, could he spare a brief moment, before he resumes his seat, to give us some indication of where the Labour Front Bench stands in respect of the erosion of Sunday? That is of enormous importance to his constituents as well as mine.

Mrs. Kellett-Bowman: It is ignored in the Labour party's amendment.

Mr. Prescott: I shall sum up on that point. *[Interruption.]* I have told Conservative Members twice, but I shall tell the particularly thick a third time when I sum up.

Mr. John Gorst (Hendon, North): On a point of order, Mr. Speaker. Is it within your power to require the papers to which the hon. Gentleman has been referring to be made available to the whole House?

Mr. Speaker: That is not within my power. The hon. Member for Kingston upon Hull, East (Mr. Prescott) must take responsibility for what he has said.

Mr. Prescott: I immediately withdraw any implications concerning you in my remarks, Mr. Speaker.

I should happily give the papers to which I referred to the Select Committee on Employment if it wishes to look at them. It has reported on the wages councils and it came to a contrary decision from that of the Government. The Committee said that we should not abolish the wages councils. It did not have to be influenced by those documents to reach that conclusion. It arrived at its own conclusion, and it was a majority decision. We in the Opposition welcome that, although the Government are not paying a great deal of attention to it.

The Opposition's point is that we believe that the measure is part of the Government's policy, which has been developing for a long time. It is designed to hit the lower income groups in our society, in particular. They are the ones who are most affected by the wages councils, particularly the retail councils. One thing has often puzzled me about the argument on wages councils. The Government announced that they proposed to give notice to ILO about abolishing the wages councils. Why did they not give notice to the agricultural workers wages council? That is another wages council convention. Notice had to be given by June of last year. I do not know whether the right hon. Member for Waveney, who is a farmer, knows why we exempted that area. We could have given it the same notification about the wages councils——

Mrs. Kellett-Bowman: Deal with Sunday.

Mr. Prescott: Without doubt, the policy on wages councils is about producing low-paid labour and low-wage conditions.

Let me make another prediction to the House. The youth training scheme, which is now being developed into a two-year scheme, is being developed on low wages. In the retail industries, part-time women and men on adult pay will be removed by cheap labour — youngsters coming out of the YTS. That is what is behind the policy. That is why we on the Labour Benches believe that this policy is just a stalking horse for the Government's policy to bring in more low wages. They are doing that when this weekend, in *The Sunday Times*, there was a report on the top 100 managers who last year had, on average, three times the average wage as a wage increase. To talk about a wages policy to reduce the low-income groups is totally unacceptable to the Opposition.

If the policy were accepted in its present form, without amendment, there would be more part-time labour, adding to the two-tier market. More youngsters would be taken out of the YTS and put into low-paid jobs. No guarantees would be given, as with the Swedish example and recommended in the Auld report. We in the Opposition do not believe that the Government are concerned about

[Mr. Prescott]

working conditions. They are concerned solely about reducing statutory employment benefits. All that is in the way of getting rid of rigidities in the market are the trade unions. Last year the miners were the enemy. This year it is the shop workers, the hairdressers and the agricultural workers—all those in low-paid areas covered by the wages councils. That is why we believe that for the Government to renounce an international obligation when 94 other nations are retaining it is a stain on our claim to be a civilised nation.

We ask the House to support the proposition that conditions in the industry should be retained and guaranteed, as our amendment requires——

Mrs. Kellett-Bowman: What about Sunday trading?

Mr. Prescott: We believe, like many Conservative Members, that the main motion is a matter of conscience, and not one for whipping hon. Members into line. We shall make that clear to the country tonight.

9.30 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. David Mellor): I hope that the hon. Member for Kingston upon Hull, East (Mr. Prescott) will forgive me if I do not follow the line of his speech. I feel that perhaps I should talk about the Auld report and the problems of Sunday trading.

It is an interesting comment on the fitness of the Opposition for government that the real problems with which the enforcement of the law confronts my right hon. and learned Friend should have been wholly ignored in the course of an hour and a quarter's argument from the Opposition spokesmen.

The Auld committee was set up in the wake of the debate on the Bill promoted by my hon. Friend the Member for Wycombe (Mr. Whitney), and its members were invited to consider not whether changes should be made to the Shops Acts but what changes should be made. It has been common ground during the debate that the 1950 Act is riddled with anomalies and had to be changed. The issue before us is whether we accept the Auld committee's view that the law not only does not command general acceptance but has brought the generality of the criminal law into disrepute and should be swept away. We would be in a better position to make progress in the debate if the Opposition had coherently explained how they would resolve the anomalies created by the legislation.

The committee comprised three people of great distinction. Those people were aided in their work by six assessors. The assessors were carefully drawn from the interest groups who would be most affected by any change to the 1950 Act. *[Interruption.]* The hon. Member for St. Helens, North (Mr. Evans) says that they got it wrong. If the assessors got it wrong, the implication must be that Mr. Flood of the Union of Shop, Distributive and Allied Workers got it wrong, Miss Head of the National Chamber of Trade and Lord Gallacher of the Co-operative Union got it wrong. The assessors were there to assess the evidence, and none of them has complained that the Auld committee was parti pris—that it was not wide enough. This is another regrettable example of a desire to call into question those who have conducted an inquiry when the inquiry does not produce the desired results.

Mr. Sheerman: On a point of order, Mr. Speaker. The Minister is misleading the House about the relationship of the assessors to the report. Their position was not as he states.

Mr. Speaker: I cannot accept that point of order. The Minister must take responsibility for his own speech.

Mr. Mellor: The committee's report is the report of the committee. To hear what the Opposition have said today, one would think that evidence was not being put to the members of the committee by people whose job it was to put a different gloss on that evidence if they thought it appropriate to do so.

It seems that the Opposition have chosen to throw over the Auld report, although their amendment would lead us to believe that they are concerned about employment conditions but would not seek to challenge the central thrust of the report. If they wish to throw over the findings of the report, they must do so on a better basis. Contemptuously to toss on one side the whole report is not enough. Manifestly, the report cannot be dismissed. Three able people were engaged in it. The six assessors had the right to put whatever points they wished, and that is what they did.

Mr. Stanbrook: Why does my hon. Friend give the impression that the six assessors signed, or approved of, the report?

Mr. Mellor: I have not said that they signed it. I said that the assessors were there and that they were putting their gloss on the evidence as it came forward. The fact that they were there and participated——

Mr. Foulkes: They were ignored.

Mr. Mellor: —and the fact that they have not called the inquiry into question——

Mr. Foulkes: Yes, they have.

Mr. Mellor: —as have some Opposition Members, suggests that the Auld report is worthy of much more consideration than it has received from the Opposition today.

We are discussing not whether there should be Sunday trading, but the extent of Sunday trading and whether any common-sense division can be drawn between those activities that are allowed on Sunday under current law and those that are not. It is unfortunate that the right hon. Member for Manchester, Gorton (Mr. Kaufman) did not tell us where he stands on Sunday trading or give us any idea of a collective view. There is the world of difference between a collective view in the shadow Cabinet——

Mr. Jack Straw (Blackburn): There is a free vote on this side.

Mr. Mellor: A Cabinet cannot be run on free votes.

The other word that was missing from the right hon. Gentleman's speech——

Mr. Straw: Will the Minister give way?

Mr. Mellor: No.

The word that was missing from the right hon. Gentleman's speech and which was missing from that of the hon. Member for Kingston upon Hull, East (Mr. Prescott) was "customer". The customer's views are worth considering, but any such consideration was lacking in

anything that Opposition Members said. When the hon. Member for Bradford, South (Mr. Torney) mentioned the customer, it was in dismissive terms.

Mr. Heffer: Will the hon. Gentleman give way?

Mr. Mellor: I shall in a minute.

The hon. Member for Bradford, South speaks for the Union of Shop, Distributive and Allied Workers. It is not without note that five of the seven Back-Bench Members who have spoken for the Labour party have a relationship with USDAW or the Co-op. There might be a free vote——

Mr. Sheerman *rose*——

Mr. Mellor: —but there is precious little evidence of free thinking on this issue.

Mr. Sheerman *rose*——

Mr. Speaker: Order. The speech of the hon. Member for Huddersfield (Mr. Sheerman) was heard in silence. If the Minister does not give way, the hon. Member must restrain himself.

Mr. Mellor: The debate on the Bill proposed by my hon. Friend the Member for Wycombe provided an opportunity for the House to take the Bill into Committee, as everyone who spoke in that debate agreed that there were grave anomalies in the law. That was not done. In that debate, the hon. Member for Bradford, South pleaded with the Secretary of State to have a public inquiry. We have now had that public inquiry and the Government are inviting the House to endorse the recommendations of that public inquiry as the only cogent way in which to see our way through a difficult problem which has bedevilled the administration of criminal law for many years.

Mr. Kaufman: The hon. Gentleman says that the Government are inviting the House to endorse the recommendations of the inquiry, but they are not. They are inviting the House to endorse one of the recommendations —deregulation—but to ignore the recommendation to retain the wages council. The hon. Gentleman said "endorse the recommendations". Will the Government now say that they accept the Auld recommendation for the retention of the wages council?

Mr. Mellor: Our stance on the wages council was made clear by my right hon. and learned Friend the Home Secretary. Its future is under consideration. The fact that the Auld committee has recommended that it be retained in retailing is a matter that will be borne in mind when the evaluation takes place, and it will be given the appropriate weight. It would be nonsense for the Government to announce a full-scale review of wages councils throughout industry and then to take a particular line on the future of the wages council for retailing.

Mr. Heffer: Will the hon. Gentleman tell the House, because I feel that the entire country wants to know, whether the Government are now deciding to abandon the traditional values of Sunday? May we be given a clear answer? Is that their intention? If so, will they spell out why they are doing this to something that has been built up over hundreds of years?

Mr. Mellor: There is no question of the traditional British Sunday being thrown over. We are saying that we should trust the people to make their decision — *[Interruption.]*—and that the arbitrary intervention of the criminal law should not come into the matter.

After 19 attempts to change these arrangements in the House, it is time that the House took a view one way or the other. The arrangements into which the Patronage Secretary has entered enable that to be done once and for all.

Mr. Gorst: Will my hon. Friend make it clear whether he is arguing that the issue of principle, on which some hon. Members have a sense of conscience, has already been decided, or whether this is the first occasion on which that matter of principle is being decided? If that is the case, will he explain why on this unique occasion, and without precedent, we are being dragooned to vote in favour of the business?

Mr. Mellor: The Government have placed a three-line Whip on the business, but those with genuine conscientious objections do not have to vote for it. *[Interruption.]* What is important is that the House has the opportunity to determine the way forward for a piece of legislation on which, whatever the jeering, a decision must be taken.

Mrs. Kellett-Bowman *rose*——

Mr. Mellor: I shall give way to my hon. Friend in a moment. The criminal law occupies too significant a place for us to permit a law to continue when on all sides it is acknowledged that it is riddled with anomalies. The question facing us is one of detail — whether it is possible to have a halfway house or whether there must be complete deregulation.

Mrs. Kellett-Bowman: Will my hon. Friend seek to ascertain from the hon. Member for Kingston upon Hull, East (Mr. Prescott) where he stands on the subject of Sunday, which he entirely ignored? He dealt only with the materialistic points of the resolution, and not with the value of Sunday to the family.

Mr. Sheerman: On a point of order, Mr. Speaker. Is it within your remit to send for the Conservative Whip and for the Whips of the Opposition parties, so that the whole country may know that the Opposition have a free vote on a principle of conscience, whereas the Conservative party do not?

Mr. Speaker: If the whole country reads the newspapers, it will know that.

Mr. Mellor: We know that the arrangements for late evening shopping were introduced in 1916 to save coal during the first world war, and that they are not in keeping with the views of any hon. Members in the House tonight. We also know that the Shops Act 1950 was a consolidation measure and came after the Gowers report of 1947 recommended the consolidation of the existing statute. However, as long ago as 1947 the Gowers report said, first, that it was time for the public to be given consideration, and that for too long shops legislation had been dealing only with the welfare of shop assistants; and secondly, that the exemptions were such that even at that time the law was being brought into disrepute.

Our problem is that successive Governments have failed to implement all but one of the three recommendations of the Gowers report. That issue will not disappear, as successive attempts to change it in the House have made clear. In trying to steer its way through an increasingly tangled web, the Auld committee adopted two points of principle, which I commend to my hon.

[Mr. Mellor]

Friends. First, the law should not interfere in the conduct of human affairs unless it serves a justifiable purpose in doing so. Secondly, even if there are interests with a justifiable need for protection, could legislation be devised to achieve that end?

The Shops Act is a singular piece of criminal law. The criminal offence is to sell during prohibited hours unless the place or the article qualifies under one of the exemption provisions. The exemption provisions are derided and widely ignored. The anomalies are so acute that it is impossible for a shop that opens on Sundays—we know that hundreds and thousands do every Sunday—to trade legally, because if there are distinctions between pies, buns, sausages and kippers on the one hand, and tea and flour on the other—*[Interruption.]* It is no good Opposition Members sneering. The fact is that every shop that opens on Sundays is almost certainly trading outside the law. It is our job to rescue the law from its present state and to replace it with a fresh law that will allow the criminal law and the administration of justice to proceed properly.

As to enforcement, the number of convictions in recent years has in no way reflected the scale of abuse. In our large cities there have been minimal attempts to enforce a law in which no one believes, least of all the Association of District Councils. Some people have suggested, almost as though the Government had a choice as to whether they should take on the issue, that we must have a duty to those whom Parliament has decreed should be responsible primarily for enforcing the law. In April 1982, the Association of District Councils made clear its view, which it subsequently endorsed in a way that should commend itself to the consideration of the House.

The association originally believed that the law could be rationalised by the elimination of anomalies, but it has since reconsidered, and has come to the conclusion that the removal of one anomaly could easily lead to another, as was pointed out in the excellent speech of my hon. Friend the Member for Newport, West (Mr. Robinson). Since the association recognised—only one hon. Member who spoke in the debate seems not to have recognised it—that imposing a full ban on Sunday trading would not find favour, the only satisfactory solution is to remove all restrictions on Sunday opening. Those whom we have asked to enforce the law have reached a conclusion similar to the one in the Auld report.

The impetus for change has been spurred by two difficulties that lie in the way of the law remaining ignored. The first is the decision of the Court of Appeal in 1983 giving local authorities the power to obtain injunctions against stores breaking the law. The second is the 1982 case in which the Divisional Court held that someone aggrieved—not the local authority—about Sunday trading could compel the local authority to take action by way of an order of mandamus. That is why it is impossible for the Government to overlook the chaotic state of the 1950 Act any longer.

The impact on trade and employees is a matter of controversy. The Institute for Fiscal Studies made predictions based on models that cannot give us the entire answer to the problem, because they were based on the assumption that there was currently no Sunday trading. However, there is Sunday trading in almost every town and village in the country. Therefore, the model is flawed in that respect. Another basic assumption was that there would be no growth in retail demand, but many retailers are only too willing and eager to prove that wrong.

The Institute for Fiscal Studies concluded:

"It is unlikely that in any of the areas we have considered—costs, prices, employment, trading patterns—there would be effects which would be of sufficient magnitude to be distinguished readily from the other changes which would be occurring as a result of other influences on the style and structure of British retailing."

We know that the retailing sector is buoyant and dynamic, and that there have been considerable changes in the size of the retail work force. Therefore, any of the likely consequences will be at the margin. In June 1980, the retail work force was 2·1 million. By June 1982 it was down to 2 million. By the end of 1984 it was up to 2·2 million, so we know that the retail sector is accustomed to taking up and shedding labour. We know that there is scope not just for full-time employment but for part-time employment. We cannot deride full-time employment when we know that 40 per cent. of the work force are women. Those who rightly adhere to the principle of family life feel particularly strongly that women in the work force are entitled to work part-time and that that might be in the best interests of their families.

Sir Kenneth Lewis (Stamford and Spalding): Will my hon. Friend look at the Auld report, paragraph 206, page 173:

"Our conclusion that, in the long term, Sunday working would slightly reduce retailing employment"?

If it will not increase employment, and the committee does not believe that it will, is Sunday working worth the candle?

Mr. Mellor: As I have already said, that is based on the assumption, first, that there is no Sunday trading at the moment, when manifestly there is, and, secondly, that there will be no growth in retail turnover. We believe that there will be growth. The law needs to be reformed. The only point at issue is how. We know that there will be no economic catastrophe and that the probability is that there will be economic gain by a reform of the law.

The question to which I now turn is that which exercises most hon. Members: whether by reforming the Shops Act 1950 we shall be in any danger of detracting from the qualities of the British Sunday that we all respect. There are those hon. Members who believe that religious observance dictates that Sunday should be a different day. Most of us, whether or not we are active churchgoers, accept that principle. However, I ask those hon. Members who take that view to have regard to what was said by the Bishop of Birmingham on behalf of the Church of England board for social responsibility:

"In a society where in most areas not more than 10 per cent. of the population attend public worship on Sunday, people would hardly be prevented from going to church if Sunday opening were allowed. It is important for Christians to avoid hypocrisy in these matters."

Christians who feel that they wish to observe Sunday in their own way should not feel the need to dictate to others, but many churchgoers take the view not just that it matters but that they wish to keep the quality of Sunday for the benefit of others.

The important point that needs to be borne in mind is that when we look at the impact of Sunday trading in other countries we do not find that the traditional values of Sunday in those countries have been lost. We simply cannot ignore the evidence of Scotland. The evidence is

that while, in communities like those represented by the right hon. Member for Western Isles (Mr. Stewart), shops do not open because the communities do not wish it and the shopkeepers therefore do not feel that it is appropriate to open on Sunday, in Edinburgh and Glasgow some shops open while others do not. There is no monochrome, follow-my-leader approach. On 28 April only 16 per cent. of the shops were open, and according to the public survey that was conducted last month by MORI——

Mr. Fairbairn: Does the Minister appreciate that in Scotland, which has always had Sunday trading, there is more churchgoing than in England, and that in Catholic France, which has always had Sunday trading, there has always been a great deal of churchgoing? There is no difficulty in Scotland over Sunday trading. Therefore, those who adopt a priggish view are defiling the whole concept of Christianity.

Mr. Mellor: It is important that we should recognise that 84 per cent. of those questioned by MORI in Scotland by last month do not want the law changed back to the sort of restrictions that exist in England, and that 98 per cent. said that they were not inconvenienced in the slightest by Sunday trading.

When we consider what sort of Sunday we want, we should bear in mind that, whatever we as legislators think, the question whether the traditional values of Sunday will be preserved will be determined by the people, whatever the criminal law may say. That is why *The Times* was so right to say in an editorial in November:

"A society which needs a day which is special can surely be trusted to keep it special and how it wishes without being compelled by the criminal law."

Mr. Cormack: Will my hon. Friend acknowledge that he is proposing not a reform of the laws, but their abolition? Secondly, if he can trust the people, why cannot he trust us? Is this an issue of conscience?

Mr. Mellor: For some people, it is an issue of conscience and for others it is a matter of hard practicalities and whether the criminal law can be allowed to slip into the derision into which it has slipped in this area. How to restore the credibility of the law is a matter for hard decisions. My hon. Friend tabled an amendment and I am sure that he would not say that conscience determined his decision about the size of shops that should be allowed to open on a Sunday. That is a practical matter. The limit would be arbitrary and the incentive for employers to employ would be reduced by an artificial restriction on the number of employees allowed in a shop that could open on Sunday. That is a matter of hard practicality.

The key to all this is whether there is a halfway house. The pattern of Sunday trading laws has revealed a constant movement away from the principle that there should be no trading on Sunday through the hard recognition that people are willing to buy whatever shopkeepers are prepared to open to sell. That is what happened in 1855, when there were demonstrations in the streets against the Sunday trading laws. The quaint Sunday markets which are a part of the traditional British Sunday were the way in which the populace of London cocked a snook at the Sunday trading laws.

The 1936 law that is the basis for the anomalies in the 1950 Act was based on what goods were needed by people indulging in the then popular weekend pastime of a charabanc ride to Brighton or another seaside resort. One was able to buy gin. Tonic had not been invented, so one had to drink gin neat to cover one's disappointment at a rainy day by the seaside.

Are we as legislators to say that the list of exemptions that was right for charabanc outings to the seaside should be updated because we feel that we have the key today? Or shall we say that in a mature democracy shops should be allowed to open when they choose? The fact that the powers are not always taken up will mean that shops will determine when it is profitable for them to open, and that question will be determined by whether there are customers to go to the shops.

If there are customers to go to the shops, is it the business of this or any other Government to say that the criminal law will stop transactions merely because they take place on Sunday, a situation to which others object, often for reasons that have a lot to do with wordly considerations, though I respect the fact that some see these as matters of conscience? We cannot have any truck with that. We believe that the Sunday trading laws have had their day and that the only alternative that faces us is, indeed, to trust the people and to let them shop when they want.

Question put, That the amendment be made:—

The House divided: Ayes 178, Noes 321.

Division No. 212] **[10 pm**

AYES

Abse, Leo
Adams, Allen *(Paisley N)*
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnett, Guy
Beckett, Mrs Margaret
Beith, A. J.
Bell, Stuart
Benn, Tony
Bennett, A. *(Dent'n & Red'sh)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Anthony
Boothroyd, Miss Betty
Boyes, Roland
Bray, Dr Jeremy
Brown, N. *(N'c'tle-u-Tyne E)*
Brown, Ron *(E'burgh, Leith)*
Bruce, Malcolm
Caborn, Richard
Callaghan, Jim *(Heyw'd & M)*
Campbell, Ian
Campbell-Savours, Dale
Canavan, Dennis
Carlile, Alexander *(Montg'y)*
Carter-Jones, Lewis
Clark, Dr David *(S Shields)*
Clarke, Thomas
Clay, Robert
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S.)*
Cohen, Harry
Concannon, Rt Hon J. D.
Cook, Robin F. *(Livingston)*
Cowans, Harry
Craigen, J. M.
Crowther, Stan
Cunningham, Dr John
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric
Dewar, Donald
Dixon, Donald
Dormand, Jack
Douglas, Dick
Dover, Den
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eadie, Alex
Eastham, Ken
Edwards, Bob *(W'h'mpt'n SE)*
Evans, John *(St. Helens N)*
Fatchett, Derek
Fields, T. *(L'pool Broad Gn)*
Fisher, Mark
Flannery, Martin
Foot, Rt Hon Michael
Forrester, John
Foster, Derek
Foulkes, George
Fraser, J. *(Norwood)*
Freeson, Rt Hon Reginald
Freud, Clement
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman
Golding, John
Gould, Bryan
Gourlay, Harry
Hamilton, W. W. *(Central Fife)*
Hancock, Mr. Michael
Harman, Ms Harriet
Harrison, Rt Hon Walter
Hart, Rt Hon Dame Judith
Hattersley, Rt Hon Roy
Healey, Rt Hon Denis
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart *(Vauxhall)*
Home Robertson, John
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hughes, Dr. Mark *(Durham)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Irving, Charles

Janner, Hon Greville
John, Brynmor
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Kilfedder, James A.
Kilroy-Silk, Robert
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lamond, James
Leadbitter, Ted
Leighton, Ronald
Lewis, Ron *(Carlisle)*
Lewis, Terence *(Worsley)*
Litherland, Robert
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Edward
McCartney, Hugh
McDonald, Dr Oonagh
McKay, Allen *(Penistone)*
MacKenzie, Rt Hon Gregor
Maclennan, Robert
McTaggart, Robert
McWilliam, John
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael
Mason, Rt Hon Roy
Maynard, Miss Joan
Meacher, Michael
Meadowcroft, Michael
Michie, William
Mikardo, Ian
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon J. *(Aberavon)*
Nellist, David
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Park, George
Patchett, Terry
Pavitt, Laurie
Penhaligon, David
Powell, Raymond *(Ogmore)*
Prescott, John
Radice, Giles
Randall, Stuart
Redmond, M.
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Robertson, George
Robinson, G. *(Coventry NW)*
Robinson, P. *(Belfast E)*
Ross, Stephen *(Isle of Wight)*
Rowlands, Ted
Ryman, John
Sheerman, Barry
Sheldon, Rt Hon R.
Shore, Rt Hon Peter
Short, Mrs R.*(W'hampt'n NE)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, C.*(Isl'ton S & F'bury)*
Smith, Rt Hon J. *(M'kl'ds E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Strang, Gavin
Straw, Jack
Thomas, Dr R. *(Carmarthen)*
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Tinn, James
Torney, Tom
Wainwright, R.
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert
Weetch, Ken
Welsh, Michael
Wigley, Dafydd
Williams, Rt Hon A.
Winnick, David
Young, David *(Bolton SE)*

Tellers for the Ayes
Mr. Frank Haynes and
Mr. Robin Corbett.

NOES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Amery, Rt Hon Julian
Ancram, Michael
Arnold, Tom
Ashby, David
Aspinwall, Jack
Atkins, Rt Hon Sir H.
Atkins, Robert *(South Ribble)*
Atkinson, David *(B'm'th E)*
Baker, Rt Hon K. *(Mole Vall'y)*
Baker, Nicholas *(N Dorset)*
Baldry, Tony
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Benyon, William
Best, Keith
Bevan, David Gilroy
Biffen, Rt Hon John
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'to'n)*
Boyson, Dr Rhodes
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim
Brittan, Rt Hon Leon
Brooke, Hon Peter
Brown, M. *(Brigg & Cl'thpes)*
Browne, John
Bryan, Sir Paul
Buchanan-Smith, Rt Hon A.
Buck, Sir Antony
Budgen, Nick
Burt, Alistair
Butcher, John
Butler, Hon Adam
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Cash, William
Chalker, Mrs Lynda
Channon, Rt Hon Paul
Chope, Christopher
Churchill, W. S.
Clark, Hon A. *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clegg, Sir Walter
Cockeram, Eric
Colvin, Michael
Coombs, Simon
Cope, John
Corrie, John
Cranborne, Viscount
Critchley, Julian
Crouch, David
Currie, Mrs Edwina
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord J.
du Cann, Rt Hon Sir Edward
Dunn, Robert
Durant, Tony
Dykes, Hugh
Edwards, Rt Hon N. *(P'broke)*
Eggar, Tim
Emery, Sir Peter
Evennett, David
Eyre, Sir Reginald
Fairbairn, Nicholas
Fallon, Michael
Farr, Sir John
Favell, Anthony
Fenner, Mrs Peggy
Fletcher, Alexander
Fookes, Miss Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Marcus
Franks, Cecil
Fraser, Peter *(Angus East)*
Fry, Peter
Gale, Roger
Garel-Jones, Tristan
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gow, Ian
Griffiths, E. *(B'y St Edm'ds)*
Griffiths, Peter *(Portsm'th N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, John Selwyn
Hamilton, Hon A. *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth
Harvey, Robert
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hawksley, Warren
Hayes, J.
Hayward, Robert
Heath, Rt Hon Edward
Heathcoat-Amory, David
Henderson, Barry
Heseltine, Rt Hon Michael
Hickmet, Richard
Hicks, Robert
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hirst, Michael
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Hordern, Peter
Howard, Michael
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(N Norfolk)*
Hubbard-Miles, Peter
Hunt, David *(Wirral)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jackson, Robert
Jenkin, Rt Hon Patrick
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(W Herts)*
Jopling, Rt Hon Michael
Joseph, Rt Hon Sir Keith
Kershaw, Sir Anthony
Key, Robert
King, Roger *(B'ham N'field)*
King, Rt Hon Tom
Knight, Gregory *(Derby N)*
Knowles, Michael
Knox, David
Lamont, Norman
Lang, Ian
Lawler, Geoffrey
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lilley, Peter
Lloyd, Ian *(Havant)*
Lloyd, Peter, *(Fareham)*
Lord, Michael
Luce, Richard
Lyell, Nicholas
McCrindle, Robert
McCurley, Mrs Anna
Macfarlane, Neil
MacGregor, John
MacKay, John *(Argyll & Bute)*
Maclean, David John
McNair-Wilson, P. *(New F'st)*
McQuarrie, Albert
Madel, David
Major, John
Malins, Humfrey
Malone, Gerald
Maples, John
Marland, Paul
Marshall, Michael *(Arundel)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Meyer, Sir Anthony
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Miscampbell, Norman
Mitchell, David *(NW Hants)*
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, John
Morrison, Hon C. *(Devizes)*
Morrison, Hon P. *(Chester)*
Moynihan, Hon C.
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Newton, Tony
Nicholls, Patrick
Normanton, Tom
Norris, Steven
Oppenheim, Phillip
Oppenheim, Rt Hon Mrs S.
Osborn, Sir John
Ottaway, Richard
Page, Richard *(Herts SW)*
Parkinson, Rt Hon Cecil
Parris, Matthew
Patten, J. *(Oxf W & Abdgn)*
Pattie, Geoffrey
Pawsey, James
Percival, Rt Hon Sir Ian
Pollock, Alexander
Portillo, Michael

Powell, William *(Corby)*
Powley, John
Prentice, Rt Hon Reg
Price, Sir David
Prior, Rt Hon James
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Rees, Rt Hon Peter *(Dover)*
Renton, Tim
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Rippon, Rt Hon Geoffrey
Roberts, Wyn *(Conwy)*
Robinson, Mark *(N'port W)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Thomas
Sainsbury, Hon Timothy
St. John-Stevas, Rt Hon N.
Sayeed, Jonathan
Scott, Nicholas
Shaw, Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Silvester, Fred
Sims, Roger
Skeet, T. H. H.
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spence, John
Spencer, Derek
Spicer, Jim *(W Dorset)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Steen, Anthony
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stevens, Martin *(Fulham)*
Stewart, Allan *(Eastwood)*
Stewart, Andrew *(Sherwood)*
Stewart, Rt Hon D. *(W Isles)*
Stewart, Ian *(N Hertf'dshire)*
Stradling Thomas, J.
Sumberg, David
Taylor, John *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thatcher, Rt Hon Mrs M.
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Trippier, David
Trotter, Neville
Twinn, Dr Ian
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Viggers, Peter
Waddington, David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Walker, Rt Hon P. *(W'cester)*
Wall, Sir Patrick
Waller, Gary
Walters, Dennis
Ward, John
Wardle, C. *(Bexhill)*
Watson, John
Watts, John
Wells, Bowen *(Hertford)*
Wells, Sir John *(Maidstone)*
Wheeler, John
Whitney, Raymond
Wiggin, Jerry
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy
Woodcock, Michael
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. Carol Mather and
Mr. Robert Boscawen.

Question accordingly negatived.
Main Question put:—
The House divided: Ayes 304, Noes 184.

Division No. 213] **[10.15 pm**

AYES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amery, Rt Hon Julian
Ancram, Michael
Arnold, Tom
Ashby, David
Aspinwall, Jack
Atkins, Rt Hon Sir H.
Atkins, Robert *(South Ribble)*
Atkinson, David *(B'm'th E)*
Baker, Rt Hon K. *(Mole Vall'y)*
Baker, Nicholas *(N Dorset)*
Baldry, Tony
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Best, Keith
Bevan, David Gilroy
Biffen, Rt Hon John
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'to'n)*
Boyson, Dr Rhodes
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim
Brittan, Rt Hon Leon
Brooke, Hon Peter
Brown, M. *(Brigg & Cl'thpes)*
Browne, John
Bruce, Malcolm
Bryan, Sir Paul
Buchanan-Smith, Rt Hon A.
Buck, Sir Antony
Budgen, Nick
Butcher, John
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Cash, William
Chalker, Mrs Lynda
Channon, Rt Hon Paul
Chope, Christopher
Churchill, W. S.
Clark, Hon A. *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushc'ffe)*
Cockeram, Eric
Colvin, Michael
Coombs, Simon
Cope, John
Corrie, John
Cranborne, Viscount
Critchley, Julian
Crouch, David
Currie, Mrs Edwina
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord J.
du Cann, Rt Hon Sir Edward
Dunn, Robert
Durant, Tony
Dykes, Hugh
Edwards, Rt Hon N. *(P'broke)*
Eggar, Tim
Emery, Sir Peter
Evennett, David
Eyre, Sir Reginald
Fairbairn, Nicholas
Fallon, Michael
Farr, Sir John
Favell, Anthony
Fenner, Mrs Peggy
Fletcher, Alexander
Fookes, Miss Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Marcus
Franks, Cecil
Fraser, Peter *(Angus East)*
Freud, Clement
Fry, Peter
Garel-Jones, Tristan
Gilbert, Rt Hon Dr John
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gow, Ian
Griffiths, E. *(B'y St Edm'ds)*
Griffiths, Peter *(Portsm'th N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, John Selwyn
Hamilton, Hon A. *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hancock, Mr. Michael
Hanley, Jeremy
Harvey, Robert
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hawksley, Warren
Hayes, J.
Hayhoe, Barney
Hayward, Robert
Heath, Rt Hon Edward
Heathcoat-Amory, David
Henderson, Barry
Heseltine, Rt Hon Michael
Hickmet, Richard
Hicks, Robert
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hirst, Michael
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Horcern, Peter
Howard, Michael
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(N Norfolk)*
Hubbard-Miles, Peter
Hunt, David *(Wirral)*
Hunt, John *(Ravensbourne)*
Hurd, Rt Hon Douglas
Irving, Charles
Jackson, Robert
Jenkin, Rt Hon Patrick
John, Brynmor
Johnson Smith, Sir Geoffrey
Jones, Robert *(W Herts)*
Jopling, Rt Hon Michael
Joseph, Rt Hon Sir Keith
Kershaw, Sir Anthony
King, Roger *(B'ham N'field)*
King, Rt Hon Tom
Kirkwood, Archy
Knight, Gregory *(Derby N)*
Knowles, Michael
Knox, David
Lamont, Norman
Lang, Ian
Lawler, Geoffrey
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Ian *(Havant)*
Lloyd, Peter, *(Fareham)*
Luce, Richard
Lyell, Nicholas
McCrindle, Robert
McCurley, Mrs Anna
Macfarlane, Neil
MacGregor, John
MacKay, John *(Argyll & Bute)*
McNair-Wilson, P. *(New F'st)*
McQuarrie, Albert
Madel, David
Major, John
Malone, Gerald
Maples, John
Marland, Paul
Marshall, Michael *(Arundel)*
Mates, Michael
Maude, Hon Francis
Mayhew, Sir Patrick
Meadowcroft, Michael
Mellor, David
Merchant, Piers
Meyer, Sir Anthony
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Miscampbell, Norman
Mitchell, Austin *(G't Grimsby)*
Mitchell, David *(NW Hants)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, John
Morrison, Hon C. *(Devizes)*
Morrison, Hon P. *(Chester)*
Moynihan, Hon C.
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Newton, Tony
Nicholls, Patrick
Normanton, Tom
Norris, Steven

Oppenheim, Phillip
Oppenheim, Rt Hon Mrs S.
Osborn, Sir John
Ottaway, Richard
Page, Richard *(Herts SW)*
Parkinson, Rt Hon Cecil
Parris, Matthew
Patten, J. *(Oxf W & Abdgn)*
Pattie, Geoffrey
Pawsey, James
Percival, Rt Hon Sir Ian
Pollock, Alexander
Portillo, Michael
Powell, William *(Corby)*
Powley, John
Prentice, Rt Hon Reg
Price, Sir David
Prior, Rt Hon James
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Rees, Rt Hon Peter *(Dover)*
Renton, Tim
Ridley, Rt Hon Nicholas
Rippon, Rt Hon Geoffrey
Roberts, Wyn *(Conwy)*
Robinson, Mark *(N'port W)*
Roe, Mrs Marion
Ross, Stephen *(Isle of Wight)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Thomas
St. John-Stevas, Rt Hon N.
Scott, Nicholas
Shaw, Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Silvester, Fred
Skeet, T. H. H.
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spence, John
Spencer, Derek
Spicer, Jim *(W Dorset)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Steen, Anthony
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stevens, Martin *(Fulham)*
Stewart, Allan *(Eastwood)*
Stewart, Andrew *(Sherwood)*
Stewart, Ian *(N Hertf'dshire)*
Stradling Thomas, J.
Sumberg, David
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thatcher, Rt Hon Mrs M.
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Waddington, David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Walker, Rt Hon P. *(W'cester)*
Wall, Sir Patrick
Waller, Gary
Walters, Dennis
Ward, John
Wardle, C. *(Bexhill)*
Watson, John
Watts, John
Wells, Bowen *(Hertford)*
Wells, Sir John *(Maidstone)*
Wheeler, John
Whitney, Raymond
Wiggin, Jerry
Wigley, Dafydd
Wolfson, Mark
Wood, Timothy
Woodcock, Michael
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Ayes:
Mr. Carol Mather and
Mr. Robert Boscawen.

NOES

Abse, Leo
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnett, Guy
Beckett, Mrs Margaret
Beggs, Roy
Beith, A. J.
Bell, Stuart
Benn, Tony
Bennett, A. *(Dent'n & Red'sh)*
Benyon, William
Bermingham, Gerald
Bidwell, Sydney
Blair, Anthony
Boothroyd, Miss Betty
Boyes, Roland
Braine, Rt Hon Sir Bernard
Bray, Dr Jeremy
Brown, N. *(N'c'tle-u-Tyne E)*
Brown, Ron *(E'burgh, Leith)*
Caborn, Richard
Callaghan, Jim *(Heyw'd & M)*
Campbell, Ian
Campbell-Savours, Dale
Canavan, Dennis
Carlile, Alexander *(Montg'y)*
Carlisle, John *(N Luton)*
Carter-Jones, Lewis
Chapman, Sydney
Clark, Dr David *(S Shields)*
Clarke, Thomas
Clay, Robert
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S.)*
Cohen, Harry
Concannon, Rt Hon J. D.
Corbett, Robin
Cormack, Patrick
Cowans, Harry
Craigen, J. M.
Crowther, Stan
Cunningham, Dr John
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric
Dixon, Donald
Dormand, Jack
Douglas, Dick
Dover, Den
Duffy, A. E. P.
Eadie, Alex
Eastham, Ken
Edwards, Bob *(W'h'mpt'n SE)*
Evans, John *(St. Helens N)*
Fatchett, Derek
Fields, T. *(L'pool Broad Gn)*
Fisher, Mark
Flannery, Martin
Foot, Rt Hon Michael
Forrester, John
Forsythe, Clifford *(S Antrim)*
Foster, Derek
Foulkes, George
Freeson, Rt Hon Reginald
George, Bruce
Godman, Dr Norman
Golding, John
Gould, Bryan
Gower, Sir Raymond
Greenway, Harry
Gregory, Conal
Hamilton, W. W. *(Central Fife)*
Harman, Ms Harriet
Harris, David
Harrison, Rt Hon Walter
Hart, Rt Hon Dame Judith
Hattersley, Rt Hon Roy
Haynes, Frank
Healey, Rt Hon Denis
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart *(Vauxhall)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Hunter, Andrew
Janner, Hon Greville
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Kellett-Bowman, Mrs Elaine
Kilfedder, James A.
Kilroy-Silk, Robert
Kinnock, Rt Hon Neil
Lamond, James
Latham, Michael
Leadbitter, Ted
Lewis, Sir Kenneth *(Stamf'd)*
Lewis, Ron *(Carlisle)*
Lewis, Terence *(Worsley)*
Litherland, Robert
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Edward
McCartney, Hugh
McCrea, Rev William
McKay, Allen *(Penistone)*
MacKenzie, Rt Hon Gregor
Maclennan, Robert
McTaggart, Robert
McWilliam, John
Madden, Max
Malins, Humfrey
Marek, Dr John
Martin, Michael
Mason, Rt Hon Roy
Maxwell-Hyslop, Robin
Maynard, Miss Joan
Meacher, Michael
Michie, William
Mikardo, Ian
Mills, Sir Peter *(West Devon)*
Molyneaux, Rt Hon James
Morris, Rt Hon J. *(Aberavon)*
Nellist, David
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Park, George
Patchett, Terry
Peacock, Mrs Elizabeth
Penhaligon, David
Powell, Rt Hon J. E. *(S Down)*
Powell, Raymond *(Ogmore)*
Prescott, John
Radice, Giles
Randall, Stuart
Redmond, M.
Rees, Rt Hon M. *(Leeds S)*
Rhodes James, Robert
Richardson, Ms Jo
Robinson, G. *(Coventry NW)*
Robinson, P. *(Belfast E)*
Ross, Wm. *(Londonderry)*
Rowlands, Ted
Sayeed, Jonathan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon R.
Short, Mrs R. *(W'hampt'n NE)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, Rt Hon J. *(M'kl'ds E)*
Smyth, Rev W. M. *(Belfast S)*
Snape, Peter
Spearing, Nigel
Stanbrook, Ivor
Stewart, Rt Hon D. *(W Isles)*
Strang, Gavin
Straw, Jack
Taylor, Rt Hon John David
Taylor, Teddy *(S'end E)*
Thomas, Dr R. *(Carmarthen)*
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Torney, Tom
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Wainwright, R.
Walker, Cecil *(Belfast N)*
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert
Weetch, Ken
Williams, Rt Hon A.
Winnick, David
Winterton, Mrs Ann

Tellers for the Noes:
Mr. Laurie Pavitt and
Mr. Michael Welsh.

Question accordingly agreed to.

Resolved,

That this House takes note of the Report of the Committee of Inquiry into Proposals to Amend the Shops Acts (Cmnd. 9376); accepts the case for the removal of legislative limitations on shop hours; and looks forward to the Government bringing forward legislation to remove such limitations.

Local Overseas Allowance (Germany)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Archie Hamilton.]*

10.27 pm

Sir Brandon Rhys Williams (Kensington): I am glad to have the opportunity to raise the subject of the reduction in local overseas allowance for service men in Germany. I am pleased that the chairman and one of the vice-chairmen of the Conservative Back-Bench defence committee are also present. I welcome them to this short debate.

The House knows that I do not generally seek to intervene in debates on defence matters, although I served my national service in a good regiment and spent some time abroad. We thought ourselves very short of money when we were on active service in Palestine in 1948. But all that was a long time ago.

I am seeking to raise this subject because I believe that the Government may have made a serious mistake in the way in which they have dealt with the overseas allowance for our service men in Germany on this occasion.

I should like to make known to the House the contents of a letter that I have received from a captain serving in Germany. I shall not read out all of it because it would not be fair to him if I were to identify him personally; but I am sure that he is speaking for a large number of our men in Germany. His letter is so well expressed that I do not think that I can do better than to open the debate by reading from it. He wrote on 2 May:

"As a volunteer single soldier, the reduction of Local Overseas Allowance . . . announced on April 11 (to take effect from August 1) cuts my annual net salary by one month's pay. As a single captain, I therefore stand to lose in excess of £600 per annum. When this reduction takes effect, a single captain will be some DM240 per month worse off now than he was in April 1981; taking into account changes in the rate of exchange between the pound and DM, previous LOA reductions and pay increases.

You will perhaps be aware that few people join the Army to make money, but I cannot think of any firm or organisation that would expect its personnel to endure an 8 per cent. drop in salary. The situation is aggravated by the fact that this comes in addition to increased commitments with reduced manpower which mean a greater work load per capita. This leads to a declining quality of life, principally through an inability to take one's full allowance of leave. Currently, in my Regiment the average amount of leave missed last year was 11 days per man, and that was during a period of less commitments than this year. Also, the chances for adventure training and sport are reduced dramatically . . .

Whilst there is the advantage of tax free prices from living abroad there is no question that we incur greater expenses than our comrades who serve in England. A newspaper costs on average three times as much out here . . . I am entitled to one free return flight home per year, and thus should I wish to see either friends or family more than once a year, I must either pay in excess of £75 for a civil flight, or drive back at a cost of £60 on average. Telephone calls are also expensive since one is making international calls each time one rings home . . .

It is perhaps worth exploding the myth that actions such as cutting allowances save money. Even though many soldiers were leaving before this announcement was made, due to the declining quality of life over here. I would suggest to you that the numbers leaving will increase further. This will lead to gaps in the middle management level of Corporal and Captain, as in the mid 1970s, with the best men leaving. Thus the vast cost of training these men is not balanced by an adequate return in terms of length of service and we have to incur the expense of training up more new recruits, with a lower grade middle management. I do not think that much of the £17,000,000 saved from LOA will be left for spending on other things.

I would therefore be grateful if you could make the strongest representations on behalf of both myself, and all others serving in BOAR, to the Government in an attempt to solve some of these problems. . .All of the money spent on new equipment will be entirely wasted if there are only second grade soldiers to man it. We need some action now if we are to avoid a crisis worse than existed in the mid 1970s; high unemployment is no deterrent to soldiers who wish to vote with their feet, since they usually posses qualifications which are much in demand in civilian life. I hope that you will feel able to take some action to remedy this situation, and I look forward to hearing from you."

I replied to the captain, but I also made some inquiries. It does not seem that that is an unbalanced or unreasonable expression of the views of our men serving in Germany. If that is true it is a serious matter, and deserves the attention of the House of Commons.

Sir Antony Buck (Colchester, North): The whole House is indebted to my hon. Friend for bringing the matter to the attention of the House. Many of us, including my hon. Friend the Member for Wealden (Sir G. Johnson Smith), have had representations and letters similar to the one from which my hon. Friend has just quoted. One of the most disturbing features, to which we hope the Minister will respond, is that in some cases, possibly through no fault of the Ministry, the first intimation that some of our forces had about the matter was through the media, which is a great shame, in addition to the basic facts.

Sir Brandon Rhys Williams: I am grateful to my hon. and learned Friend for mentioning that matter. I do not want to emphasise it too much, because mistakes can happen or there can be leaks, but it adds to the loss of morale and it is vital that we should avoid that.

I recognise that the decision to cut the allowances follows a statistical exercise. I shall not suggest that it has not been carried out in good faith and as competently as possible; but on examination of how it was done, how the rate of exchange is taken into account and other aspects of the calculation are dealt with to assess the comparative cost of living in Germany and Britain, I cannot escape the feeling that there is a substantial element of discretion in how the figures are decided. I wonder whether there might have been some anxiety in the Ministry of Defence to show willingness to accommodate itself to the Treasury, at any rate in this small way, by making the cut as severe as possible on the basis of the statistical exercise. If that was the thinking behind it, it was very short-sighted.

I have noted the replies that my right hon. Friend the Secretary of State gave the Select Committee on Defence on 8 May and I have seen the brief exchange during Question Time on 30 April; but we have not yet had a satisfactory statement. I hope that my hon. Friend the Minister will be able to reassure the House, or to say that the point has been taken on board and that the Ministry is preparing to make some concession which will compensate for the shock and disappointment that our men undoubtedly feel as a result of this recent announcement.

We are dealing with long-term personnel management. An incident such as this can stick in people's gullets for a long time. We must think about the best use of our human and material resources in Germany and ask whether the saving of £17 million was really worth the inevitable disappointment. Having served in industry for 20 years after leaving the Army, including some time in personnel management, it seems to me that service life is not so different from business in the rest of the state sector or, for

[Sir Brandon Rhys Williams]

that matter, in the private sector of industry. The men must be looked after. If they are not, the machines will not look after themselves. The first consideration is the morale of the men, the management or, in this case, the troops.

How do we value our men? Do we care about their morale? Does it matter if they take their knowledge and skills elsewhere, or is this all a fuss about nothing? In my opinion it is not a fuss about nothing, the men's morale matters and we must not allow them to vote with their feet. Loyalty is a two-way street. Our men must know that we have not forgotten them in Germany and that we are not trying to drive a hard bargain with them. If the traffic in one direction dries up, the reverse traffic—their loyalty to us—will begin to dry up as well. We do not want that result.

I shall not complain and seek to make a serious issue of the fact that the announcement was made in an unfortunate way. It is clear that the Secretary of State has taken that on board and will ensure that the mistake is not repeated. I am worried, however, about the long-term effect if the decision to make a small immediate saving has a disproportionately damaging effect on our defence capability and the long-term cost-effectiveness of our defence expenditure in Germany. We might be making the same mistake that the Labour party made in the 1970s when it did not keep pace with the natural desire of our police force to enjoy a reasonable standard of living and the self-respect that goes with it. We lost many men then that we could ill afford to lose. Moreover it is the best men that find it easiest to go.

Sir Geoffrey Johnson Smith (Wealden): The same thing happened with the Armed Forces.

Sir Brandon Rhys Williams: So I believe. The Ministry must be aware of past mistakes and is equal to providing a remedy now. I realise that pay and conditions in the services have been very much improved recently; but a sudden drop is a shock to men of all ranks and must be compensated for in some way.

The officer who wrote to me in the first instance, replied to my letter with what I hope is a constructive suggestion. He said:

"If financial remuneration is not possible, then perhaps the conditions of service could be improved. This could be done by increasing the number of free flights home per soldier per year. Alternatively, soldiers could be given the option of a free ferry ticket together with a motor mileage claim to the port of departure instead of using one of their free flights. Whatever happens, if something is not done shortly, the quantity of soldiers leaving will increase, and there will be a large decrease in the overall quality of the British Army."

My hon. Friend must reassure the House about that problem tonight. I hope that he will not think that I am seeking to make difficulties for him or to stir up trouble among our men in Germany. That would be the last thing that I or any Conservative Member would seek to do. My hon. Friend has a problem, which at present has not been solved. He must address himself to it sincerely and competently.

10.40 pm

Sir Geoffrey Johnson Smith (Wealden): I am most grateful to my hon. Friend the Member for Kensington (Sir B. Rhys Williams). As my hon. Friend the Minister knows, I am an officer and a Conservative Back Bench Member, and take a keen interest in these matters through my involvement with the military committee of NATO.

I recognise that the Government have a splendid record in defence matters. That includes both equipment and the terms and conditions of service, which have been substantially improved since they came to office. However, I know from the information that I have received that this matter has caused some anxiety. A straightforward financial comparison between the cost of living here and in the Federal Republic of Germany is not a true comparison. We are all aware that certain special conditions attach to service in Northern Ireland, which makes it a little more attractive for those who spend any length of time there. I hope that when my hon. Friend replies he will be able to give us some satisfaction on that score.

10.41 pm

The Parliamentary Under-Secretary of State for Defence Procurement (Mr. John Lee): I am grateful to my hon. Friend the Member for Kensington (Sir. B. Rhys Williams) for providing this opportunity to comment on the reductions in local overseas allowance which are taking place in Germany. I am well aware of the anxiety expressed by hon. Members, the press and many ordinary members of the public about those reductions. Obviously, I take note of the comments of my hon. and learned Friend the Member for Colchester, North (Sir A. Buck) and my hon. Friend the Member for Wealden (Sir G. Johnson Smith). The fact that we have about a 400 per cent. increase in attendance on the Back Benches compared with the normal Adjournment debate demonstrates the degree of parliamentary interest in this subject. I should like, therefore, to give the House a full explanation of how the LOA system works and of the reasons for the outcome of the recent LOA review in Germany.

The purpose of the local overseas allowance is to supplement the pay of service men in those areas where their expenditure on items of day-to-day living is necessarily higher than in the United Kingdom. It is a compensatory cost of living allowance and it is therefore free of income tax. It is assessed separately for each overseas theatre. The approach to and methods used in each individual assessment are always the same, irrespective of location, and rates will differ as a reflection of local prices and conditions. They will also vary according to the individual's marital status and rank.

I stress that the allowance is not paid as an inducement to, or reward for, service overseas or long hours worked or, indeed, in respect of the potential dangers inherent in service with the Armed Forces. Those factors are taken into account when assessing the correct level of service pay. Pay levels for the services are established by the independent Armed Forces pay review body. As part of the AFPRB process of assessment; it identifies an extra payment, known as the X factor, which is added to basic pay to compensate service men for such things as their liability to work long hours without extra pay and the potential danger and turbulence involved in their work. The X factor currently amounts to 10 per cent. of pay in the case of service men and 7·5 per cent. for women.

Similarly, LOA is not designed to cover the extra costs of non-essential or luxury items, such as cameras or hi-fi, or to help with the purchase of tax-free capital goods in an overseas location. It is important to realise that LOA is

designed to cover the extra costs to people in general—the average service man or woman. We recognise that individual expenditure patterns will differ from the assumptions made about the average man, but for clear practical reasons it cannot be based on individual circumstances. In Germany alone we would be faced with 65,000 separate assessments were we to do otherwise.

It is obviously important to the Armed Forces that any system for compensating service personnel for extra day-to-day living costs, brought about by their service overseas, should be seen to operate, and should in practice operate, fairly, irrespective of the overseas theatre in which they may be stationed. Service personnel in receipt of LOA are based in many countries as far apart as Hong Kong, Australia, the United States and, of course, closer to home, in various western European countries. Inevitably the difference between the cost of living in Britain and in the countries overseas where our Armed Forces are serving will narrow as well as widen. It is inescapable, therefore, that there will sometimes be LOA reductions as well as LOA increases.

I have laid emphasis on explaining the policy and underlying philosophy for the payment of local overseas allowances. I should now like to turn to the operation of the system and to explain in more detail the workings of the process. LOA is regularly reviewed so that it fairly and accurately reflects additional living costs. An LOA review team normally comprises a representative of a service personnel branch, a Treasury and-or Ministry of Defence finance division representative and an independent chairman together with a secretary from the central staffs, whose job it is to arbitrate between the personnel and finance divisions.

Full reviews are undertaken every three years, and each year close to the anniversary of the full review the review team carries out a repricing of the LOA budget, based on the standards assessed at the review. In this way, LOA is kept in touch with overseas price movements, and the problems which would otherwise be caused by significant pay and price variations between the trienniel reviews are reduced. Each review is carried out extremely thoroughly and in the greatest detail, and covers all the major items of expenditure that a service man would incur—food, clothing, drink, cars, sport, recreation, entertainment, holidays and so on. It also provides for any necessary adjustments to service lifestyles from those in the United Kingdom as a result of local conditions.

A new cycle of LOA reviews began in October 1984 based on the latest data collected from a survey of expenditure by service personnel in the United Kingdom. The 1984 survey was restructured to reflect more accurately the overseas position and, for example, established more evidence on service men's expenditure on weekend holidays, ownership of home videos, the scale of home entertainment, hobbies and several other expenditure headings relevant to the calculation of the LOA budget. We also investigated closely the types of goods and services bought and their weighting in the budget. As a result, we changed some products in the notional LOA shopping basket to reflect known shopping patterns more closely.

The new cycle of reviews has resulted in some substantial increases in LOA, with exceptions in some cases for single personnel. About 5,000 have benefited from the reviews, for example, in Cyprus, Italy, Sardinia, Gibraltar, Portugal, the United States, Denmark and Belize. However, in the case of Germany, a review in March based on the same criteria used for reviews in those other countries concluded that LOA should be reduced. The review in Germany necessitated the employment of two full LOA teams, which undertook a detailed survey during the whole of March. In addition to the armed forces representatives on the team, observers from the British Army of the Rhine and RAF Germany were attached to the team throughout the entire review process. Prices were taken at many locations—in NAAFI and German shops, hotels, garages, messes, and places of entertainment. Representatives of service personnel stationed in Germany and their wives were also interviewed, and the findings of the review were considered most carefully before the reductions were announced.

Inflation in Germany continues to remain lower than in the United Kingdom, and the cost of most items for day-to-day living is the same or less in Germany. In addition, the benefits of duty-free prices must be taken into account. For example, at the time of the review in Germany, a packet of 20 cigarettes in NAAFI cost 47p; a pint of beer in a corporal's mess cost 40p; and duty-free petrol cost 94p per gallon which, taken in conjunction with other costs and non-payment of road tax, reduces car running costs to about two thirds of those in the United Kingdom. The main factors which result in LOA continuing to be paid in Germany include the loss to the service man on the sale of his car in the United Kingdom, higher car ownership and car mileages in Germany, the need for extra clothing to combat the cold and the costs of running a second bank account.

The local overseas allowance review in Germany not only took into account the most recent information on shopping patterns, but also made improvements in the compensation for losses on car sales in the United Kingdom and on wear and tear on washing machines; in the cost of a second bank account; and in holiday provision for single personnel. Holiday provision is important, because it is acknowledged that it is not easy to visit friends and relatives in the United Kingdom, so it is assumed for LOA purposes that all personnel spend 21 nights with full board in an hotel and have seven nights camping costs. It is the cost of hotel accommodation, baby-sitting costs, home entertainment and extra clothing for the family which create the differences in LOA rates between married and single personnel.

We fully understand that many service men and women have commitments which they cannot quickly reduce, and although it is made clear that LOA is not intended for the purchase of capital goods, the implementation of the recent LOA reductions has been deferred until 1 August. This is two months later than would apply under the normal rules for this allowance. Increases elsewhere in the world have been put into effect at the beginning of the month following the LOA review.

There has been criticism that service men and women in Germany first heard of the LOA reduction from the media. This point was referred to by my hon. and learned Friend the Member for Colchester, North. The difficulty here is that our experience has shown that a reduction in LOA in Germany is publicised by the media almost immediately it is announced to units. Given the number of service men and women away from barracks at any one time, either in transit or on exercises or other duties, it is

[Mr. John Lee]

impossible to avoid the situation in which many of them first hear of an LOA reduction through the media. We will, however, give this aspect further consideration.

We all recognise in the Ministry of Defence that life in Germany is demanding, and are very much aware of the extremely high standards that our service men in BAOR and RAF Germany achieve, as I have noted on my visits. However, LOA is intended only to reflect cost of living factors and cannot be kept at a higher level than the extra cost of living in Germany would justify. The very understandable disappointment at the reductions resulting from the recent LOA review in Germany has to be balanced against the warm welcome given to the increases in LOA that the same system has produced elsewhere.

It is of great importance to the armed forces overall to have a system for ensuring that, as far as it is administratively possible, service men and women are compensated, but not over-compensated, for increases to their costs of living when they are serving overseas. I hope that I have been able to explain to the House the reasons for our decision, which must stand.

We are of course concerned about the well-being and morale of our troops stationed in Germany and we recognise the importance of pay and allowances, but it is equally important to uphold morale by ensuring that our troops are properly and fully equipped, and we are proud of our record in this regard.

I freely acknowledge that, human nature being what it is, no one likes to have something reduced or taken away, but those in receipt of local overseas allowances must appreciate that they are concessionary and can be adjusted upwards or downwards and thus that service personnel must plan their financial commitments accordingly.

Sir Antony Buck: We are most grateful to the Under-Secretary of State for dealing with the matter so fully. Would he consider it to be appropriate to spell out in a slim Government document the substance of what he has just said for distribution not only among the Armed Forces, by whom I think it will be well received, but also among those hon. Members who try closely to follow these matters? It is not mentioned in the White Paper.

Mr. Lee: I am grateful to my hon. and learned Friend for his suggestion, which I shall certainly consider with my ministerial colleagues.

I emphasise to the House that the principles behind LOAs have not changed and have remained the same for many years under successive Governments.

Question put and agreed to.

Adjourned accordingly at seven minutes to eleven o'clock.

House of Commons

Tuesday 21 May 1985

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

BATH CITY COUNCIL BILL *[Lords]*

GREATER MANCHESTER BILL *[Lords]*

LUTON BOROUGH COUNCIL BILL *[Lords]*

PLYMOUTH MARINE EVENTS BASE BILL
Considered; to be read the Third time.

LINCOLN CITY COUNCIL BILL *(By Order)*
Read a Second time, and committed.

Oral Answers to Questions

EDUCATION AND SCIENCE

Expenditure

1. **Mr. Knox** asked the Secretary of State for Education and Science what was total expenditure on school education in England in 1978-79 and how this compares with expenditure in the most recent year for which figures are available, at constant prices.

The Parliamentary Under-Secretary of State for Education and Science (Mr. Bob Dunn): Current expenditure on schools by local education authorities in England amounted to £6,708 million in 1978-79 and £6,885 million in 1983-84, the latest year for which firm figures are available. Both figures are at 1983-84 prices.

Mr. Knox: As the school population has fallen by about 1 million, and as total expenditure on education has risen in real terms since 1978-79, does my hon. Friend agree that these figures show clearly the high priority that the Government are placing on school education? By how much has expenditure per pupil at school risen in real terms since the Government came into office?

Mr. Dunn: My hon. Friend is right in his interpretation. Expenditure per pupil in real terms has risen steadily since 1979 and is now at its best ever level. Expenditure per primary pupil increased by 17 per cent. and per secondary pupil by 12 per cent. between 1978-79 and 1983-84.

Mr. James Lamond: How does that compare with expenditure per pupil at Harrow and Eton and such schools?

Mr. Dunn: I am not in a position to say.

Mrs. Virginia Bottomley: Does my hon. Friend agree that expenditure per pupil does not tell the whole story? Why does the Inner London education authority spend more on its secondary school pupils than any other education authority when only one in seven get five or more O-levels—only six of the 96 education authorities do worse than that—whereas Surrey, spending about average for shire counties per secondary school pupil, has one in three pupils leaving with five or more O-levels? Does my hon. Friend further agree that parents and pupils want efficient and effective education, not a mindless demand for more resources?

Mr. Dunn: I congratulate my hon. Friend on the nature, robustness and thrust of her supplementary question. As she rightly says, there is no simple relationship between expenditure and the quality of education. Were that the case, ILEA would be top of the league in all respects.

Mr. Radice: Is the Secretary of State not planning for cuts in real terms over the next three years, and for cuts in expenditure per pupil? Should the Minister not tell the House that?

Mr. Dunn: As the hon. Member knows, our plans for current expenditure by local authorities this year are consistent with our commitment to a continuing improvement in educational standards. The plans for education spending by authorities in later years, set out in the 1985 public expenditure White Paper, are provisional. They will be revised later this year after consultation with the local authorities and in the light of circumstances and the prospects then prevailing.

Mr. Radice: In other words, I am right.

Mr. Dunn: No.

Teachers (Pay)

2. **Mr. Leigh** asked the Secretary of State for Education and Science if he will make a further statement on the teachers' pay dispute.

3. **Mr. Nellist** asked the Secretary of State for Education and Science if he will make a statement on the current teachers' pay dispute.

8. **Mr. Hancock** asked the Secretary of State for Education and Science what progress has been made since 2 May to resolve the current teachers' pay dispute.

11. **Mr. Maude** asked the Secretary of State for Education and Science whether he will make a statement on the teachers' dispute.

18. **Mr. Holt** asked the Secretary of State for Education and Science if he will make a statement on the current dispute between teachers and their employers.

19. **Mr. Roy Hughes** asked the Secretary of State for Education and Science if he will make a statement about the progress of the teachers' pay talks.

The Secretary of State for Education and Science (Sir Keith Joseph): The Burnham committee met on 15 May, when constructive informal exchanges took place between the leaders of the two sides. The independent chairman noted that neither side had committed itself to a particular line or figure. Discussion is to be resumed on 23 May.

Mr. Leigh: Does my right hon. Friend agree that the present negotiating machinery does not work adequately? Will he therefore institute urgent reform of the Remuneration of Teachers Act 1965 to ensure that new machinery is devised which will include appraisal of teachers' performance and a restructuring of their salary levels?

Sir Keith Joseph: I am ready to be convinced, but I have not yet been, that a structural change is necessary. What my hon. Friend wishes for exists to a large extent in Scotland without achieving the purpose he has in mind.

Mr. Nellist: The Secretary of State is aware that the Conservative party lost control of a large number of shire counties about 10 days ago and that more and more of the local education authorities are now saying that the teachers deserve a decent rate of pay. Will he therefore say that if a better offer should be made, rate capping and other financial restraints will be lifted to enable more money to be found to give a decent rate of pay to the teachers?

Sir Keith Joseph: As I have said several times before, the answer to that question is no.

Mr. Hancock: As the Burnham negotiations are continuing to break down, does the Secretary of State not think that it is about time that he personally became involved and took over the negotiations with the teachers? I draw to his attention early-day motion 681. I hope that he will use it as a formula for a settlement of the dispute.

Sir Keith Joseph: I have seen early-day motion 681, but we must wait and see what happens in Burnham, which meets again on Thursday next.

Mr. Maude: Is my right hon. Friend aware that if our schools are to provide the kind of education that our children need it is vital that there should be a drastic restructuring of the teaching profession? Is he also aware that it is important to make it clear that should such a restructuring be agreed, money will be made available to finance it?

Sir Keith Joseph: My hon. Friend knows that I have urged the employers and the teachers to negotiate such a restructuring and that I have said that if the result appears to me to be educationally desirable and financially affordable I shall take it to my colleagues.

Mr. Holt: In view of my right hon. Friend's disappointing reply, will he say what hope he has for the pupils and teachers at the Endeavour school in Middlesbrough, a school for those with special handicaps, a third tranche of whom will have to suffer inconvenience after the Whitsun holiday unless there is a resolution of the dispute?

Mr. Skinner: It is not true.

Mr. Holt: It is true.

Sir Keith Joseph: I would rather speak in general about the behaviour of those teachers who are disrupting or who are on strike and say that I think they are letting down their profession, seriously damaging the interests of the children and doing great harm to the households of many parents.

Mr. Roy Hughes: Has the Secretary of State fully considered the fact that the morale of teachers is at an all-time low? Does he not appreciate the detrimental effect that this can have upon the long-term future of our children? Why does he not provide extra money in order to try to reach an amicable settlement?

Sir Keith Joseph: I have also borne in mind that in several cases the union leaders have been systematically, in my view, misleading the members of their unions. The teachers' unions have refused to negotiate, to arbitrate or even to discuss the restructuring which the employers have asked them to talk about.

Mr. Mark Carlisle: Is my right hon. Friend aware that, as from today, the National Union of Teachers has called out the teachers in four schools in my constituency, three of them primary schools, and that this has been put forward publicly on the basis that these schools are in the constituency of a former Secretary of State for Education and Science? Does my right hon. Friend agree with me that one can have no possible shred of respect for the leadership of a union which attempts to justify its behaviour upon such a spurious ground? Will he sadly confirm my view that as a body the NUT is becoming the gravest danger to the professional standing of teachers?

Sir Keith Joseph: I sympathise with the parents and children in my right hon. and learned Friend's constituency, but the behaviour of any union and teacher who damages the children's education is unforgiveable.

Mr. Flannery: Is it not a fact that inflation is running at 6·9 per cent. and rising, that teachers have been offered 4 per cent., that they have lost 30 per cent. and yet they are the most moderate group of people and are struggling for a living wage? Will the Minister make it clear that he has 15 votes on the Burnham committee and that he has used them twice recently to stop a negotiated settlement? Does he accept that that is the reality and that the struggle will go almost indefinitely unless more money is placed on the table to give the teachers a living wage?

Sir Keith Joseph: Let me agree with one point made by the hon. Gentleman—most teachers are moderate and hardworking and take their job seriously. Let me also tell the House that the votes to officials of the Department were provided during the time of or in the Remuneration of Teachers Act 1965, which was passed by a Labour Government.

Mr. Madel: Should not classroom disruption stop at once and both sides make a real effort to get a three-year pay deal which should have within it the beginnings of great rewards for effective teachers?

Sir Keith Joseph: I very much agree with the general gist of my hon. Friend's question. I wish that the teachers would go back to negotiations, and let us hope that on Thursday they start to do so.

Mr. Freud: If the Secretary of State wishes the teachers to negotiate, will he at least press his Cabinet colleagues to allow those authorities which overspend their targets not to be penalised?

Sir Keith Joseph: No, Mr. Speaker, that would be providing further public money, and I have already told those concerned that that is not what the Government intend to do.

Mr. Haselhurst: In this present difficult situation, does it not need constant re-emphasis that there is a

prospect of more money if only the teachers and employers can reach agreement on the lines suggested by my right hon. Friend?

Sir Keith Joseph: I am grateful to my hon. Friend for reminding the House of that. The answer is definitely yes.

Mr. Campbell-Savours: Is the Secretary of State not more than pleased that the NUT has exempted certain authorities from industrial action?

Sir Keith Joseph: I am glad that any school that would otherwise be disrupted is not disrupted, but I cannot in any way respect the NUT's decision to exempt some authorities and not others. The children are in the charge of teachers who are failing in their responsibilities.

Mr. Favell: Is my right hon. Friend aware that in the metropolitan borough of Stockport today no members of the NUT are on strike in the constituency of Denton and Reddish, but that they are on strike in the constituencies of Stockport and Hazel Grove merely because the hon. Member for Denton and Reddish (Mr. Bennett) has given wholehearted support to the NUT's action whereas I and my hon. Friend the Member for Hazel Grove (Mr. Arnold) refused to do so? Are the pupils not being used as political footballs, and has my right hon. Friend a word to describe that kind of pressure being brought on hon. Members?

Sir Keith Joseph: I repeat only that I deplore the thoroughly unprofessional behaviour of those teachers' union leaders who are conducting that policy and those teachers who co-operate with them.

Mr. Radice: Will the Secretary of State veto any Burnham settlement above 4 per cent?

Sir Keith Joseph: The hon. Gentleman knows that the veto, which came in at about 1965 when a Labour Government were in office, is not a matter about which I am prepared, or any holder of my office has ever been prepared, to make predictions.

Youth Training Scheme

4. **Mr. Boyes** asked the Secretary of State for Education and Science when he will next meet the chairman of the Manpower Services Commission to discuss the second year of the youth training scheme.

Sir Keith Joseph: Officials of the Department and I are in regular contact with the chairman of the Manpower Services Commission and his staff about matters of mutual interest, including the proposals to expand and develop the youth training scheme.

Mr. Boyes: When the right hon. Gentleman next meets the chairman of the Manpower Services Commission, will he tell him that if we go in for a second year of the youth training scheme, the Government will be more than doubling in real terms the budget available for training? Is he aware that we are suspicious because the wages of youngsters have been dramatically eroded? Is he further aware that if he does not do that it will appear to us that he is after training on the cheap, or, at worst, that he is interested not in training but only in keeping the unemployment figures down?

Sir Keith Joseph: While that supplementary question should be addressed to my right hon. Friend the Secretary of State for Employment, I could not possibly accept that the young people concerned are being treated in the way that the hon. Gentleman suggests. They are being given, for the first time, an opportunity for positive training after they leave school if they are not in a job.

Mr. Robert Atkins: Will my right hon. Friend confirm that, despite the views of the dafties on the Labour Benches, the YTS has been an exceedingly successful scheme, with about 70 per cent. of those taking part getting jobs afterwards, and that an extension to two years would prove an extra benefit?

Sir Keith Joseph: I confirm that the YTS is a successful scheme, though I am not the Minister to whom detailed questions about exact figures should be addressed.

Mr. Park: The right hon. Gentleman will be aware that there is already a two-year scheme in Northern Ireland. Does he agree that if the results of introducing a two-year scheme in England prove to be the same as in Northern Ireland—that is, that even at the end of two years no jobs are available—we shall be no further forward? Would it not be wiser for the Government to amend their economic policy so as to secure jobs for these youngsters?

Sir Keith Joseph: One cannot always read across conditions from Northern Ireland to this country or reciprocally. I only wish that we had in our schools in England the academic results that are achieved in Northern Ireland.

Mr. Rowe: Is my right hon. Friend aware that when representatives of the CBI came to meet the Select Committee on Employment they said that one of their worries was that in the second year of the YTS they might be short of people with teaching skills? In view of the falling morale among teachers because of a lack of promotion prospects, will my right hon. Friend consider making it easier for teachers to enter training rather than teaching?

Sir Keith Joseph: I do not think that that calls for action by me. It is up to the individuals concerned.

Mr. Canavan: May we have an assurance that any extension of the YTS will mean genuine training and employment opportunities for young people, instead of it being just another opportunity for some unscrupulous employers to exploit them with slave labour wages, throwing the youngsters back on the dole queue after two years instead of one?

Sir Keith Joseph: I know enough to know that the hon. Gentleman is grossly distorting the results of the YTS. However, relatively precise questions about the YTS are for my right hon. Friend.

Mr. Baldry: Further to that supplementary question from the hon. Member for Falkirk, West (Mr. Canavan), is my right hon. Friend aware that the Select Committee on Employment invited representatives of the British Youth Council to draw attention to six bad schemes which they alleged existed? That was six weeks ago. To date, we have yet to hear of any bad schemes. Does my right hon. Friend agree that that suggests that the allegation that the YTS is exploited is simply a slur by those who seek to attack and undermine this valuable scheme?

Sir Keith Joseph: Opposition Members who go in for such generalised smears damage the very people whom they purport to want to help.

Mr. Sheerman: Is the Secretary of State aware that there is widespread concern lest the second year of the YTS falls more into the hands of the private training agencies than of employers or mode B providers? Is he further aware that the record of those agencies on high quality educational content has not been good? Will he ensure that the Department's team is in there fighting for high educational content in the second year, linked to further education generally?

Sir Keith Joseph: I am not one who seeks to evade questions, but supplementary questions of that type are for my right hon. Friend the Secretary of State for Employment.

Mr. Speaker: Mr. Latham, question No. 5.

Mr. Nellist *rose*——

Mr. Speaker: I did not call the hon. Member for Coventry, South-East (Mr. Nellist). I called the hon. Member for Rutland and Melton (Mr. Latham).

Mr. Nellist: I am the only one left to put a supplementary on question 4.

Mr. Speaker: The hon. Member may be. Mr. Latham.

Natural Environment Research Council

5. **Mr. Latham** asked the Secretary of State for Education and Science whether he will make a statement on his decision regarding the corporate plan of the Natural Environment Research Council.

The Parliamentary Under-Secretary of State for Education and Science (Mr. Peter Brooke): Both the Department and the Advisory Board for the Research Councils have encouraged the research councils to produce corporate plans. Beyond that it is not for my right hon. Friend to make a decision on a corporate plan in the way implied.

Mr. Latham: Is my hon. Friend aware that the distinguished scientists of the British Geological Survey are concerned that this corporate plan will mean less geology and more administration? Will my hon. Friend set up an independent inquiry to ascertain whether the BGS should leave the research council altogether?

Mr. Brooke: I understand my hon. Friend's concern, although I cannot go all the way with him on the precise subject of an inquiry. I agree that there is a case for a study into the national needs of geological surveying activities, and I shall ensure that that suggestion is sympathetically considered.

Mrs. Renée Short: Does the hon. Gentleman understand how important it is for the Government to be seen to support our scientific institutions of international repute? If these institutions fail, we shall lose to our competitors even more of our distinguished scientists than we have lost already.

Mr. Brooke: I am delighted to tell the hon. Lady that, since 1979, the science budget has increased in real terms by 8 per cent.

Teachers (Pay)

9. **Mr. Greenway** asked the Secretary of State for Education and Science if he will make a statement on the progress of talks on the restructuring of teachers' salaries.

Sir Keith Joseph: There has been no further progress since the National Union of Teachers led the teachers' panel out of discussions in the Burnham joint structure working party on 5 December.

Mr. Greenway: Has any progress been made on the means of implementing an appraisal system? If so, how will this be done?

Sir Keith Joseph: Alas, the teachers' unions have blocked the taxpayers' money that I have set aside for pilot appraisal schemes. I am eager to embark on those schemes as soon as possible. In the meantime, I am convening a conference in the autumn on the subject of appraisal, to which local education authorities and teachers' representatives will certainly be invited.

Mr. Skinner: Is the right hon. Gentleman aware that the teachers are incensed about the issue of pay and restructuring, partly because education spending since the Tory party came to power has been surpassed by the amount spent on defence? The teachers believe that the £4 billion more that is now spent on defence shows that this Government think that education has a low priority. The teachers know also that in 1980, after the Tory party was elected, the Secretary of State doubled his money. Every Tory Minister has made up for all the lost ground and now earns more than £40,000 a year. If Ministers can make up lost ground in pay, the teachers are right to ask, "Why can we not make up for all the ground that has been lost during these Thatcher years?" The other day I read that the bosses made 30 per cent. more money in 1985. Is it any wonder that teachers fight for a better standard of living?

Sir Keith Joseph: During the past seven to eight years there have been about 15 per cent. fewer children in our schools to be taught. That accounts for the fall in the amount of money available for education. In the case of defence, it sometimes seems that the opponents of this country are ever more numerous.

Mr. Colvin: With 1 million children affected by strike action this week, will my right hon. Friend endeavour to incorporate a no-strike clause in any future formula which may be agreed for teachers' pay?

Sir Keith Joseph: I am grateful for that constructive suggestion. My representatives play only a limited, although important, part in the negotiations. I am sure that the employers will note that suggestion.

Mr. Stern: Does my right hon. Friend agree that, given the attitude of the teachers' unions in wholely ignoring the restructuring talks, which offer the best hope of better conditions and salaries for union members, the teachers have made it clear that the purpose of the current action has less to do with pay and more to do with inter-union and internal union rivalries?

Sir Keith Joseph: I am glad that my hon. Friend has mentioned that. It is clear that the teachers' unions are not exactly unanimous among themselves.

Mr. Flannery: Why does the Secretary of State not admit, rather than conceal the fact, that the teachers are not against restructuring or reassessment? Will he admit that what the teachers oppose is his insistence on tying the two things together in terms of the current wage demand? Is he aware that the teachers want new money on the table because they have lost out in all the years of Conservative Government, but that after they have obtained that

increase they will willingly discuss what is to happen about restructuring and reassessment? It is not true that the teachers are against that. Tell the truth.

Sir Keith Joseph: They give the impression of being against any restructuring whatever, but I know that the NUT pamphlet declares its sympathy for appraisal in some context and I am encouraged by that.

Mrs. Rumbold: As the discussions on restructuring coupled with the current pay dispute have done little if anything to improve the image of the teaching profession among the general public, and as my right hon. Friend shares the ambition of many Members, myself included, of wishing to attract the best possible people into the teaching profession, will he assist by explaining how we are to encourage young people to enter the teaching profession at the present time?

Sir Keith Joseph: I believe that a restructured profession, with all that that implies, must come sooner or later. I believe that that will make it even more worth while for the kind of people whom my hon. Friend and I wish to see enter the profession.

Mr. Park: Given the fact, which no one seems to have challenged, that teachers' pay has slipped by about 30 per cent., will the Secretary of State draw on his experience at the Department of Industry and realise that he must sort that out first before going on to deal with restructuring, because until he faces that issue relationships will continue to be atrocious?

Sir Keith Joseph: The hon. Member reminds me of my experience with industry, in which there are virtually no secure jobs. The teachers have almost total security of employment and are thus much envied by many people. I believe that hankering back to comparability would bring back the rocketing inflation and unemployment which it brought to this country in the past.

Mr. Hind: Is my right hon. Friend aware that many teachers taking industrial action are doing so out of sheer frustration and that it is hurting them as much as it hurts the children whom they teach? Bearing that in mind, will my right hon. Friend do all that he possibly can to try to solve the teachers' pay dispute in the long term as well as the short term? Will he also consider the scrapping of Burnham and the merging of two committees, one dealing with terms and conditions and the other dealing with pay?

Sir Keith Joseph: I agree that many teachers must be striking or disrupting with heavy hearts and I respect the large number of teachers and some unions who are unwilling to disrupt at all, but I must correct the impression given by my hon. Friend. The teachers are using methods of disruption which are virtually costless to themselves but very costly to the children.

Mr. Freud: Having given conflicting replies to me and to the hon. Member for Sheffield, Hillsborough (Mr. Flannery), and having confused his hon. Friend the Member for Banbury (Mr. Baldry), will the Secretary of State now tell us what sort of appraisal he has in mind, if he has anything in mind at all?

Sir Keith Joseph: I have in mind a system or systems to be worked out with the employers and the teachers themselves. There is no question of imposing one particular, precise drill. It is important that the employers and the teachers, with the Department, should formulate methods of appraisal that will be fair and satisfactory. The House should realise that appraisal already takes place informally all the time—for instance, when promotions are offered. I am merely asking that there should be a formal procedure.

Mr. Dickens: Although, by and large, the majority of teachers do a good and dedicated job for their pupils, is it not true that many parents are aware that there are some thoroughly bad teachers? If we have to reduce the number of teachers to match the falling birth rate, should we not make sure that we lose the very bad teachers? That can be achieved only through an appraisal system in which the teachers themselves take part. Let us lose the bad teachers and keep the good ones.

Sir Keith Joseph: The purpose of appraisal is far more constructive even than that. It is to offer in-service training and career development opportunities for all teachers.

Dr. Glyn: Does my right hon. Friend agree that it is most important that appraisal should be carried out by independent people, so that both teachers and employers feel that it is entirely independent?

Sir Keith Joseph: I think that I can agree with my hon. Friend in principle, to the extent that the appraisal should be conducted by a method respected by all concerned. I am not prepared at this stage to say that it should be carried out by independent people.

Primary Education

10. **Mr. Rowe** asked the Secretary of State for Education and Science how many children entered primary education in the latest year for which figures are available who were unable to speak English.

Mr. Dunn: This information is not held by the Department.

Mr. Rowe: As we know that a considerable number of children enter primary education without a command of English, is my hon. Friend content with the present arrangements for the recruitment, training and employment of teachers who are members of the minority groups from which a number of those children come, and who are capable of speaking in the languages that the children use when they start school?

Mr. Dunn: The Department is concerned about that point. However, we must never reduce standards to admit teachers with certain ethnic backgrounds. To do so would be unfair to them and to the children whom they aim to serve.

Mr. Pavitt: Will the Minister give praise to education authorities such as Brent which, with a large influx of Gujarati children, was able to set up language laboratories and overcome the difficulty in that way? Will the Minister ensure that rate capping will not prevent youngsters entering primary school from learning English?

Mr. Dunn: I welcome good practice wherever it exists. Rate capping and the problems caused by it are matters for the local authority.

Swann Report (Ethnic Minorities)

12. **Mr. Thurnham** asked the Secretary of State for Education and Science what consultations have been instigated by his Department following the publication of the Swann report on ethnic minority education.

Mr. Dunn: The Department is currently exploring with the education service and the ethnic minorities the collection of ethnically based statistics, and will be seeking views shortly on how best to increase the proportion of ethnic minority teachers. Other consultations will follow in due course.

Mr. Thurnham: Will my hon. Friend confirm that there will continue to be a strong emphasis on religious education in our schools?

Mr. Dunn: Yes, Sir. We have made it plain on many occasions that we are committed to upholding the provisions of the Education Act 1944 relating to religious education in schools and, of course, morning assembly.

Mr. Greenway: I recently visited two weekend schools where the culture, religion and language of the ethnic minority concerned are taught out of school time. Is that not a most commendable practice?

Mr. Dunn: Entirely so. Much can be done within the maintained school system, but I look to the ethnic minorities themselves to teach their culture, standards and language out of school times and at weekends, when they can most adequately do so.

Mr. Faulds: Does the Minister realise how important it is for the integration and wholesomeness of British society that the recommendations in the Swann report should be regarded and some action taken on them?

Mr. Dunn: Yes, Sir.

16 to 19-year-olds

13. **Mrs. Clwyd** asked the Secretary of State for Education and Science what discussions he has had with the chairman of he Manpower Services Commission on financial provision for 16 to 19-year-olds.

Sir Keith Joseph: The Government have invited the Manpower Services Commission to consult employers and other interests about the implementation of the extended youth training scheme, but I have not recently discussed with the chairman of the MSC the question of financial support for 16 to 19-year-olds in full-time education.

Mrs. Clwyd: Is the right hon. Gentleman aware that at least 20,000 young people from working-class homes will be forced to go out to work or on to youth training schemes because their parents cannot afford to keep them in full-time education? Will he urge the MSC to re-examine the need for a proper education maintenance allowance? If the right hon. Gentleman will not stand up for those young people, perhaps the chairman of the MSC will.

Sir Keith Joseph: I should be grateful if the hon. Lady would send me the evidence that supports the figures that she has so confidently produced, because my evidence shows that the staying-on rate is nearly at record levels.

Mr. Latham: Can we be sure that the new two-year scheme is intended to be a proper, integrated scheme rather than a mere extension into a second year?

Sir Keith Joseph: I think that I can give that assurance, but matters of detail are for my right hon. Friend the Secretary of State for Employment.

Mr. Nellist: In his discussions with the chairman of the MSC, has the Secretary of State commented on the allowance paid to youngsters on YTS, which, had it been increased in line with inflation or earnings in the past six years, would have been £40 instead of the miserable £26·25 which the Government are paying? How does the right hon. Gentleman justify Cabinet Ministers getting a 10 per cent. rise in salary last year, directors of private companies getting an 11 per cent. rise, profits rising at 20 per cent., but youngsters on YTS having their allowance cut year after year?

Sir Keith Joseph: These are not my direct responsibilities but those of my right hon. Friend. I agree that at the heart of youth unemployment might in many cases be higher earnings than the market will pay them or than employers find it profitable to pay. If the hon. Gentleman wants to reduce youth unemployment, he should take these arguments very seriously.

Mr. Favell: Does my right hon. Friend agree that the vast majority of parents are happy to accept responsibility for maintaining their children?

Sir Keith Joseph: Yes, Sir.

Mr. Sheerman: Is the right hon. Gentleman aware that the evidence exists and that we shall give it to him? At least 20,000 young people from working-class homes have to go on YTS instead of staying on in further education. It is worrying to hear the Secretary of State more or less saying that he has no responsibility for those who go on YTS, for the educational part of their courses or for integration with the further education service. Is he abdicating his responsibility to those young people?

Sir Keith Joseph: I take responsibility for the educational content, but I have been asked questions which overwhelmingly are for my right hon. Friend.

Vocational Qualifications

14. **Mr. Caborn** asked the Secretary of State for Education and Science when he will next meet the chairman of the Manpower Services Commission to discuss vocational qualifications.

Sir Keith Joseph: I last saw the chairman of the Manpower Services Commission on 29 April with the chairman of the working group to review vocational qualifications, Mr. Oscar de Ville. I have no further meetings scheduled at present with the MSC chairman, but the Department and the inspectorate are fully involved in the review. Its results will be reported jointly to me and my right hon. Friend the Secretary of State for Employment.

Mr. Caborn: Does the right hon. Gentleman agree that there is an urgent need for an all-embracing national assessment of education training, especially in the 16-to-19 age group? Does he agree that that can be achieved only if there is a thorough review of the present system?

Sir Keith Joseph: Yes, Sir. It is precisely because of that that Mr. Oscar de Ville has been asked to preside over a committee to do just that.

Pre-School Playgroups

Mrs. Virginia Bottomley asked the Secretary of State for Education and Science what information he has as to the number and proportion of children entering school who have previously attended a pre-school playgroup.

Mr. Dunn: The Department does not collect information on playgroup attendance, but the Pre-School Playgroups Association estimates that, in 1984, some 33 per cent. of three and four-year-olds attended pre-school playgroups.

Mrs. Bottomley: Has my hon. Friend had time to study the evidence submitted by the Pre-School Playgroups Association to the Select Committee on Education and Science in which it documented its work on the important transition from home to school? Has he noted the emphasis that it puts on collaboration with parents, the community and volunteers?

Mr. Dunn: I shall undertake to do just that. The research project by Professor Neville Butler of Bristol university has just been completed. The research concerned the association of pre-school educational experience with later cognitive development, educational achievement and behavioural adjustment. I understand that it included children with pre-school playgroup experience.

Mathematics Teaching

16. **Mr. Madel** asked the Secretary of State for Education and Science what representations he has received from local education authorities in England following his recent statement on proposed changes in methods of teaching mathematics in schools; and if he will make a statement.

Mr. Dunn: The Government have welcomed the publication of Her Majesty's Inspectorate's discussion document "Mathematics from 5 to 16". HMI looks forward to receiving comments from local education authorities and others on the matters raised in the paper.

Mr. Madel: Will my hon. Friend encourage local education authorities to seek to get new recruits into the teaching profession from industry, as the new method of teaching mathematics is liable to require people who have already had practical experience in industry?

Mr. Dunn: There is always a place for more well qualified teachers of mathematics, who can teach. The plans which we recently announced for initial teacher training are designed to provide places for enough new mathematics teachers to meet the needs of the schools.

PRIME MINISTER

Engagements

Q2. **Mr. Penhaligon** asked the Prime Minister if she will list her official engagements for Tuesday 21 May.

The Prime Minister (Mrs. Margaret Thatcher): This morning I had meetings with ministerial colleagues and others, including one with 26 leading industrialists to discuss their role in the Government's policy to increase the number of engineering and technology students. In addition to my duties in this House I shall be having further meetings later today, including one with the Prime Minister of Finland. This evening I shall be giving a dinner for the Prime Minister of Finland.

Mr. Penhaligon: Is the Prime Minister aware that a current Ministry of Defence order for 11,000 artillery shells is being fulfilled by a Belgium-based company which appears to be using Soviet TNT because it is cheapest? Can the Prime Minister let the House know what assurances have been given of continuity of supply in the event of hostilities between East and West?

The Prime Minister: The Department has a policy of introducing greater competition into — *[Interruption.]* Tenders are sought only from recognised and established sources of manufacture, predominantly within western Europe. We do not procure any ammunition direct from the eastern bloc. PRB, which got the order, is a Belgian state company with a high international reputation in the supply of ammunition, explosives and propellants. It is PRB which occasionally gets some of its explosives from eastern Europe.

Mrs. Ann Winterton: Has my right hon. Friend noted today the publicity surrounding the 15-year-old girl who has been made a ward of court in order to have an abortion, expressly against the wishes of her mother? Will my right hon. Friend join me in deploring this most unhappy event, and will she agree with me that, in the best interests of the family, parents must be responsible for their under-age children?

The Prime Minister: That is normally so, but I understand that in this case the matter came before the court, and it would not therefore be appropriate for me to comment.

Q3. **Mr. George Robertson** asked the Prime Minister if she will list her official engagements for Tuesday, 21 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Robertson: Will the Prime Minister give us the latest update on her feud with the Chancellor of the Exchequer over the solution to handling the rates promises that she has given? After the ignominous backdown in Scotland, the panic reaction in the face of the Scottish rebellion, and the £50 million buy-off which has only brought more problems for those whom she did not help, can she tell the House now who is winning the Cabinet battle to save her face?

The Prime Minister: I notice that I am constantly asked questions about the results of reviews which are still under way. The hon. Gentleman must contain his patience a good deal longer.

Mr. Butterfill: Will my right hon. Friend join me in congratulating the workers of London Transport on their enormous good sense in refusing to join in a strike about which they had not been consulted? Does she share with me the sense of achievement that the industrial relations legislation passed by the Government is seen to be working most satisfactorily?

The Prime Minister: I do share my hon. Friend's views. The industrial legislation which the Conservative Government passed in the teeth of Labour opposition has given rights to ordinary members of trade unions which

enable them to have a decisive say in strikes and matters affecting their future. I note that any future Labour Government—which I hope there will never be—would attempt to repeal that legislation.

Mr. Steel: In contemplating last month's rise in inflation and the steady rise in unemployment, do any of the right hon. Lady's advisers ever suggest that what needs changing is not her voice but her policies?

The Prime Minister: Perhaps the right hon. Gentleman will note that the Government whom he supported through thick and thin, and whose existence he prolonged, never reached as low a level of inflation as 6·9 per cent.

Mr. Patrick McNair-Wilson: Will my right hon. Friend find time today to encourage the chairman of the National Coal Board to give permission to that group of miners who wish to invest their own money to finance and work their own pit? Does she agree that, as they will be producing mainly for the domestic market, there can be no logical reason for stopping that sensible extension of private enterprise?

The Prime Minister: I read the reports that a number of miners in Emley Moor colliery wanted to set up a miners' co-operative. I am sure that the NCB will consider carefully any proposals that the group may put forward. The Secretary of State for Energy and I recognise that some miners may want a more direct stake in their collieries, and that is a development that we would welcome in principle. We shall do everything to help.

Mr. Kinnock: As the Prime Minister said, the inflation rate is 6·9 per cent. Does she still think that it will go down to her promised target of 3 per cent?

The Prime Minister: As I said, the inflation rate is 6·9 per cent., which is below — [HON. MEMBERS: "Answer."] It is below the lowest that the previous Labour Government ever managed to achieve. As the Chancellor of the Exchequer has already said, we expect it to be back at just over 5 per cent. by the end of the year, and then to continue its further route downwards.

Mr. Kinnock: May I ask the Prime Minister again: does she still think that the inflation rate will reach her promised target of 3 per cent., and if so, when will that occur? What changes in policy will the Prime Minister bring about to try to promote that, or is she really once again trying to con the country on inflation, as she tried to do on unemployment?

The Prime Minister: As I said, the Chancellor of the Exchequer has already said that we expect the rate to reach around 5 per cent. by the end of the year, and to be lower still in 1986. *[Interruption.]* Yes, I do want it lower still. Yes, I do want it at 3 per cent., and below. It is the right hon. Gentleman whose policies would take it right up to 27 per cent., which was the record reached under Labour.

Mr. Kinnock: When is the rate going to reach 3 per cent., or is the right hon. Lady copping out on this one again?

The Prime Minister: The right hon. Gentleman is talking his customary nonsense. We have a target of getting inflation down. The right hon. Gentleman's target would take inflation beyond the 27 per cent. that the previous Labour Government reached.

Food Aid

Q4. **Mr. Teddy Taylor** asked the Prime Minister what progress has been made in implementing the plans agreed at the Dublin Common Market summit on the transporting of food aid from Common Market stockpiles to Ethiopia and Sudan; and if she will make a statement.

The Prime Minister: Ethiopia has received about 144,000 tonnes of cereals from the European Community and its member states since the beginning of this year, and Sudan about 93,000 tonnes. Sudan has also received about £8 million worth of other food from the Community.

Mr. Taylor: In view of the highly publicised pledge by the Dublin summit to deliver 1·2 million tonnes of food aid to the drought areas of Africa, including Ethiopia, before the autumn harvest of 1985, is it not disappointing and disturbing that the total amount actually delivered to Ethiopia so far, with only five months to go, is 144,000 tonnes, which is less than the amount that we send to the Soviet Union and east Europe every week? Will the Prime Minister do all in her power to ensure that the Common Market keeps its pledge to assist starving Africa, particularly when other countries, such as the United States, have responded magnificently and promptly?

The Prime Minister: Yes. As I told my hon. Friend in a previous reply, progress has been slower than we would have wished, but the matter has been taken up with the European Commission. My right hon. Friend the Minister for Overseas Development will take it up once again in Brussels at the meeting on 23 May. We are anxious that the process of food arriving in Ethiopia is speeded up. There are problems of distribution when it gets there, which also need attention.

Engagements

Q5. **Mr. Flannery** asked the Prime Minister if she will list her official engagements for Tuesday 21 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Flannery: Will the Prime Minister, for once, emerge from her cast-iron casing and admit that she and she alone is preventing a solution to the teachers' industrial dispute? Will she admit that she ordered her Secretary of State to use the 15 votes on the Burnham committee and on the employers' panel to block two proposals which were reasonably acceptable and might have helped solve the teachers' strike? When will she realise that the teachers are desperate, that their morale is low and that it is affecting the children? It is not the teachers, but the Prime Minister and her Secretary of State, who are harming our children.

The Prime Minister: My right hon. Friend the Secretary of State for Education and Science has always made it clear that the Government are not able to make available additional resources in 1985-86. However, for the longer term he has also made it clear that if employers and teachers come to him with an affordable package involving both pay and conditions of service he will be willing to put it to his colleagues. The proposition that teachers are prepared to discuss pay but not what they are being paid for is absurd.

Mr. Aitken: Has my right hon. Friend found time today to see press reports of a survey which show that 76

per cent. of the public wish to see the proceedings of this House televised? Can she—[HON. MEMBERS:"Declare your interest."]

Mr. Speaker: Order. I want to hear the end of the Question.

Mr. Aitken: Can my right hon. Friend say when the House will be given an opportunity to vote on the matter, and catch up with the House of Lords and public opinion generally?

The Prime Minister: I thought that I heard a murmur from my right hon. Friend the Leader of the House that there might be an opportunity for that in the autumn. I hope that that opportunity can be given.

Q6. **Mr. Haynes** asked the Prime Minister if she will list her official engagements for Tuesday 21 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Haynes: Is the Prime Minister aware that inflation is rocketing to 6·9 per cent.? Is she further aware that she and her Chancellor of the Exchequer are telling the workers of this nation that their earnings are too high, yet they make no mention of directors in high places who receive thousands upon thousands in increases each year? They never say a word about that. How about that, then?

The Prime Minister: I am delighted that the Opposition appear to have been converted to policies that require lower inflation, and that they have utterly rejected all reflationary policies, all artificial increases in demand and all printing of money. Welcome to the views of the Conservative Benches.

Q7. **Mr. Michael Forsyth** asked the Prime Minister if she will list her official engagements for Tuesday 21 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Forsyth: Will my right hon. Friend find time today to consider the over-generous tax concessions that are granted for the planting of trees? Is she aware that these are being abused, which results in the destruction of hill farms, a distortion in market land values, and the destruction of fishing interests and other activities in Scotland, with serious long-term consequences for the environment and for tourism?

The Prime Minister: I know that my hon. Friend feels strongly about this. It is rare for the Government to be accused of having tax concessions that are too generous. I shall, of course, draw his point to the attention of my right hon. Friend the Chancellor of the Exchequer.

Higher Education

3.30 pm

The Secretary of State for Education and Science (Sir Keith Joseph): With permission, Mr. Speaker, I wish to make a statement about the Green Paper published today on the future development of higher education. Copies of the Green Paper are available in the Vote Office— *[Interruption.]*

Mr. Speaker: Order. May I ask those hon. Members who are leaving the Chamber to do so quietly?

Sir Keith Joseph: Copies of the Green Paper are available in the Vote Office. It covers the United Kingdom as a whole and, therefore, I am speaking with the agreement of my right hon. Friends the Secretaries of State for Scotland, Wales and Northern Ireland. I see my colleagues from those Departments on the Government Front Bench.

The purposes of the Green Paper are to present the Government's thinking on future development of higher education, to set the scene for the next decade, and to invite the views of those involved in higher education and of the taxpayers and ratepayers who finance so much of the cost.

The paper has been prepared in the light of advice on future strategy from the University Grants Committee and from the National Advisory Body for Public Sector Higher Education in England, published last September. In Scotland, a review of strategy and of planning and funding arrangements for higher education is being undertaken by the Scottish Tertiary Education Advisory Council. The application in Scotland of the policies addressed in the paper will be considered in the light of the council's advice, which will be available later this year.

As well as reaffirming the view of the aims and purposes of higher education defined in the Robbins report in 1963, the Government believe that it is vital for our higher education to contribute more effectively to the improvement of the performance of the economy. This is not because the Government place a low value on the general cultural benefits of education and research or on study of the humanities. The reason is simply that, unless the country's economic performance improves, we shall be even less able than now to afford many of the things we value most, including education for pleasure and general culture and the financing of scholarship and research as an end in itself. The Green Paper, therefore, emphasises the need for higher education to become more responsive to changing industrial and commercial circumstances, and the importance of close links between higher education on the one hand and business, the professions and the public services on the other.

Since 1963, successive Governments have endorsed the so-called "Robbins principle" that,

"courses of higher education should be available for all those who are qualified by ability and attainment to pursue them and who wish to do so."

The UGC and the NAB have advised that qualification for higher education should be interpreted broadly and that the test should not be paper qualifications but "ability to benefit". So long as the taxpayer continues to bear most of the cost of higher education, however, the benefit must be sufficient to justify the cost. Subject to that, the Government accept that the criteria for entry to higher education—which will, as at present, remain under the control of institutions themselves—should place more emphasis on intellectual competence, motivation and maturity, and less on formal qualifications. Those criteria should be applied as rigorously to those with paper qualifications as to those without. The Government do not expect this change of emphasis significantly to affect the numbers of students for whom higher education should be provided. A consultative paper on student support arrangements will be published shortly, as part of the review of such arrangements which I announced on 5 December last.

As with their policies for schools, in higher education too the Government are committed to raising standards and the pursuit of value for money. In both these areas important reports have recently been published, and are under active consideration.

The report of the committee of inquiry into academic validation in public sector higher education, chaired by Sir Norman Lindop and published in April, deals with the approval, and monitoring of standards, of degree level courses in polytechnics and colleges. It recommends substantial changes in the arrangements of universities which validate public sector courses and of the Council for National Academic Awards. One proposal is that some institutions in the public sector should in future take full responsibility for their own academic standards and award their own degrees. The Government have invited comments on the report and will consider these before coming to decisions.

The report of a steering committee chaired by Sir Alex Jarratt, based on efficiency studies undertaken in six universities, has proposed significant changes in universities' planning and management structures. The present arrangements were developed in a period of increasing resources. Now that resources are no longer expanding, changes are needed if universities are to be able to spend to best advantage the public funding likely to be available. The Jarratt report will also be relevant to the rest of higher education where other efficiency studies are in hand.

In research, the Government wish to ensure that the available resources are used to the greatest possible advantage, which requires more selectivity and planning. The University Grants Committee is developing and promoting new selective allocation and planning arrangements. It is also important that commerce, industry and the public services should take full advantage of what higher education has to offer through research, technology transfer, business start-up facilities and consultancy services. The Green Paper stresses the need for higher education to pay more attention to the development of such services.

The Green Paper recognises that continuing education should be a growth area in higher education, whether for vocational or non-vocational purposes. The Government and local authorities have an important role in stimulating such provision, and the Government contribute directly to the development of in-career vocational education through the professional, industrial and commercial updating programme. But the cost should not fall principally on the taxpayer and ratepayer. Employers are urged to recognise more fully their need, in their own interests, to encourage and to pay for the development and updating of their staff,

while adults in work can be expected to contribute substantially to the cost of courses that they take for career advancement or for personal satisfaction.

The Jarratt report recommends a review of the role, structure, and staffing of the University Grants Committee. The Government have accepted this recommendation, and I shall announce the terms of reference and form of the review as soon as possible.

The Government's expenditure plans published last January indicate the sums that the Government plan to make available for higher education up to the end of the present planning period. Beyond this there are the same difficulties about providing projections of future funding for higher education as there are for other public expenditure programmes. The Government accept that they must give the best indications of longer term policies for higher education that they can, but planning also requires institutions to manage their commitments and the funds available to them so as to be able to pursue their objectives effectively in circumstances of change and uncertainty. Present projections of student demand suggest that there will be a substantial fall in student numbers in the 1990s and planning for the changes that will be necessary must begin shortly.

The Government will review their policies for higher education in the light of the responses to the Green Paper, and hope to be able to make a further statement of intentions in the course of 1986.

Mr. Giles Radice (Durham, North): Is the Secretary of State aware that his statement and the Green Paper have to be judged by how far they meet Britain's needs as we move into the next century—the need to ensure a good supply of highly trained graduates, the need to develop opportunities for continuing education, the need to provide wider educational opportunities and the need for high quality research? By those criteria the Green Paper, like his statement, is a miserable flop.

Mr. Robin Maxwell-Hyslop (Tiverton): Has the hon. Gentleman read it?

Mr. Radice: I have read it. It has few new ideas and is totally lacking in vision. Like the Secretary of State's statement, it is more like a compendium of departmental position papers than a serious state paper setting out a strategy for higher education.

Will the Secretary of State accept that the Green Paper is more important for what it omits? It is tendentious about student numbers beyond the 1990s. It says little constructive about the binary divide. It fails to establish a machinery for overall planning, although we welcome the inquiry into the UGC. It leaves the issue of student support, so vital when we are considering student demand, for another document. Above all, it is irresponsibly evasive about resources.

Is it not a fact that the Secretary of State has left the dirty work to the UGC, whose recent letter revealed that the consequences of the Government's plans will be that universities can expect a 2 per cent. real cut in their income in each of the next three years? The loss of revenue is equivalent to closing a medium-sized university such as Southampton, Exeter of Durham every year for the next three years.

Is it not the case that the 1981, and other, cuts impaired rather than improved efficiency? If the Secretary of State does not believe me, he should consult the UGC, the NAB or the Jarratt committee. Does he seriously believe that the prospect of more redundancies, departmental closures and shutting whole institutions will create a more effective and more adaptable higher education system? Is it not true that the Government's higher education policy fails to meet our national needs? It will not provide wider educational opportunities or supply the highly skilled graduates that we require. It will fail to meet the research requirements of industry. In short, it is a recipe for national decline.

Is the Secretary of State aware that we in the Labour party reject his defeatist approach and will campaign both inside the House and out for the vigorous, dynamic and innovative higher education system that we need?

Sir Keith Joseph: One of the main themes of the Jarratt report is that universities need a management structure if they are to make the best use of the large sums made available to them by the public, and that that management structure must enable the academics involved to know the options before them. When the Conservative Government came into office in 1979, we inherited a crisis from the outgoing Labour Government, with enormous inflation. We had to act quickly. The reduction in spending in the universities had to be implemented by my right hon. and learned Friend the Member for Warrington, South (Mr. Carlisle), as my predecessor, at a time when the management structure proposed by Jarratt was not in place.

The hon. Gentleman accused me of exaggerating the fall in student numbers, but there is a projected fall of no less than one third—33 per cent.—in the age groups concerned in the 1990s. Against that, the Government are projecting a fall in places for higher education not of one third but of 14 per cent.

The hon. Gentleman also accused me of being evasive about resources. The Labour party seems never to need to be evasive about resources, because it always proposes to spend more. Can the hon. Gentleman say whether he will spend more on universities than the Government are proposing to spend?

Mr. Mark Carlisle (Warrington, South): I welcome the fact that today there are 60,000 more students in higher education than there were in 1979, but as the overall number of people in that age group is likely to drop dramatically in the 1990s, can my right hon. Friend say what assumptions he has made in his Green Paper about the likely proportion of 18 and 19-year-olds who will go to universities and other forms of higher education?

Sir Keith Joseph: I am grateful to my right hon. and learned Friend. Why is it that Opposition spokesmen always concentrate upon the numbers in universities, as though they despise polytechnics? As my right hon. and learned Friend has said, there are today 60,000 more students in polytechnics than there were when this Government came to office, although at the highest there has been a fall in the number of university students—9,000 and 5,000 last year. As my right hon. and learned Friend also said, there is not only a record number of students in higher education but also a record age cohort. The University Grants Committee, in its wisdom—I take responsibility for the outcome—decided to have fewer places in universities to protect the indispensable research component. Although the proportion of the age

[Sir Keith Joseph]

group in higher education is at record levels, we expect it to rise even higher and to be at 15 per cent. at least in the 1990s.

Mr. Clement Freud (Cambridgeshire, North-East): We on these Benches believe that the Green Paper marks a shift from the unacceptable to the intolerable. Does the Secretary of State accept that the Green Paper is basically a testimony to the failure of the Government's economic policy? Why is it that the Secretary of State should be the only man in the country who believes that we have an adequacy of qualified graduates, and therefore is doing nothing to increase the number? Will he accept that he is doing for universities what his right hon. Friend the Secretary of State for Transport is doing for buses?

Sir Keith Joseph: The Government have been presiding over the expansion to record numbers and record proportions of the age cohort of students in higher education. I think that the hon. Gentleman must be discussing another phenomenon altogether.

Mr. David Madel (Bedfordshire, South-West): When the Government's commitment to raising standards in the classroom has been achieved, bearing in mind what has been said about continuing education, will my right hon. Friend confirm that the numbers of those seeking entry into higher education will increase and that the Government will be perfectly happy for the polytechnics to take in more students?

Sir Keith Joseph: The Government very much hope that their aim of raising the standard in classrooms will lead to a larger proportion of school leavers being qualified to go on to higher education, if they so wish and if they have the necessary maturity and motivation. We are not assuming that will come to pass, but we very much hope that it will. If a larger proportion of the age cohort shows that it is qualified for higher education, the Government will be glad to revise their plans.

As for my hon. Friend's other question, economic constraints have to be borne in mind. We are happy to expand the numbers in public sector higher education, provided that the expansion can be brought about without any diminution of standards within current costs.

Mr. J. Enoch Powell (South Down): Cannot the Secretary of State be persuaded to recognise that it is barbarism to attempt to evaluate the contents of higher education in terms of economic performance or to set a value upon the consequences of higher education in terms of a monetary cost-benefit analysis?

Sir Keith Joseph: I very much enjoyed the right hon. Gentleman's speech in which he accused me of barbarism because I felt protected by a sense that what I was doing was entirely justified. I equally enjoyed the speech of my noble Friend the Lord Chancellor in which—after I had consulted a dictionary—I found that my noble Friend had accused the right hon. Gentleman of living in cloud-cuckoo-land. We live in a time when, for better or worse, higher education is paid for out of public funds, when more and more research is very expensive and when business has not been as profitable as it should be. For all those reasons, it is necessary, if Britain's economy is to prosper in a highly competitive and increasingly technological world, for the provision for and acquisition and practice of science in research terms to be supported to a large extent out of public funds.

Mr. Robert Rhodes James (Cambridge): It would be unwise to comment too soon on a Green Paper which has only just been made available to the House, although it has obviously been made available to the press beforehand. Although there appear to be elements in the Green Paper which are acceptable, wise and far-seeing, the general theme is one of contraction. Will my right hon. Friend be asking those of my right hon. and hon. Friends who believe in higher and further education to accept further contraction——

Mr. Maxwell-Hyslop: My hon. Friend represents Cambridge.

Mr. Rhodes James: This does not apply to Cambridge; it applies to the higher education of this nation. Surely a policy of contraction is not one that we can accept.

Sir Keith Joseph: I would far prefer to agree with my hon. Friend than to disagree with him, but surely he must accept that, while higher education is so largely dependent on public funds, there must be some link between the prosperity of the economy and the resources available to higher education, and that as our economy is fighting to regain profitable competitiveness in an increasingly tough world, that relationship is even more unavoidable.

Dr. John Marek (Wrexham): The Secretary of State must recognise that his statement today will do nothing to dispel the gloom, concern and dismay which is felt within higher education. How much longer will he allow salary levels in higher education to be continually eroded when there is now a generally evident lack of motivation and morale which shows itself in the teaching, research and quality of research in that sector? If the Secretary of State does not want to go down as someone who contributed significantly to our decline as a developed nation in the eyes of the next generation, will he now announce as his aim a system of quinquennial planning or its equivalent in higher education so that there is stability in the system? Furthermore, will he give a guarantee that from this day there will be no more cuts in real terms in the system?

Sir Keith Joseph: Surely the hon. Gentleman knows that, in the days when quinquennial provision was made, no Government were able to fulfil the expectations created. It is not honourable to promise more than we know we can achieve in the way of stability.

Mr. Alan Haselhurst (Saffron Walden): I accept that the Government are right to put greater emphasis on science and technology subjects in higher education, but does my right hon. Friend see an enhanced role for employers to persuade young people, even while they are still at school, that those are the courses that they should pursue?

Sir Keith Joseph: Yes, Sir. The Prime Minister had a meeting this morning, discussing that very subject, with the chairmen of 24 leading businesses in this country.

Mr. Tam Dalyell (Linlithgow): The Secretary of State talked about more selectivity in research. Who, and on what criteria, will be responsible for that selectivity? On what rational basis will employers be asked to pay for medium and long-term research in universities?

Sir Keith Joseph: The method of applying selectivity is the responsibility of the UGC and NAB. I repeat, the Government take responsibility for the decisions of those bodies but carefully keep away from the detailed decisions that affect the allocation of funds between universities, leaving those decisions, in the case of universities, to the UGC.

As for the interest of business men in contributing towards middle and long-term research, it is for them to decide whether there is a business interest in it.

Miss Janet Fookes (Plymouth, Drake): Is there to be any radical, or even superficial, rethinking of the respective roles of polytechnics and universities? Will polytechnics which are able to grant degrees be able in future to call themselves universities? My polytechnic in Plymouth would be an excellent candidate.

Sir Keith Joseph: My hon. Friend will find in the Green Paper a reference to the predominance of, and leadership in, academic work by the universities. The Green Paper also pays tribute to the indispensable function of the polytechnics in fulfilling their role, in which, far more than the universities, they serve part-time students. The answer to my hon. Friend's question about any change of name by polytechnics which give degrees is that I should need convincing that there should be a change of name.

Mr. Jack Thompson (Wansbeck): Like other hon. Members, I have had an opportunity only to glance at the Green Paper. I note, however, the complimentary remarks about the Open University on page 19. Is the right hon. Gentleman aware that the Open University will not look on those passages as being quite so complimentary when it bears in mind the cuts that the Government have imposed on its activities in recent years? Should not the Open University be encouraged to expand its work, bearing in mind the need for scientific and technological development?

Sir Keith Joseph: I shall send the hon. Gentleman the table in which is set out the recommendations of the Visiting Committee as to what the Open University needs and the decisions that the Government have taken on those recommendations. The Government have, to a large extent, followed the proposals of the Visiting Committee to alleviate the complaints of the Open University.

Mr. Robert Key (Salisbury): My right hon. Friend made no reference in his statement to the role of overseas students when planning the future of higher education. By what criteria will he target Government support for overseas students?

Sir Keith Joseph: My hon. Friend will find in the Green Paper a reference to the study that is taking place into future policy in connection with overseas students. The proportion of overseas students is now 11 per cent. and rising.

Mr. Jim Callaghan (Heywood and Middleton): How does the right hon. Gentleman justify the fact that, in the light of his statement today, thousands of young students with good A-level qualifications will be prevented from entering universities and polytechnics, and has he now abandoned the principle of Robbins?

Sir Keith Joseph: The hon. Gentleman should support his allegations with evidence. We have no evidence of any people who are qualified to enter higher education not being able to secure a place. We agree, as has always been true, and was accepted by Robbins, that every applicant cannot expect to find a place in precisely the institution and on precisely the course that he or she wants. In general, however, we assert that there are places for all who are qualified and who want to take them up.

Mr. Harry Greenway (Ealing, North): Does my right hon. Friend agree that universities and institutions of higher education should be the cradle of democracy and free speech? Does he agree also that it is disgraceful that, in many student unions, some speakers have not been alowed to speak within the law to properly convened meetings? Will he say a little more about the Green Paper's proposals to challenge student union funding as a way of overcoming this problem?

Sir Keith Joseph: My hon. Friend will find references to both subjects in the Green Paper. I agree that campuses of higher education should be especially careful to protect freedom of speech, even when they disagree with the opinions expressed, provided those opinions are expressed within the law. In both cases, studies are in hand. The vice chancellors and principals are considering what they can do to protect free speech further.

Mr. Gordon Wilson (Dundee, East): As a representative of a nation which was the first in Europe to introduce universal education and which, in the middle ages, had five universities when England had only two, I repudiate completely the philistinic attitude behind the right hon. Gentleman' statement. I am surprised that the right hon. Gentleman continues to occupy the position of Secretary of State for Education and Science when he does not even believe in education. Why did the right hon. Gentleman purport to make the statement on behalf of the Secretary of State for Scotland when, according to my perusal of the Green Paper, only four paragraphs out of 58 pages relate to the Scottish system?

Sir Keith Joseph: The Scottish policy is awaiting the report by the Scottish Tertiary Education Advisory Council, which we shall receive later this year.

Mr. Nicholas Fairbairn (Perth and Kinross): As one who also represents a country which introduced universal education but who does not need to parade the fact, I suggest to my right hon. Friend that one of the worst education measures in Britain, especially in Scotland, was the erection of colleges of excellence such as the Heriot-Watt college of engineering and the Strathclyde college of business in the "bogusity" of empire building universities. We should concentrate on relevant education in colleges of excellence, and the snobbism of university status should be abolished.

Sir Keith Joseph: I am sure that our joint purpose should be excellence and fitness for purpose in every institution.

Dr. Jeremy Bray (Motherwell, South): Is the Secretary of State aware that, in any other country, if one were asked, "Which is better run— British universities or British industry?" the overwhelming reply would be "The universities"? In those circumstances, what does the right hon. Gentleman mean by proposing that the universities should be put in a position where some members of staff are not allowed to conduct research?

[Dr. Jeremy Bray]

Does the right hon. Gentleman agree with the UGC argument that research is needed to provide a proper background for teachers?

Sir Keith Joseph: Academics argue whether research and teaching must accompany each other if teaching is to be good. Many passionately believe that they must while others argue against them. As for depriving some from access to research, I think that the hon. Gentleman has it slightly wrong. What is at question is the distribution of public money. To make the best use of public money, it surely makes sense to concentrate resources on those who show evidence, to the UGC's satisfaction, that they can use the resources in the best possible way.

Dr. Keith Hampson (Leeds, North-East): While I accept my right hon. Friend's case on the deep-seated economic problems inherited by the Government and the need to control the use of resources, does there not come a point when, to improve the economy's performance, greater priority must be accorded to resources in higher education? Does my right hon. Friend know of any other advanced Western country that is not increasing resources in higher education? Will he bear in mind that this concern applied in 1972 when my right hon. Friend, the present Prime Minister, introduced her White Paper calling for the expansion of education to contribute to the vitality of our society and economy?

Hon. Members: Hear, hear.

Sir Keith Joseph: Before the Opposition applaud my hon. Friend too loudly, let my hon. Friend and the Opposition remember that other Western European countries became much more prosperous than Britain, until the turning of the tide during the past six years. Alas, for the 40 years since the war, this country has been substantially overtaken by those other Western European countries. We cannot absorb their example without recognising that we must make the best use of our resources, which are nothing like as great as the resources of our neighbours in north-west Europe.

Several Hon. Members *rose*——

Mr. Speaker: Order. I have to take account of the fact that the following business is limited by a timetable motion. I shall allow questions on the statement to continue for a further 10 minutes.

Mr. Eric S. Heffer (Liverpool, Walton): Is the Secretary of State aware that many of us who did not have the opportunity to go to university have been impressed by the fact that, since the second world war, people, especially young working people, have been given an opportunity to undertake higher education which they did not have before? Can the right hon. Gentleman give the House an assurance — the country would like to have this important assurance — that, although there might well be a need to get more graduates into industry, the existing arts departments in the universities will not be closed and that the industrial sides will be developed further through our present methods of higher education? As a fellow of All Souls, the right hon. Gentleman knows —if he does not, he should—that man does not live by bread alone. He should understand that.

Sir Keith Joseph: It would be idle for me to pretend other than that the Government have openly asked the UGC and the NAB to move a small proportion of resources and places from the arts and humanities in favour of the sciences, engineering and technology. I emphasise that the arts and humanities, when taught rigorously to appropriate pupils, are rightly regarded by employers as splendid training for responsibility in life. The arts and humanities are worth the high regard of all of us for the way in which they sharpen the minds of those who study them and for their contribution to scholarship and civilisation. As the Green Paper argues, unless we trade more effectively in the world, we shall not be able to afford the support of the scholarship and other civilised values that we wish to maintain.

Mr. David Crouch (Canterbury): Does my right hon. Friend agree that we have reached the stage when an enlarged opportunity for higher education would aid our economic recovery and development and the progress of our society? Has he noticed that the press reaction to the leaks of the Green Paper has been to put the fear of Government into some universities? Is that my right hon. Friend's intention?

Sir Keith Joseph: My hon. Friend should bear in mind that since 1979 student places in higher education have been increased by 15 per cent. There are 60,000 more students in higher education—a record proportion of a record vintage. My hon. Friend seems to be espousing shaky arguments. It is only realistic to recognise the constraints on public spending. My hon. Friend is not at one with Opposition Members who are ready to support virtually every strike and outbid virtually every element of public spending. I hope that he will see the case in the Green Paper.

Mr. Derek Foster (Bishop Auckland): The Secretary of State says that he wants higher education to relate more to the economy's performance. Is he not seeking to impose the same vicious cycle of contraction on higher education that his Government have imposed on manufacturing industry? How does the right hon. Gentleman deal with the challenge that the Japanese are training 10 times as many graduate engineers as Britain?

Sir Keith Joseph: The hon. Gentleman should not swallow such statistics too easily. The picture of our production of engineers is not truthfully represented— nothing like it — by the figure he has cited. The Japanese produce more engineers in proportion to population than we do. On the quality of engineers, it may be a different matter. The Japanese produce a significant proportion of very high-quality engineers, but some of the people who are turned out as engineers in Japan would not be so described in this country because their training is much narrower. I am not declaring contentment with our production of engineers, but the hon. Gentleman's comparison was altogether too glib.

Mr. Maxwell-Hyslop: To what extent does my right hon. Friend judge that the system of lifetime tenure of senior academic posts prevents public expenditure from being directed to what the country needs in terms of output and what the undergraduates need in terms of employment? Does he agree that a university such as Exeter, which concentrates on oil-related engineering, medical engineering needed by disabled people and Arabic studies, which the oil industry needs, is far more in line

with the priorities that the country needs than some of the more esoteric centres which believe that they have a historic claim on our resources?

Sir Keith Joseph: In general terms, I align myself with my hon. Friend in believing that tenure is not an unqualified asset. That is why discussions are now in process with a view to introducing legislation to remove tenure in future higher education contracts. I emphasise that there is no reason to regard tenure as the only or indispensable protection of academic freedom, which we value and respect highly.

Dr. Oonagh McDonald (Thurrock): How can the Secretary of State claim to be pursuing academic excellence when he is responsible for the UGC's 2 per cent. cut in annual grant to universities? Is not the right hon. Gentleman's elitism merely a cover for his philistinism?

Sir Keith Joseph: Like any other part of the public sector, the universities must try to make more effective use of the taxpayers' money made available to them and I am sure that they will strive to do so. I am also constantly urging them, even though this may be possible only very slowly, to increase the amount of funding that they receive from the private sector, and I am glad to note that in the past year they have succeeded in increasing those funds significantly.

Mr. Michael Stern (Bristol, North-West): Does my right hon. Friend agree that every encouragement should be given to innovative polytechnics such as Bristol to market and encourage the development of their own research work? Will he comment on the extent to which the Green Paper will assist that process?

Sir Keith Joseph: I can do more than that. I can comfort my hon. Friend with the reminder that legislation is now going through the other House and will soon be in this House freeing polytechnics to exploit their research activities more than they do at present.

Mr. Andrew Faulds (Warley, East): Did the Secretary of State really mean what he said in reply to my honourable and admirable Friend the Member for Linlithgow (Mr. Dalyell)—that questions of medium-term and long-term research should be left to the commercial interests of companies rather than to considerations of the national interest?

Sir Keith Joseph: Either the hon. Gentleman misunderstood me or I expressed myself badly. His hon. Friend asked me what would justify business men deciding to contribute to medium-term or long-term university research, and I replied that it was for them to judge their own business interest.

Mr. Douglas Hogg (Grantham): What proportion of qualified applicants cannot find a course in the subject of their first choice, and what plans are there in the Green Paper to reduce that number?

Sir Keith Joseph: I do not think that it is possible to answer that question, but I repeat that from the Robbins report onwards it has never been guaranteed that any individual applicant will find a vacancy in the institution of his or her choice and the subject of his or her choice. That remains the position.

Mr. John Maxton (Glasgow, Cathcart): Does the Secretary of State accept the basic premise that one cause of our economic decline this century has been our failure to invest in higher education? If that is so, why are the Government not increasing investment in higher education rather than reducing it?

Secondly, will the right hon. Gentleman allow the inquiry into the University Grants Committee to consider the establishment of a separate Scottish UGC in order to get away from direct funding through his Department?

Sir Keith Joseph: No, I cannot agree with the hon. Gentleman. The criticism of many historians has been that this country has failed to provide technical education in schools and in higher education. The Government have taken substantial steps to make good that omission, but the Opposition have criticised us on every occasion.

Several Hon. Members *rose*——

Mr. Speaker: Order. I appreciate the importance of the subject and I will allow a further five minutes, but then we really must move on.

Mrs. Anna McCurley (Renfrew, West and Inverclyde): The press release states:

> "In the universities the Government hopes that new selective planning and allocation arrangements can be formulated and begin to operate by the 1986-87 academic year."

Does that mean that there is a possibility of the arbitrary cutting off of research programmes which may not appear highly significant but which are none the less very valuable?

Sir Keith Joseph: I understand that the process is to be gradual and that the proposal is particularly addressed to the extra money provided by the Government for the modernisation of equipment in some areas.

Dr. Norman A. Godman (Greenock and Port Glasgow): Will the Secretary of State bear in mind the importance of the Open University, especially for those who for a variety of reasons are unable to study at a traditional university? Will he give sympathetic consideration to a real increase in funding for that excellent establishment?

Sir Keith Joseph: The answer to the first part of the hon. Gentleman's question is yes, but I cannot give such an unqualified response to the second part.

Mrs. Elaine Kellett-Bowman (Lancaster): Does my right hon. Friend accept that many people will be delighted at the emphasis in paragraphs 2 and 5.9 of the Green Paper on the need for higher education to contribute more effectively to the improvement of the economy, which Lancaster has long done? Will he ensure that we continue to encourage foreign and especially Commonwealth students to come to Britain, bearing in mind the important contribution that they make to the stability and prosperity of their countries on their return?

Sir Keith Joseph: Within the sensible use of public funds I think that I can agree with both my hon. Friend's comments.

Mr. Roland Boyes (Houghton and Washington): As history shows that Right-wing Governments always find it necessary to attack their country's intellectuals, and as the Government values are leading to the erosion of democratic rights and freedoms and civil liberties, was it not entirely predictable that our universities and academics would be similarly attacked?

Sir Keith Joseph: As the hon. Gentleman supported a Government who nearly destroyed our currency and our economy, I do not think that the intellectuals have anything to look for from him or his philosophy—as intellectuals and higher education now depend to such an extent on public finance and a prosperous trading sector.

Mr. Timothy Wood (Stevenage): I accept and welcome the growth in the number of students in higher education, but will my right hon. Friend bear in mind that there is growing concern about the disparity in numbers, especially in science and technology, compared with many of our competitors?

Sir Keith Joseph: I do not think that things are quite as bad as my hon. Friend suggests. We must take into account not just the entry rate but the drop-out rate in some neighbouring countries. I believe that our figures are reasonably satisfactory compared with our neighbours in north-west Europe. It is true that our higher education figures are dwarfed by those for America and Japan but one would have to look more closely at the qualifications, input and output before making any definite judgment in that respect.

Mr. Gavin Strang (Edinburgh, East): At a meeting with Scottish Labour Members, the university vice Chancellors pointed out that some of the students who had just graduated with first-class honours degrees had entered university with qualifications that would not now, with the cut in student numbers, enable them to gain entry. Is the Secretary of State satisfied with that state of affairs?

Sir Keith Joseph: I am very ready to accept that A-level grades are not an exclusively reliable indicator of future performance. They may be the least bad indicators that we have of one aspect of a candidate's qualifications. Character, record and other features have also to be considered by the institutions, and it is the institutions that now and in the future will choose their entrants.

Mrs. Angela Rumbold (Mitcham and Morden): Given my right hon. Friend's clearly stated belief that the taxpayer is entitled to benefits from his investment, can he explain more clearly to the House the proposals in the Green Paper that extend the requirements for entry into institutions of higher education from mere formal qualifications to requirements for motivation, maturity and better performance?

Sir Keith Joseph: As my hon. Friend repeats those words, I find them almost self-justifying. Someone who had the necessary formal qualifications might give evidence to the interviewers at a certain institution of lacking the motivation or maturity to take advantage of higher education. That is the reason for the Government's view.

Mr. Jack Straw (Blackburn): The Secretary of State talks of a 14 per cent. cut. What do his plans mean in terms of thousands of student and staff places to be cut in higher education?

Sir Keith Joseph: I imagine that the hon. Gentleman refers to the 14 per cent. fall in the projected demand rate in the 1990s compared with the 33 per cent. fall projected for the age vintage. We have the time——

Mr. Straw: How many places are to be lost?

Sir Keith Joseph: We do not know. The Government have declared the projections at this early date to give us time, with the UGC and the NAB, to work on such issues.

Mr. Richard Tracey (Surbiton): Is my right hon. Friend aware that polytechnics such as mine in Kingston will be pleased by the confidence demonstrated by his remarks today? In his planning, will my right hon. Friend compare the cost-effectiveness of equivalent courses in engineering and technology, which serve the vital interests of British industry, at universities and polytechnics?

Sir Keith Joseph: It is widely accepted that some departments at some polytechnics are probably stronger than some equivalent university departments.

I should tell the hon. Member for Blackburn (Mr. Straw) that we hope to be able to publish next year a paper giving some of the implications of what we have announced today.

Mr. Bowen Wells (Hertford and Stortford): My right hon. Friend has treated us this afternoon to volleys of jargon. What exactly does he mean by relevant courses in the universities? Does he mean that the university teaching profession will no longer be able to tell students that they must study what university professors decide to teach them?

Sir Keith Joseph: While higher education is almost entirely supported by public funds, some attention must be paid to public benefit. That is why the Government have thought it necessary to ask the bodies concerned to switch some resources and places from the arts and humanities to the sciences, technology and engineering.

Mr. Barry Henderson (Fife, North-East): Sensible people, who mercifully exist in larger numbers in the universities than on the Opposition Benches, will welcome the initiation of a serious discussion on the long-term future of the universities. To a Conservative Government, this should be a matter of evolution rather than revolution. Can my right hon. Friend assure the House that the consultative documents about the UGC and student support will be published early enough to be considered alongside the Green Paper?

Sir Keith Joseph: My hon. Friend has misunderstood me. There is to be a consultative document on student support, but what is promised for the UGC is an inquiry, of which I shall give details before long. The consultative document on student support will be published before long.

Mr. Mark Fisher (Stoke-on-Trent, Central): Why will not the Secretary of State publish the implications of the Green Paper now? If he knows the implications, surely he should publish them. If he does not, how can he present the Green Paper to the House?

Sir Keith Joseph: I beg the pardon of the hon. Member for Blackburn (Mr. Straw). It was my fault — I misunderstood his question. We know — they are published in this paper—the number implications of the fall in student places. It will be, for variant Y, a fall of 74,000. I have promised that by next year we shall try to interpret the implications for the higher—*[Interruption.]* It is all explained in the Green Paper. There are charts —*[Interruption.]* It is all spelt out in the Green Paper. There is nothing new in this. Variant Y has been spelt out

for some time. We propose to publish next year the possible options open to the country to deal with the situation.

Mr. Andrew F. Bennett (Denton and Reddish): In view of the grave anxieties expressed on both sides of the House, will the Secretary of State press the Leader of the House to initiate an early debate on the Green Paper, which is an admission of despair and a body blow to our economic prosperity? Will the right hon. Gentleman explain why, after six years of monetarist policies, he is announcing a retreat from the Robbins principle and denouncing the proposal of the Prime Minister, when Secretary of State for Education and Science in the 1970s, to get 22 per cent. of the relevant age group into higher education? Why do the Government now have a target of only 14 per cent.? Is it not a black day when a fellow of All Souls tells a House of Commons that includes more graduates each year that future generations are to be denied the opportunities that many of us enjoyed, and that, in the 1990s, we shall be training fewer graduates than ever before? Is not that an appalling state of affairs?

Sir Keith Joseph: I draw the attention of the House to pages 12 and 13 of the Green Paper, in which there are charts showing the projections. It is for the hon. Gentleman and his hon. Friends to press the Leader of the House for a debate.

Dr. Hampson: On a point of order, Mr. Speaker. It is to safeguard the rights of the House that Government statements are not released until the statement is given in the Chamber. With a document as large as the Green Paper, hon. Members are seriously inconvenienced by this practice. We all have to rush out of the Chamber for the document. That is disruptive, and we miss part of what is said. Can you assist us, Mr. Speaker, in changing the procedure, even if only by making documents available at 2.30 pm?

Mr. Speaker: It is not for me to make the documents available. I realise that this is an important statement. That is why I allowed questions on it to run longer than I had thought would be appropriate.

Mr. Martin Flannery (Sheffield, Hillsborough): Further to that point of order, Mr. Speaker. Would it not be possible to arrange for questioning to take place on the day after publication of the Green Paper? We would then have a chance to read it. It is nonsense to be asked to discuss something instantly. My hon. Friend the Member for Wansbeck (Mr. Thompson) says that he opened the report at a certain page that happened to deal with the Open University and so he asked a question on that subject. The situation is silly.

Mr. Speaker: There is much force in what both hon. Gentlemen have said. I suggest that they put the matter to the Leader of the House. Thursday would be a most appropriate time.

Mr. Bowen Wells: Further to that point of order, Mr. Speaker. May I also gain your support for the idea that documents on which we are supposed to question Ministers in a serious manner should be distributed earlier than is customary? The press are given press releases to read, while we have to scrabble around and to listen carefully to what is said. That is a grave discourtesy to the House, to say the least, and does not add to the prestige that the House should attract.

Mr. Speaker: There is usually an embargo on documents issued to the press. The expressions of opinion this afternoon have been very relevant. I am sure that the Leader of the House would take note of them if the hon. Members concerned were to put the matter to him during business questions.

Fair Rating

4.29 pm

Mr. Teddy Taylor (Southend, East): I beg to move,

That leave be given to bring in a Bill to provide for the elimination of agricultural derating over a five year period.

My Bill would ensure that the agriculture industry pays rates on its buildings like any other industry in the United Kingdom. Because the sum involved is substantial, I propose that reform should be spread over five years.

The fact that agriculture makes no contribution to the costs of local government is an unjustified and grotesque anomaly, which is an insult to many other industries which, in some cases, are struggling to survive under a heavy rates burden that could be reduced if agriculture paid its fair share. If the Treasury adjusted rate support grant to take account of the extra valuations, about £300 million a year would be available for reductions in general taxation.

Agricultural derating was introduced in 1929 as a modest endeavour to alleviate agricultural distress during the great slump when no other means of support was available to the industry. Circumstances have changed dramatically, as I am sure my right hon. Friend the Minister for Agriculture, Fisheries and Food will confirm. Rates, which were then a modest burden, have become a major business cost. Farm buildings were modest and unsophisticated in 1929, but the agricultural revolution has resulted in an explosion of expenditure on costly buildings and facilities. Far from reducing or abolishing the concession, however, Parliament extended it in 1971 so that it now applies to what are loosely referred to as factory farming operations such as chicken battery systems and commercial buildings used by farm syndicates and co-operatives. Soon afterwards, case law extended the exemption to fish farming.

I find the continuation of agricultural derating puzzling because every committee set up by the Government to examine the rating system has declared that the exemption is intolerable and unjustified and should be ended. The Layfield commission, which was set up in 1976, expressed the unanimous view that there was no good reason for the concession to continue.

Why has nothing been done about this rating anomaly, which means that all other ratepayers and taxpayers have to bear an unfair burden? Has nothing been done because of administrative problems? That cannot be the answer because our efficient Inland Revenue would have no difficulty making the necessary valuations, because it constantly has to value all types of new buildings between general revaluations.

Has nothing been done because agriculture is especially depressed and vulnerable?

Mr. Robin Maxwell-Hyslop (Tiverton): Yes.

Mr. Taylor: This does not add up.

Mr. Maxwell-Hyslop: It is both.

Mr. Taylor: My hon. Friend the Member for Tiverton (Mr. Maxwell-Hyslop) must be aware of the principle of rating which is that rates must be paid irrespective of whether businesses are profitable or depressed. I could give him the names of many firms that have great difficulty paying rates. Even if profitability were a factor, the evidence shows that agriculture receives more protection than any other industry.

Mr. Maxwell-Hyslop: No, it does not.

Sir Peter Mills (Torridge and Devon, West): That is rubbish.

Mr. Taylor: Industry faces foreign competition with a tariff protection of 10 per cent., yet the protection of some commodities exceeds 200 per cent. through import levies. While industry struggles to secure customers, farming in general receives a guarantee that all of its produce will be purchased at a price well above that in the market——

Mr. Maxwell-Hyslop: That is not true.

Mr. Taylor: We spend more than £100 million every week in the Common Market destroying food, dumping it or storing surplus produce that cannot be sold. There is no special case, but even if there were the principle of business rating is that rates are paid irrespective of profitability, as many firms in my constituency and others, including agricultural ones, know to their cost.

Has nothing been done because rating reform is round the corner? Far from being a reason for inaction, the prospect of reform should make us even more determined to set down a marker that the concession should not be written into any new system.

Are we refusing to act because food prices would rise?

Mr. Maxwell-Hyslop: Yes.

Mr. Taylor: Even if that were true, there would be commensurate reductions in the price of other goods as the burden was taken off other industries. Even those who argue the case of agriculture know that farming prices do not reflect costs or the operation of the market because of the Socialist and interventionist price-fixing arrangements of the common agricultural policy.

I believe that there has been no action to remove an anomaly which we all know is a grotesque nonsense and an insult to ratepayers because it would involve putting an additional burden on an industry which has a great deal of friends and political clout and has much sympathy from all of us. That is especially true because the chemical industry is now integrated with agriculture and many City institutions and pension funds have sizeable holdings in the land.

There is a basic theme to the Government's policies — the removal of all unjustified privileges and protections and the eradication of unfair subsidies. Whether it be the mining industry, the car industry or engineering, we must remove unfair privilege and subsidy. My right hon. Friend the Prime Minister has rightly said that, when considering the future of rates, we should try to ensure that a wider section of the community which benefits from local authority services should contribute to the costs of local government. Agricultural derating is an illogical and unjustified privilege. It runs contrary to natural justice and is terribly unfair to other ratepayers. I hope that the House will cast aside any special interests and ensure that this wholly unjustified privilege is removed.

Mr. Maxwell-Hyslop: Wholly justified.

Mr. Taylor: I am aware from the shouts that, when it comes to voting, I shall be on a rather sticky wicket, but surely justice will prevail in Parliament. I am comforted, amid the scandalous shouts and abuses of procedure, by the knowledge that my cause is just and that, in the last

century, it took 15 years of determination in Parliament to repeal the Corn Laws. This is a similar injustice. We should stand up for every ratepayer in Great Britain and treat everyone the same way. We should tell them that Parliament believes in justice and equity.

4.37 pm

Mr. Geraint Howells (Ceredigion and Pembroke, North) *rose*——

Mr. Deputy Speaker (Sir Paul Dean): Does the hon. Gentleman wish to oppose the motion?

Mr. Howells: Yes. I declare my interest as I am involved with the agriculture industry.

I oppose the motion on several grounds. First, rather than produce justice and fair play as the hon. Member for Southend, East (Mr. Taylor) claims, the Bill would merely add to the complexities inherent in the present rating system. We all know that there are many anomalies and unjustices in that system and that we must eventually find a just solution, but why should we add to the confusion by introducing yet another category of rateable property?

The hon. Member has already condemned the whole rating system. I was interested to read an article that he wrote only last March on this very subject.

Sir Peter Mills: On a point of order, Mr. Deputy Speaker. Is the hon. Member for Ceredigion and Pembroke, North (Mr. Howells) speaking on behalf of the Liberal party? If he is, it should be made clear that the Liberal party supports agricultural rating.

Mr. Deputy Speaker: The hon. Gentleman knows that that is not a point of order.

Mr. Howells: Having analysed and dismissed several choices for rating reform, the hon. Gentleman presented his own solution thus:

"we should sweep away all rates—for householders, industry and commerce—and provide funds for local councils from the Treasury."

In this way, he says:

"we would get rid of all the injustices of rates entirely."

Today, however, with this measure the hon. Gentleman is turning his own argument on its head.

The second reason for strong opposition to the measure is that its application would place an unjust burden on the sections of the farming industry that are least able to bear it. What the hon. Gentleman perhaps does not understand is that there is tremendous variety in the agriculture industry, and that some sectors of the industry need to use outbuildings more than other sectors. Therefore, it is not the cereal grower, reputedly at the top end of the financial scale, who is likely to be penalised by additional rates, but the livestock farmer and especially the dairy farmer, who have suffered enough in the last year or so, and who will have to pay heavy bills for essential buildings.

It should also be remembered that the value of the output of agricultural buildings is very low in relation to the capital value of the buildings. This fact would present even more anomalies when comparisons are made with other industries.

I am entirely sympathetic to the concern of the hon. Gentleman for small businesses in particular. Their burden in terms of rates should be given urgent consideration. There is a need to change the system. It is patently in need of reform. However, the answer does not lie in extending the burden to other categories of small business, which include the farmer.

I should like to stress also that the rating of agricultural holdings could well be seen as the thin edge of a dangerous wedge. Many people fear that agricultural land itself would be in danger. I put on record that the Liberal party is against the rating of agricultural land because we do not think that it is right to add to the already high cost of producing food, and our concern, therefore, is just as much for the consumer as it is for the producer. Food is necessary to life, and its production cannot be compared to the production of other commodities and taxed in the same way.

The measure in my view is a retrograde step which merely tinkers with solutions and adds nothing to the serious debate on rating that needs to be considered urgently. Another way must be found of producing a system that is fair and just for all sections of society.

Question put, pursuant to Standing Order No. 15 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business):—

The House divided: Ayes 99, Noes 184.

Division No. 214] **[4.45 pm**

AYES

Archer, Rt Hon Peter
Atkinson, N. *(Tottenham)*
Beaumont-Dark, Anthony
Beckett, Mrs Margaret
Bell, Stuart
Benn, Tony
Bennett, A. *(Dent'n & Red'sh)*
Bermingham, Gerald
Boothroyd, Miss Betty
Boyes, Roland
Brown, Gordon *(D'f'rmline E)*
Brown, Ron *(E'burgh, Leith)*
Caborn, Richard
Callaghan, Jim *(Heyw'd & M)*
Canavan, Dennis
Carter-Jones, Lewis
Clark, Dr David *(S Shields)*
Clay, Robert
Clwyd, Mrs Ann
Corbett, Robin
Cowans, Harry
Craigen, J. M.
Crowther, Stan
Cunningham, Dr John
Davis, Terry *(B'ham, H'ge H'l)*
Dixon, Donald
Dobson, Frank
Dubs, Alfred
Duffy, A. E. P.
Eastham, Ken
Edwards, Bob *(W'h'mpt'n SE)*
Evans, John *(St. Helens N)*
Faulds, Andrew
Fields, T. *(L'pool Broad Gn)*
Fisher, Mark
Flannery, Martin
Forrester, John
Fraser, J. *(Norwood)*
Garrett, W. E.
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman
Griffiths, Peter *(Portsm'th N)*
Hamilton, W. W. *(Central Fife)*
Harrison, Rt Hon Walter
Haynes, Frank
Heffer, Eric S.
Home Robertson, John
Hughes, Dr. Mark *(Durham)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Hughes, Sean *(Knowsley S)*
Jones, Barry *(Alyn & Deeside)*
Lamond, James
Lewis, Terence *(Worsley)*
Litherland, Robert
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Edward
McCartney, Hugh
McDonald, Dr Oonagh
McKelvey, William
McWilliam, John
Marek, Dr John
Marshall, David *(Shettleston)*
Mason, Rt Hon Roy
Maxton, John
Maynard, Miss Joan
Michie, William
Mikardo, Ian
Morris, Rt Hon A. *(W'shawe)*
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Ottaway, Richard
Park, George
Patchett, Terry
Pike, Peter
Randall, Stuart
Roberts, Ernest *(Hackney N)*
Robertson, George
Robinson, G. *(Coventry NW)*
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon R.
Short, Mrs R.*(W'hampt'n NE)*
Skinner, Dennis
Smith, C.*(Isl'ton S & F'bury)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Straw, Jack
Taylor, Teddy *(S'end E)*
Thorne, Stan *(Preston)*
Tinn, James
Wareing, Robert
Weetch, Ken
Winnick, David

Tellers for the Ayes:
Mr. Richard Shepherd and
Mr. Jonathan Aitken.

NOES

Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Ancram, Michael
Arnold, Tom
Ashdown, Paddy
Atkins, Robert *(South Ribble)*
Beggs, Roy
Benyon, William
Biffen, Rt Hon John
Biggs-Davison, Sir John
Blackburn, John
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Bottomley, Mrs Virginia
Boyson, Dr Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brinton, Tim
Bruce, Malcolm
Bryan, Sir Paul
Buchanan-Smith, Rt Hon A.
Buck, Sir Antony
Burt, Alistair
Butcher, John
Carlisle, John *(N Luton)*
Carlisle, Rt Hon M. *(W'ton S)*
Cartwright, John
Cash, William
Chapman, Sydney
Churchill, W. S.
Clark, Hon A. *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clegg, Sir Walter
Coombs, Simon
Cope, John
Crouch, David
Currie, Mrs Edwina
Dicks, Terry
Dunn, Robert
Durant, Tony
Dykes, Hugh
Edwards, Rt Hon N. *(P'broke)*
Eyre, Sir Reginald
Fenner, Mrs Peggy
Fookes, Miss Janet
Forsyth, Michael *(Stirling)*
Fox, Marcus
Franks, Cecil
Freud, Clement
Gale, Roger
Gardner, Sir Edward *(Fylde)*
Garel-Jones, Tristan
Glyn, Dr Alan
Goodhart, Sir Philip
Gorst, John
Gower, Sir Raymond
Greenway, Harry
Grist, Ian
Grylls, Michael
Gummer, John Selwyn
Hamilton, Hon A. *(Epsom)*
Hancock, Mr. Michael
Hargreaves, Kenneth
Harris, David
Haselhurst, Alan
Hawksley, Warren
Hayhoe, Barney
Hayward, Robert
Henderson, Barry
Hind, Kenneth
Holland, Sir Philip *(Gedling)*
Holt, Richard
Hordern, Peter
Howarth, Gerald *(Cannock)*
Howell, Ralph *(N Norfolk)*
Howells, Geraint
Hughes, Simon *(Southwark)*
Hunt, David *(Wirral)*
Irving, Charles
Jackson, Robert
Johnson Smith, Sir Geoffrey
Jopling, Rt Hon Michael
Kellett-Bowman, Mrs Elaine
Kennedy, Charles
Kershaw, Sir Anthony
Key, Robert
King, Rt Hon Tom
Kirkwood, Archy
Knight, Gregory *(Derby N)*
Lang, Ian
Latham, Michael
Lawler, Geoffrey
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lloyd, Peter, *(Fareham)*
Lord, Michael
Luce, Richard
McCurley, Mrs Anna
MacGregor, John
MacKay, John *(Argyll & Bute)*
Maclean, David John
Maclennan, Robert
Major, John
Malins, Humfrey
Malone, Gerald
Marland, Paul
Mather, Carol
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Meadowcroft, Michael
Mellor, David
Merchant, Piers
Meyer, Sir Anthony
Mills, Sir Peter *(West Devon)*
Mitchell, David *(NW Hants)*
Monro, Sir Hector
Moore, John
Morrison, Hon C. *(Devizes)*
Morrison, Hon P. *(Chester)*
Moynihan, Hon C.
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Onslow, Cranley
Osborn, Sir John
Owen, Rt Hon Dr David
Page, Richard *(Herts SW)*
Patten, J. *(Oxf W & Abdgn)*
Pawsey, James
Pollock, Alexander
Porter, Barry
Prentice, Rt Hon Reg
Price, Sir David
Proctor, K. Harvey
Raffan, Keith
Rathbone, Tim
Renton, Tim
Ridley, Rt Hon Nicholas
Rowe, Andrew
Rumbold, Mrs Angela
Sainsbury, Hon Timothy
Shaw, Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Silvester, Fred
Sims, Roger
Skeet, T. H. H.
Smith, Cyril *(Rochdale)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Spicer, Michael *(S Worcs)*
Stern, Michael
Stewart, Andrew *(Sherwood)*
Stewart, Ian *(N Hertf'dshire)*
Stradling Thomas, J.
Thatcher, Rt Hon Mrs M.
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Thornton, Malcolm
Tracey, Richard
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Waddington, David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Wall, Sir Patrick
Wallace, James
Walters, Dennis
Watson, John
Watts, John
Wells, Bowen *(Hertford)*
Wheeler, John
Wiggin, Jerry
Wigley, Dafydd
Winterton, Mrs Ann
Wrigglesworth, Ian
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. A. J. Beith and
Mr. David Penhaligon.

Question accordingly negatived.

TRANSPORT BILL (ALLOCATION OF TIME)

Ordered,

That the Reports [13th and 20th May] of the Business Committee be now considered.—*[Mr. Neubert.]*

Reports considered accordingly.

Question, That this House doth agree with the Committee in their resolutions, *put forthwith, pursuant to Standing Order No. 45 (Business Committee) and agreed to.*

Following is the report of the Business Committee [13 May]:

That—

(1) The order in which proceedings on Consideration are taken shall be New Clauses, Amendments to Clause No. 1, Schedule No. 1, Clauses Nos. 2 and 3, Schedule No. 2, Clauses Nos. 4 to 55, Schedule No. 3, Clauses Nos. 56 to 94, Schedule No. 4, Clauses Nos. 95 to 114, Schedules Nos. 5, 6 and 7, Clause No. 115 and new Schedules;

(2) The allotted days which under the Order [1st April] are given to the proceedings on Consideration and Third Reading shall be allotted in the manner shown in the Table set out below and, subject to the provisions of that Order, each part of the proceedings shall be brought to a conclusion at the time specified in the third column of that Table.

TABLE

Allotted day	*Proceedings*	*Time for conclusion of proceedings*
First day	New Clauses	Midnight
Second day	Amendments up to the end of Part II	6.00 pm
	Amendments up to the end of Part IV	7.30 pm
	Remaining proceedings on Consideration	9.00 pm
	Third Reading	10.00 pm

Following is the report of the Business Committee [20 May]:

That the resolution of the Committee reported to the House on 13th May be varied by substituting the following provisions for those in the Table at the end of that Resolution:

TABLE

Allotted day	*Proceedings*	*Time of conclusion of proceedings*
First day	New Clauses	10 pm
	Amendments up to the end of Part II	Midnight
Second day	Amendments up to the end of Part III	6 pm
	Amendments up to the end of Part IV	7.30 pm
	Remaining proceedings on Consideration	9 pm
	Third Reading	10 pm

Orders of the Day

Transport Bill

[1ST ALLOTTED DAY]

As amended (in the Standing Committee), considered.

New Clause 6

APPLICATION OF RESTRICTIVE TRADE PRACTICES ACT 1976 TO AGREEMENTS BETWEEN ROAD PASSENGER TRANSPORT OPERATORS

'.—(1) Paragraph 4 of the Schedule to the Restrictive Trade Practices (Services) Order 1976 (which excepts certain agreements between road passenger transport operators from the agreements which by virtue of Article 3 of the Order are agreements to which the Restrictive Trade Practices Act 1976 applies) shall cease to have effect.

(2) That Act shall have effect in relation to any agreement (within the meaning of that Act) made before this section comes into force as if the variation of that Order made by subsection (1) above had been made by an order under section 11 of that Act coming into force on the date on which this section comes into force.'.—*[Mr. David Mitchell.]*

Brought up, and read the First time.

4.55 pm

The Parliamentary Under-Secretary of State for Transport (Mr. David Mitchell): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Paul Dean): With this it will be convenient to take Government amendment No. 122.

Mr. Mitchell: The purpose of new clause 6 is to remove the exemption from restrictive trade practices legislation that currently applies to agreements between bus and coach operators. That exemption was appropriate when bus services were regulated. It will not be appropriate following deregulation. Competition is at the heart of our policy for buses, and the purpose of restrictive trade practices legislation is to foster competition and to prevent undesirable restrictive trade practices.

In future when two or more operators enter into agreements by which they accept restrictions concerning the fares they will charge, the areas they will serve, the frequencies to the services and so on, they will be required to register such agreements with the Office of Fair Trading. Agreements that involve significant restrictions are to be referred by the Director General of Fair Trading to the Restrictive Practices Court.

However, I should add that, although the Restrictive Trade Practices Act is of general application, it allows a certain amount of flexibility. I emphasise that, of the agreements that are registrable, it is only those that contain significant restrictions that are likely to be referred to the court. It will then be open to the parties to those agreements to seek to persuade the court that, in terms of the criteria laid down in the Act, they are not against the public interest and can therefore stand. So the provision does not spell the end of all forms of agreement between bus operators. It does provide an essential safeguard for the interests of the passengers, which we regard as supreme in terms of the new legislation.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): The new clause is an interesting example of the muddle into which Ministers have got themselves over the entire Bill. Throughout the Bill, first and foremost we are deregulating bus services. It is clear that if the interests of the passengers were truly paramount, they would require that co-operation was one of the most important things that could be offered to the traveller.

It is extraordinary that two or more operators will be covered by the agreement. I ask the Minister why he must set the number so low. In a rural area, we shall presumably have all the tiny bus companies that the Minister has been extolling throughout the Bill, the one man with his redundancy pay buying one bus. If he comes to a sensible timetable agreement with another man with a bus that he, too, has bought with his redundancy pay, will he automatically be referred to have his careful organisation examined in case he is in some way promoting a restrictive trade practice? If it were not so embarrassingly stupid, this would be one of the funniest clauses that even this hilarious Government have introduced throughout this bizarre, thankless and unnecessary Bill.

If we are to believe the Secretary of State, the National Bus Company and all the other bus operators are to be broken down into tiny units which, in some cases, will be no longer than that operating out of one particular garage. At present the co-ordination of timetabling, particularly the co-ordination of services, is of most use to the traveller. We have been unable to persuade the Secretary of State, who is really not interested in transport, of the advantages of transport planning. Indeed, he seems to reserve some of his rudest comments for those who have made the mistake of acquiring transport qualifications, whom he seems to regard as less than the dust. If he had been prepared to accept that co-ordination is vital, he would have seen that, inevitably, many operators, even if they are independent, will want to dovetail their services with those of their competitors in areas where, for one reason or another, there is enough work to go round to provide several services.

If the Secretary of State is to be believed, we could find ourselves with many small independent operators, not large ex-National Bus Company companies. That is a valid point. We know that at present, even before the Bill becomes law, many independent companies work closely with NBC companies. They plan interchanges, dovetail their services and provide support services for each other. There is no great danger in that to the passenger. Indeed, it is to his advantage. Yet if as few operators as two could be referred, the position would become dangerous.

Is the Parliamentary Under-Secretary genuinely of the opinion that the sort of transport planning that arises from operators reaching a sensible agreement is in some way a dangerous trade practice? If so, how does he justify his attitude since passengers want well timetabled, well planned and available services? If he is genuinely considering passengers, why on earth does he set the level as low as two operators?

Dr. John Marek (Wrexham): I wish to echo the remarks of my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody). The new clause shows what nonsense the Bill is. The proposal is to deregulate bus services completely, yet the new clause shows that the Government are worried about restrictive practices emerging. It is entirely possible that in some cases that will benefit the public. I shall give one simple example.

A town bus service may follow a route but not go to the extremities of a town because it is not worth it. A second bus operator may have a route part of which is the same as that of the first operator. Both operators may find it unprofitable to go to the extremity of the town, for example, to a housing estate, although they may both find it profitable to work the route inside the town. They could reach an agreement under which one would operate to the town's extremities on Mondays, Wednesdays and Fridays, and the other on Tuesdays, Thursdays and Saturdays. That would be in the interests of the public, and the operators might be able to get a return for their services if they operate alternately, although they could not if they both operated the service every day. There would be profit in it and, as we know, the Government are interested only in profit, not whether passengers can get on buses. In that example, I would be in favour of a restrictive practice. The philosophy of the Labour party is along those lines.

Because of the position in the stage carriage services today, it is necessary to have something called integration. I shall not dwell on that, but it is symptomatic of the difference of attitude between the Opposition and the Government.

Mr. Eric Forth (Mid-Worcestershire): Lest the House should be mistaken in this matter, will the hon. Gentleman explain from his perception how it is that over the decades an inexorable loss of passengers from the buses, a decline in the level of services and massive increases in fares and subsidies, which we seek to sort out, show a healthy bus industry, as opposed to the picture that he paints?

Dr. Marek: My hon. Friend the Member for Sheffield, Central (Mr. Caborn) said that there had not been a decline in passengers in Yorkshire. [HON. MEMBERS: "We know why."] I am sorry that Conservative Members say that they know why. The answer is that "Fares fair" has been sufficiently low to provide a good bus service of which everyone can take advantage without having to worry whether he can afford to pay for it.

Mr. Forth *rose*——

Dr. Marek: I shall certainly give way in a moment.

The costs of that service are taken from general taxation and paid for by the people of Sheffield. That is their choice, and as members of the electorate in Sheffield they should be allowed to make that choice. It is wrong for the hon. Member for Mid-Worcestershire (Mr. Forth) to deny the citizens of Sheffield the type of service they want. He may well have some technical arguments about taxation with that money coming from the general pool and then being distributed, but that is not necessarily relevant to the new clause. Some changes may be necessary — we discussed that in Committee — to ensure that the responsibility for providing services falls on the people in those areas, subject to a minimum standard of support dependent on the prosperity of the area.

Mr. Kenneth Hind (Lancashire, West): Does the hon. Gentleman agree that Sheffield, like many other cities, has nearly half of its rates paid by the Treasury through rate support grant, that that money is garnered from every corner of the country and, therefore, that authorities and people in other parts which do not choose to subsidise their

bus services but run them economically are subsidising the people of Sheffield? Why should they be subsidised at the expense of the rest of the country?

Dr. Marek: The hon. Gentleman must know that rate support grant is at a certain percentage throughout England and at a different percentage throughout the whole of Wales, and that different arrangements apply in Scotland. Therefore, the argument could easily be turned the other way. It could be argued that the citizens of Sheffield are paying for the bus services in Lancashire and Mid-Worcestershire.

Mr. Richard Caborn (Sheffield, Central): Does my hon. Friend agree that, if the transport policy for the Falklands were applied to south Yorkshire, the cost to the Government would be about £500 million, which is about 50 per cent. of that which is provided to the Falklands? Does he further agree that there is a slight disparity between the transport policy for the Falklands and that for the United Kingdom?

Dr. Marek: Obviously, as my hon. Friend has produced those figures, I agree.

There is complete disparity and lack of judgment by the Government about which policies should be given proper weight in this and many other areas. For many years it has been evident to Opposition Members—it is also clear from the opinion polls, if they are anything to go by—that the Government will not sit on those Benches for much longer .

It is curious that the Government introduced the new clause because they are worrying about restrictive practices. During all our Committee proceedings they talked only about deregulation, people doing whatever they liked, and not wishing to stop an operator doing anything if he could make money from it. It was immaterial whether the public were served by such practices.

I support the remarks of my hon. Friend the Member for Crewe and Nantwich: the fact that the Government must introduce such a new clause on report shows the stupidity of the Bill.

Mr. Gordon Oakes (Halton): Like my hon. Friend the Member for Wrexham (Dr. Marek), I also wonder, when so much thought has apparently been given to the Bill for so long, why the new clause has been introduced. Why was it not introduced in Committee or, indeed, inserted in the Bill from the start? What events, what train of thought, and what events have made the Government table the new clause now?

As my hon. Friend said, agreements between operators are not per se against the public interest. Indeed, they can be in the public interest. It is perfectly sensible for an operator to agree with another operator, especially in rural areas, as my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) pointed out, to divide the services between them. The public do not want queues of competing buses, but a bus. The Opposition fear that in many suburban and rural areas, especially at weekends, there will not be a bus. There will be no bus, for sound, private enterprise reasons: it will not pay the operator to send out a bus. That will be the result of the Bill.

Why have the Government introduced this new clause so late, and why do they believe that fair agreements, which are made in other trades and industries, must automatically operate against the interests of the travelling public?

Mr. Forth: I cannot understand why the Opposition are puzzled about the introduction of the new clause. Having spent all the hours that we did together in Committee, there is every good reason for the Government to come to the House now with a reasonable measure that no doubt emerged from our dialogue in Committee——

Mrs. Dunwoody: Dialogue?

Mr. Forth: I said "dialogue". I can understand why the hon. Lady is surprised, bearing in mind the one-sidedness of the proceedings in Committee. However, if Labour Members wish it, we can return to that subject later.

The Bill will introduce a new approach to transport, not the uniform approach of the past. The uniformity of attitude, techniques and vehicles—any uniformity that one cares to think of—has utterly failed us in the past, has caused a decline in the bus sector and has not provided the travelling public with what they want. We need only examine the inexorable decline in the number of travelling passengers during the years to understand that they have made their judgment on the inadequacy of bus services. The Bill and especially the new clause address that problem. We wish to ensure, as far as reasonably possible, a new approach to the provision of bus services.

Mr. Jim Craigen (Glasgow, Maryhill): In the light of what the hon. Gentleman told us about the reduction in the number of people travelling by bus, how does he account for the reduction in the number of people travelling by bicycle during the same period?

Mr. Forth: I doubt whether that is true. Recently, there has been a great revival in the use of bicycles, and one need only consider the number of bicycles on the premises to prove the point. Indeed, my hon. Friend the Member for Crawley (Mr. Soames) has recently taken to the bicycle; even among us, there are living examples of people who are taking to two wheels to get around.

Mr. Hind: Perhaps if my hon. Friend and I had consulted Dr. Snashall, the House of Commons doctor, we would be riding bicycles. People today are much more exercise-conscious, and the bicycle is an ideal way of taking exercise.

Mr. Forth: I am grateful to my hon. Friend.

I am glad that my hon. Friend the Minister introduced the new clause, because he has understood, as he invariably does, the necessity to make the Bill work for the benefit of the travelling public. In doing so, we must ensure the provision of a variety of flexible services by private operators who know their localities and the needs of local passengers. They will provide the sort of service to which passengers will respond by paying their fares, which will provide revenue and profit to the operators. Everyone will be satisfied.

Mr. Craigen: The hon. Gentleman need not consult the House doctor. He need only read the first report of the Select Committee on Transport, which shows that the share of passenger travel by bicycle decreased during the period about which we are talking.

Mr. Forth: I am grateful to the hon. Gentleman, but I thought that we were here to discuss the provision of bus services. I hope that the hon. Gentleman will not bring

[Mr. Forth]

bicycles into the discussion too often. Perhaps he has taken to heart the words of my right hon. Friend the Secretary of State for Trade and Industry.

I welcome the new clause, which is a demonstration of the extent to which the Government listened to the debates in Committee and were prepared to introduce several measures, responding to requests made from both sides of the Committee, to improve the operation of the Bill and to achieve its aims. In that spirit, I wholeheartedly support the new clause.

5.15 pm

Mr. Peter Pike (Burnley): The new clause shows how ill thought out the Bill is and how quickly the Government have tried to get it on the statute book. I still do not believe that they are aware of the problems that will arise, especially in the provision of rural and off-peak services. No doubt, when the Minister replies to this debate, he will say that the new clause was introduced to ensure unfettered and fair competition. But if the Government were sincere about that, they would have introduced amendments to ensure that terms and conditions of service are laid down when tenders are invited. There is no such provision in the Bill as drafted. The Government intend to make the Bill work by worsening the working conditions of employees in the bus industry. That is the only way in which they can hope to achieve a sensible operation of the Bill.

If the Government are moving the new clause to try to secure fair competition, they should have tabled another amendment to ensure that the terms and conditions of employment will be at least equal to those in the municipal undertakings, the National Bus Company and all passenger transport authorities.

It is for local electors to determine by how much they wish to subsidise their public transport services. That should not be determined by national Government. I agree with what my hon. Friend the Member for Sheffield, Central (Mr. Caborn) said: if the people of Sheffield wish to pay that subsidy in their area, they have the right to do so. I know that Conservative Members will talk, as they did in Committee, about the large subsidy from the Government in rate support grant and the fact that most rates are raised from business and commerce. However, at the end of the day, the people determine who they want to serve in local government. It is a retrograde step to remove from local authorities the power to determine what transport they want in their areas, what fares they wish to charge and the subsidies that they wish to give.

Conservative Members do not accept that view; nor do they accept that public transport is a public service. My hon. Friends and I wish it to develop in that way. During our debates today and tomorrow, there will be many conflicts, because, after all the hours of debate in Committee, the Government will not budge an inch. They do not recognise the need to safeguard transport, especially for the young, the elderly, the disabled, and those who need off-peak, Sunday and rural services.

Mr. Hind: I welcome the new clause, which is a sensible improvement to the Bill. We have heard the stock response from the Opposition that any change in the Bill constitutes a muddle, not an improvement. But this clear improvement has arisen from our discussions in Committee. The Opposition do not understand the essence of the Bill, which is to give the public a greater and cheaper choice of public transport. That inevitably means the introduction of more operators to fill existing gaps, especially in rural areas. They can be filled by the one-man bus operations that the Opposition are so fond of knocking and for which they express so much contempt.

The clause protects the choice which it is essential to preserve under the Bill by allowing small operators to stay on the road. The simple pilot scheme in Hereford and Worcester provides a reason for the clause. The National Bus Company, by introducing buses from other parts of the country, attempted to drive out the new small operators. The new clause will prevent two large operators from getting together to drive out competition that may be in the public interest.

Dr. Marek *rose*——

Mr. Hind: The smaller companies may have lower fares and lower overheads. Therefore, it will be in the interests of bigger operators to drive them out. The clause is thus essential to protect the interest and choice of the general public.

Dr. Marek *rose*——

Mr. Hind: I shall give way in a moment.

The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) commented with contempt about the referral by the Director General of Fair Trading to the Restrictive Practices Court, but it must be borne in mind that the Director General of Fair Trading and his office will be a filter to consider all the agreements and to decide whether an agreement is fair. If he finds that an agreement is in the public interest, it will not be referred to the Restrictive Practices Court. That gets over the criticism of two one-man bus operators working together to run a service by themselves. The clause will provide an essential legal safeguard. This is a piece of the jigsaw that was missing from the Bill originally. It is essential protection for the general public.

Dr. Marek: The hon. Gentleman referred to the Hereford trial area. He should know that competition is now confined to just one corridor on the east of the city. The lesson is clear: everyone has run at a loss in the trial area and nobody produced conclusive evidence that there has been a profit. Does the hon. Member also know that services to Kington and Presteigne are not as good as they were before and that no new routes have been created? If the hon. Gentleman says that is a good result of the Hereford trial, heaven help us.

Mr. Hind: Perhaps the hon. Member will bear in mind that during the pilot study the National Bus Company reduced fares to virtually nothing. How can that possibly mean that it ran an economic service? Can it have had any intention other than to drive off the road any competition that was already there? I do not accept that the bus service in Hereford and Worcester is worse than it was before but, if it is, the people in the area can put it down firmly to the reaction of the National Bus Company in cross-subsidising the Hereford and Worcester operation with fares collected elsewhere from bus users who were not paying economic fares.

Mrs. Dunwoody *rose*——

Mr. Hind: The hon. Member for Wrexham (Dr. Marek) has given a strong argument for the clause and I commend the Secretary of State for tabling it.

Mrs. Dunwoody *rose*——

Mr. Hind: I am sure the hon. Lady will have an opportunity to reply.

Mr. Deputy Speaker: Mr. Richard Caborn.

Mrs. Dunwoody: The hon. Member for Lancashire, West (Mr. Hind) has given way.

Mr. Deputy Speaker: I am not sure whether the hon. Gentleman had given way.

Mr. Hind: I had given way, Sir.

Mrs. Dunwoody: The hon. Member for Lancashire, West has raised some interesting points, not least because Midland Red was competing and using industrial muscle. Is he aware that the National Bus Company has made it clear that if the Bill becomes law one of the first things that will happen is that there will be a 30 per cent. cut in services, and from that moment on it will compete in any way possible with anybody who wishes to run services in the same area? Will he not accept that that will happen and that Hereford gives a clue? Where people are prepared to compete on small town routes there may be more buses initially but that does not mean better services. Now we know that in Hereford the people have worse services than they had previously.

Mr. Hind: The hon. Lady should consider the name of the office which will oversee this sort of thing; it is the Office of Fair Trading. I take the view that what happened in Hereford and Worcester was unfair trading. The purpose of the new clause is to make sure that the competition is fair. Unlike the Opposition, we do not believe that competition is de facto bad. We see it as the essence of the Bill. I hope that the voters of Hereford and Worcester will remember what has happened. Certainly the competition there was not fair.

Mr. Caborn: The new clause indicates clearly that the Government are fishing around in regard to competition. The only restrictive practice will be that passengers who hitherto had buses to travel on will no longer have them. The hon. Member for Lancashire, West (Mr. Hind) indicated the philosophy behind the Bill—profitability and fair trading. At no stage did he talk about producing a service for the people, whether in Hereford or anywhere else.

It should be understood that the basis for the Bill revolved around the Hereford trial area. It has been in force for about two and a half years and has been an unmitigated disaster from every point of view, so much so that when the Tories were trying to sell it to the public in a party political broadcast they had to film two dear old ladies of 30 years' standing in the Tory party.

Mr. Forth *rose*——

Mr. Caborn: I shall give way in a moment.

We have tried to analyse seriously what is happening in Hereford and in other areas, particularly south Yorkshire. We have never tried to hide the fact that south Yorkshire gets subsidies from central Government but they are being used most responsibly to provide a proper public and integrated transport system, unlike the service in Hereford. If the Government try to include new clause 6 in the Bill they will be doing the people further injustice. It will have considerable effect on the disadvantaged.

People from the trade unions who came to London to discuss the matter with Back-Bench Tories were appalled at the lack of knowledge among hon. Members who will be voting on the Bill. The only conclusion they could reach was that Government Back Benchers, knowing very little about the matter, had been conned either by hon. Members who were on the Committee or by the Government Front Bench. When the implications were spelled out to some of the Back-Bench Tories, they were having different thoughts. Whether they have the guts to go through the Lobby later, we shall see.

Mr. Matthew Parris (Derbyshire, West): The procedure for referral under the restrictive practices legislation gives ample scope for filtering out complaints of what may seem to be restrictive practices where there is a good argument in the public interest that those practices should take place. I am happy about that, and the House should be happy.

New clause 6 is a welcome addition to the Bill because it is a better way of filtering out such complaints than clause 55 and subsequent clauses. That clause obliges authorities

"so to conduct themselves as not to inhibit competition between persons providing or seeking to provide public passenger transport services in their area."

That would not be determined under the restrictive practices legislation, and the fact that there was a good argument in the public interest for practices that inhibited competition would not be a defence to a charge that an authority had so conducted itself. It is better to do this through restrictive practices legislation than through the ordinary courts in the way envisaged by clause 55 and subsequent clauses. I shall be interested in the reaction of my hon. Friend the Minister.

5.30 pm

Mr. David Marshall (Glasgow, Shettleston): The remarks of the hon. Member for Mid-Worcestershire (Mr. Forth) about the decline in public transport were misleading. We all know why people no longer use public transport, and the Bill will do nothing to change that. It will make the situation worse, because people will have less access to public transport.

I agree with my hon. Friend the Member for Wrexham (Dr. Marek) that agreements between companies can work in the public interest and to the benefit of the companies and their employees. A classic example of this is the situation in Strathclyde, where British Rail, the Scottish Bus Group, the Strathclyde PTE and a number of independent operators are all working in a harmonious relationship. I do not know whether there is a formal agreement or just a gentleman's understanding, but the system works reasonably well.

Under the new clause, the law of the jungle will prevail. The Scottish Bus Group has already made its attitude clear. It will compete by whatever means it takes to maintain and increase its share of the market. The big strong company will, in many cases, eliminate the small independent companies, some of which have been long established. There will be a further increase in the ever-growing number of companies that go bankrupt under the Government's policies. The companies and their employees will suffer. I see no benefit from the new clause. Therefore, I shall join my hon. Friends in opposing it.

Mr. David Mitchell: The House should be indebted to the hon. Member for Glasgow, Maryhill (Mr. Craigen) for

[Mr. David Mitchell]

his intervention because he drew attention to what he referred to as pedal power—those who move about by bicycle. Unfortunately, he misread the document to which he was referring. Table 1 of the White Paper on buses shows that travel by pedal cycle went up from 4 billion passenger kilometres in 1973 to 5 billion in 1983, an increase of 25 per cent. That increase has been due to the deterioration of the availability of buses under the existing system—one of the profound reasons why we have had to introduce this legislation.

The increase in the number of people using bicycles is a mirror image of the decline of 28 per cent. in bus passenger numbers over the past decade, reflected in the huge decline in the number of jobs in the bus industry. That should be a cause of concern to the hon. Member and his hon. Friends.

The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) said that the Government were in a muddle. It is not the Government who are in a muddle, but the hon. Lady. She said that two operators who harmlessly co-ordinate their services will be caught by the provisions of the new clause, but they will not. I referred specifically to the problems that would arise if the case involved rigging fares or areas of service, or dividing up the market between operators. Even then, it has to be shown that such practices are against the public interest. Therefore, the hon. Lady is quite mistaken in her perception of the effect of this new clause.

Planned interchanges are beneficial and it is for the Director General of Fair Trading to decide in the first instance what is significant in the terms of that phrase, which I used in my earlier explanation of the purpose of the new clause.

Mrs. Dunwoody: Is the hon. Gentleman saying in effect that such decisions, which will have major implications for transport planning, are to be left entirely to the director general and that he will suddenly find himself constituting a detailed court of transport planning?

Mr. Mitchell: Almost all the industry is subject to the Office of Fair Trading and the legislation surrounding it. We are taking away the special, privileged position of the bus industry and making it like any other industry, in that it has to compete, and compete without cartelisation, price rigging and the other practices with which this new clause seeks to deal. The hon. Lady claimed that this was a hilarious new clause to introduce, but she gave no explanation of why it is hilarious to apply to the bus industry that which applies to all the industries in which hon. Members worked before they came here.

The hon. Member for Wrexham (Dr. Marek) claimed that two operators would be at risk for providing alternative services. In assessing the significance of any particular agreement, the director general will take a pragmatic approach. Clearly, the sort of practices about which the hon. Gentleman was referring will not get anybody into trouble.

The right hon. Member for Halton (Mr. Oakes) asked what brought about the train of thought that led to the introduction of the new clause at this stage. Partly, it was brought about by listening to Labour Members in Committee. That led us to recognise that many of them were deep adherents to the concept of cartelisation and putting the public and the passenger low on the list of priorities.

Mr. Martin Flannery (Sheffield, Hillsborough): What an abuse. The Minister should come to south Yorkshire.

Mr. Mitchell: I shall be happy to deal with the hon. Member and south Yorkshire at an appropriate moment. I am not sure that now is an appropriate moment, but if the hon. Gentleman makes a speech I am perfectly happy to reply to it.

Mr. Flannery: Come to south Yorkshire.

Mr. Mitchell: I have been to south Yorkshire. I shall happily reply to any point the hon. Gentleman makes because south Yorkshire is one of our major problems.

The hon. Member for Burnley (Mr. Pike) talked about removing the power of local government to decide the level of subsidy. He knows that one thing the Bill does in cross-subsidisation is take away from the bus operators their allocation of subsidies and put it into the hands of the local authority, which will decide which routes are necessary and which are not. There will be a new responsibility for local government and a new opportunity to co-ordinate looking after the public interest.

My hon. Friend the Member for Mid-Worcestershire (Mr. Forth) dealt trenchantly with the case for competition, and I welcome his support.

My hon. Friend the Member for Lancashire, West (Mr. Hind) asked particularly about the predatory pricing policies pursued by Midland Red in the trial area of Hereford and Worcester. The Competition Act will apply to deal with such a situation. The Director General of Fair Trading, in fulfilment of his powers under the Competition Act, is empowered to discuss with the parties, and if not satisfied to bring action against, any such activities.

It is a great pity in many ways that that part of the law was not brought to bear in the case of Hereford and Worcester. Had it been brought to bear, the number of new competitors would possibly be greater and doing well, because Midland Red could have been stopped by means of the Competition Act 1980. Nobody sems to have recognised that fact. I am glad of the opportunity to say that if in future anybody seeks to copy Midland Red by introducing predatory pricing to drive out competition, he will face the full weight of the Competition Act.

Mr. Craigen: The independent bus operators in Scotland are also concerned about the speed of action, lest they should go out of business before the Office of Fair Trading can dispose of their case. Will the Under-Secretary comment on that aspect of the interim interdict that is available under Scottish law, so that a breathing space can be made available to companies facing the situation that he described?

Mr. Mitchell: My hon. Friends who come from north of the border inform me that the position is exactly the same as with the injunction procedure. Although I am of Scottish extraction, I am not resident in Scotland, so it would be dangerous if I tried to interpret Scottish law. However, I am assured on good authority that that is the case. I am interested to note the implicit support of the hon. Member for Maryhill for the Government's new clause. He has expressed anxiety that it will not be applied quickly enough. Therefore, he ought to join us in the Lobby if there is a Division.

Question put, That the clause be read a Second time:-

The House divided: Ayes 271, Noes 153.

Division No. 215] **[5.45 pm**

AYES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Amess, David
Ancram, Michael
Arnold, Tom
Ashdown, Paddy
Atkins, Rt Hon Sir H.
Atkins, Robert *(South Ribble)*
Baker, Nicholas *(N Dorset)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Beaumont-Dark, Anthony
Beggs, Roy
Beith, A. J.
Bellingham, Henry
Bendall, Vivian
Benyon, William
Bevan, David Gilroy
Biffen, Rt Hon John
Biggs-Davison, Sir John
Blackburn, John
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Boyson, Dr Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim
Brown, M. *(Brigg & Cl'thpes)*
Browne, John
Buchanan-Smith, Rt Hon A.
Buck, Sir Antony
Budgen, Nick
Bulmer, Esmond
Burt, Alistair
Butcher, John
Butler, Hon Adam
Butterfill, John
Carlisle, John *(N Luton)*
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Carttiss, Michael
Cartwright, John
Cash, William
Chapman, Sydney
Churchill, W. S.
Clark, Hon A. *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clegg, Sir Walter
Cockeram, Eric
Coombs, Simon
Cope, John
Cormack, Patrick
Critchley, Julian
Crouch, David
Currie, Mrs Edwina
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Dover, Den
Dunn, Robert
Durant, Tony
Dykes, Hugh
Edwards, Rt Hon N. *(P'broke)*
Eggar, Tim
Evennett, David
Eyre, Sir Reginald
Fallon, Michael
Farr, Sir John
Favell, Anthony
Fenner, Mrs Peggy
Fletcher, Alexander
Fookes, Miss Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
Franks, Cecil
Freeman, Roger
Freud, Clement
Fry, Peter
Gale, Roger
Gardner, Sir Edward *(Fylde)*
Garel-Jones, Tristan
Glyn, Dr Alan
Goodhart, Sir Philip
Gorst, John
Gower, Sir Raymond
Greenway, Harry
Griffiths, Peter *(Portsm'th N)*
Grist, Ian
Grylls, Michael
Gummer, John Selwyn
Hamilton, Hon A. *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hancock, Mr. Michael
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth
Harris, David
Harvey, Robert
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hawksley, Warren
Hayes, J.
Hayhoe, Barney
Hayward, Robert
Heathcoat-Amory, David
Henderson, Barry
Hickmet, Richard
Hicks, Robert
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hirst, Michael
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Hordern, Peter
Howard, Michael
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Howell, Ralph *(N Norfolk)*
Howells, Geraint
Hubbard-Miles, Peter
Hunt, David *(Wirral)*
Irving, Charles
Jackson, Robert
Jenkins, Rt Hon Roy *(Hillh'd)*
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(W Herts)*
Kellett-Bowman, Mrs Elaine
Kennedy, Charles
Kershaw, Sir Anthony
Key, Robert
King, Roger *(B'ham N'field)*
King, Rt Hon Tom
Kirkwood, Archy
Knight, Gregory *(Derby N)*
Knox, David
Lamont, Norman
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lilley, Peter
Lord, Michael
Luce, Richard
McCrindle, Robert
McCurley, Mrs Anna
Macfarlane, Neil
MacGregor, John
MacKay, John *(Argyll & Bute)*
Maclean, David John
Madel, David
Major, John
Malins, Humfrey
Malone, Gerald
Maples, John
Marland, Paul
Marshall, Michael *(Arundel)*
Mather, Carol
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Meadowcroft, Michael
Merchant, Piers
Meyer, Sir Anthony
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Mills, Sir Peter *(West Devon)*
Miscampbell, Norman
Mitchell, David *(NW Hants)*
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Morrison, Hon C. *(Devizes)*
Morrison, Hon P. *(Chester)*
Moynihan, Hon C.
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Normanton, Tom
Oppenheim, Phillip
Osborn, Sir John
Ottaway, Richard
Owen, Rt Hon Dr David
Page, Richard *(Herts SW)*
Parkinson, Rt Hon Cecil
Parris, Matthew
Patten, J. *(Oxf W & Abdgn)*
Pawsey, James
Pollock, Alexander
Porter, Barry
Portillo, Michael
Powell, Rt Hon J. E. *(S Down)*
Powell, William *(Corby)*
Prentice, Rt Hon Reg
Price, Sir David
Proctor, K. Harvey
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Renton, Tim
Rhodes James, Robert
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roe, Mrs Marion
Ross, Stephen *(Isle of Wight)*
Rossi, Sir Hugh
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Thomas
Sainsbury, Hon Timothy
St. John-Stevas, Rt Hon N.
Shaw, Giles *(Pudsey)*
Shelton, William *(Streatham)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Skeet, T. H. H.
Smith, Cyril *(Rochdale)*
Smith, Tim *(Beaconsfield)*
Smyth, Rev W. M. *(Belfast S)*
Speed, Keith
Spicer, Michael *(S Worcs)*
Stanbrook, Ivor
Steen, Anthony
Stern, Michael
Stewart, Allan *(Eastwood)*
Stewart, Andrew *(Sherwood)*
Sumberg, David
Temple-Morris, Peter
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Viggers, Peter
Wakeham, Rt Hon John
Walker, Bill *(T'side N)*
Wall, Sir Patrick
Wallace, James
Watson, John
Watts, John
Wells, Bowen *(Hertford)*
Wheeler, John
Wiggin, Jerry
Winterton, Mrs Ann
Wood, Timothy
Wrigglesworth, Ian
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Peter Lloyd and
Mr. Ian Lang.

NOES

Abse, Leo
Adams, Allen *(Paisley N)*
Archer, Rt Hon Peter
Ashley, Rt Hon Jack
Atkinson, N. *(Tottenham)*
Banks, Tony *(Newham NW)*
Barnett, Guy
Beckett, Mrs Margaret
Bell, Stuart
Bennett, A. *(Dent'n & Red'sh)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Anthony
Boyes, Roland
Bray, Dr Jeremy
Brown, Gordon *(D'f'mline E)*
Brown, N. *(N'c'tle-u-Tyne E)*
Brown, Ron *(E'burgh, Leith)*
Buchan, Norman
Caborn, Richard
Callaghan, Jim *(Heyw'd & M)*
Campbell, Ian
Campbell-Savours, Dale
Canavan, Dennis
Carter-Jones, Lewis
Clark, Dr David *(S Shields)*
Clay, Robert
Clwyd, Mrs Ann

Cocks, Rt Hon M. *(Bristol S.)*
Cohen, Harry
Cook, Robin F. *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cowans, Harry
Craigen, J. M.
Cunningham, Dr John
Davies, Rt Hon Denzil *(L'lli)*
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric
Dewar, Donald
Dixon, Donald
Dobson, Frank
Dormand, Jack
Dubs, Alfred
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eastham, Ken
Evans, John *(St. Helens N)*
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fields, T. *(L'pool Broad Gn)*
Fisher, Mark
Flannery, Martin
Forrester, John
Foster, Derek
Foulkes, George
Fraser, J. *(Norwood)*
Freeson, Rt Hon Reginald
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman
Golding, John
Gould, Bryan
Gourlay, Harry
Hamilton, W. W. *(Central Fife)*
Harman, Ms Harriet
Harrison, Rt Hon Walter
Hattersley, Rt Hon Roy
Haynes, Frank
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart *(Vauxhall)*
Home Robertson, John
Hoyle, Douglas
Hughes, Dr. Mark *(Durham)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
John, Brynmor
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Kinnock, Rt Hon Neil
Lamond, James
Leighton, Ronald
Lewis, Ron *(Carlisle)*
Lewis, Terence *(Worsley)*
Litherland, Robert
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Edward
McCartney, Hugh
McDonald, Dr Oonagh
McKelvey, William
MacKenzie, Rt Hon Gregor
McNamara, Kevin
McWilliam, John
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael
Mason, Rt Hon Roy
Maxton, John
Maynard, Miss Joan
Meacher, Michael
Michie, William
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Nellist, David
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Park, George
Patchett, Terry
Pike, Peter
Prescott, John
Radice, Giles
Randall, Stuart
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Roberts, Ernest *(Hackney N)*
Robertson, George
Robinson, G. *(Coventry NW)*
Rooker, J. W.
Rowlands, Ted
Ryman, John
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon R.
Shore, Rt Hon Peter
Short, Ms Clare *(Ladywood)*
Short, Mrs R.*(W'hampt'n NE)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, C.*(Isl'ton S & F'bury)*
Smith, Rt Hon J. *(M'kl'ds E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Stewart, Rt Hon D. *(W Isles)*
Strang, Gavin
Straw, Jack
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Tinn, James
Wareing, Robert
Weetch, Ken
Welsh, Michael
White, James
Wigley, Dafydd
Williams, Rt Hon A.
Wilson, Gordon
Winnick, David
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Sean Hughes and
Dr. Roger Thomas.

Question accordingly agreed to.
Clause read a Second time, and added to the Bill.

New Clause 7

LONDON TAXI AND TAXI DRIVER LICENSING: APPEALS

'.—(1) In this section—

"licence" means a licence under section 6 of the Metropolitan Public Carriage Act 1869 (taxi licences) or under section 8 of that Act (taxi driver licences); and

"licensing authority" means the person empowered to grant a licence.

(2) Where the licensing authority has refused to grant, or has suspended or revoked, a licence the applicant for, or (as the case may be) holder of, the licence may, before the expiry of the prescribed period—

(a) require the authority to reconsider his decision; or

(b) appeal to a magistrates' court for the petty sessions area in which he resides.

(3) Any call for a reconsideration under subsection (2) above must be made to the licensing authority in writing.

(4) On any reconsideration under this section the person calling for the decision to be reconsidered shall be entitled to be heard either in person or by his representative.

(5) If the person calling for a decision to be reconsidered under this secton is dissatisfied with the decision of the licensing authority on reconsideration, he may, before the expiry of the prescribed period, appeal to a magistrates' court for the petty sessions area in which he resides.

(6) On any appeal to it under this section, a magistrates' court may make such order as it thinks fit; and any order which it makes shall be binding on the licensing authority.

(7) Where a person holds a licence which is in force when he applies for a new licence in substitution for it, the existing licence shall continue in force until the application for the new licence, or any appeal under this section in relation to that application, is disposed of.

(8) For the purposes of subsection (7) above, where the licensing authority refuses to grant the new licence the application shall not be treated as disposed of—

(a) where no call for a reconsideration of the authority's decision is made under subsection (2) above, until the expiry of the prescribed period;

(b) where such a reconsideration is called for, until the expiry of the prescribed period which begins by reference to the decision of the authority on reconsideration.

(9) Where the licensing authority suspends or revokes a licence, or confirms a decision to do so, he may, if the holder of the licence so requests, direct that his decision shall not have effect until the expiry of the prescribed period.—*[Mr. Michael Spicer.]*

Brought up, and read the First time.

The Parliamentary Under-Secretary of State for Transport (Mr. Michael Spicer): I beg to move, That the clause be read a Second time.

The new clause gives a right of appeal against the taxi licensing decisions of the assistant commissioner of the Metropolitan police. The London taxi trade has wanted that for a long time and I feel sure that on this matter at least the House will agree that it is unjust that any authority should have the power to deny or remove the livelihood of a cab driver without there being a right of appeal. Elsewhere in England, Wales and Scotland there is a right of appeal against the decisions of taxi licensing authorities.

The assistant commissioner has said that he would welcome the establishment of a right of appeal against his decisions, as it would remove from him the burden of having the final say on whether a cab driver should be allowed to continue to make a living.

The House will see that the appeal procedure proposed in the new clause is similar to the one that exists for decisions by the traffic commissioner on PSV drivers' licences. There will be a period following a decision by the assistant commissioner during which an appeal may be made. The aggrieved party may require the assistant commissioner to reconsider his decision and will have the right to be heard personally. Alternatively, or if he remains dissatisfied with the decision or reconsideration, he may appeal to a magistrates court. The decision of the court shall be binding on the assistant commissioner.

Where a case involves the revocation or suspension of an existing licence, the assistant commissioner may, if the

holder requests it, direct that his decision will not have effect until the expiry of the appeal period or, if an appeal is made, until it has been disposed of.

Although we shall be reviewing all the Victorian, somewhat complex and certainly archaic taxi legislation, the new clause removes a genuine grievance which, I am sure the House will agree, should be corrected now.

Mrs. Dunwoody: This is a sensible provision, not least because so much of the Bill which affects taxis is neither sensible nor properly thought out. It has been an anomaly for a long time that the taxi trade in London has not had a right of appeal, and I accept what the Minister says about the protection that this provision will provide.

I assume that the trade has had detailed consultation with the Minister and that it is satisfied with the provision. After all, there are so many changes in the Bill that it is helpful to be able to welcome one of them that is a positive improvement rather than a retrograde step.

For example, let me draw attention to an article in the *Evening Advertiser* on Thursday 11 April which should be of interest to the Secretary of State. It says:

"Cab war is in store".

It goes on to say:

"A taxi war is brewing in Cirencester, with warnings of trouble and chaos from cab drivers. The row is over the taxi spaces in the market place. Three owner-drivers have operated from the rank for the last 15 years as the Cirencester Taxi Rank Association."

One wonders whether they have consulted the Secretary of State and whether they had a better reception than those people who were talking about losing their only buses into Cirencester early in the morning.

The article goes on:

"The three drivers are furious because they had to buy into the Association when they joined. Denis Gill said: 'It cost us £1,000 when we came here. The telephone and sign were all paid for by the Association.' Fellow cabby Mike Goddard said: 'This letter from the council means that anyone can just come here and operate as a taxi. Its going to be chaos. You could get up to 18 motors fighting for the two spaces.' The Market Place drivers have already had one confrontation with drivers from Cirencester radio cabs who produced the council's letter and then parked on the rank."

The reality of much of the Bill that refers to taxis is that there will be precisely that kind of punch-up. It is only rough justice that it should be happening in the constituency of the Secretary of State who is responsible for the Bill. The right hon. Gentleman is responsible for the thought, if there is any, behind it and for a mad commitment to the opposite of transport planning, which, in his case, seems to represent transport chaos. He is responsible for the absolute shambles that will occur not just in the taxi trade but also in the bus trade if the Bill becomes law.

Cab war in Cirencester will be followed by bus war, followed by general chaos. I hope that the Under-Secretary will not misunderstand me when I tell him that I hope that his information about taxi legislation is more accurate than his information about the Blackpool trams.

Having said that, we happily welcome any provision that will give an appeal procedure to taxi drivers, who, in any event, will be badly affected.

6 pm

Mr. Vivian Bendall (Ilford, North): I gather that the new clause deals with a right of appeal for taxi drivers in London and has nothing to do with Cirencester. This provision is long overdue. When I came to the House in 1978 I began campaigning for London taxi drivers to have a right of appeal against the revoking of licences.

There can be few instances in our legislation — indeed, in our very constitution—where people do not have a right of appeal. This measure rectifies an anomaly that has been in existence for perhaps 300 years, going back well before the Carriage Acts of last century.

Mrs. Dunwoody: Did the hon. Gentleman intend in due course to declare his interest in the taxi trade? Although we are in agreement on this issue, he will appreciate that, as a general rule, hon. Members should know when those among us are speaking for particular groups of people.

Mr. Bendall: If I need to declare an interest in the taxi trade, I do so, although I have said repeatedly in the House when challenged by Opposition Members on the same point that I have no financial arrangement with, or receive any inducement from, the licensed taxi trade. I assure the hon. Lady that if I did have such an advantage, I should have declared it in the proper quarter.

I congratulate the Minister on correcting an anomaly that has existed for far too long. It is greatly welcomed by the London taxi trade. The new clause has been introduced after full consultation with representatives of that trade, for which I thank my right hon. Friend. This legislation will bring the licensed taxi trade into line with the position as it should be in a democratic society.

Mr. Michael Spicer: I thank my hon. Friend the Member for Ilford, North (Mr. Bendall) for his kind remarks and, unusually, I thank the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) for her comment about this being a sensible provision. She went on to spoil it by quoting something in connection with Cirencester, an area which has nothing to do with the assistant commissioner of the Metropolitan police. The hon. Lady accused me of being inaccurate. She put before the House one of the most inaccurate pieces of geography imaginable. However, I suspect that we are in agreement on this issue.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 9

COMPULSORY PARTICIPATION IN TRAVEL CONCESSION SCHEMES

'(1) Arrangements made in pursuance of a travel concession scheme under section 85 of this Act with any operator of a registered local service qualifying for fuel duty grant may require the operator to give notice, of such length and in such manner as may be provided by the arrangements, before withdrawing from participation in the scheme.

(2) Subject to subsection (5) below, where arrangements so made include such a requirement, the operator in question shall be obliged to provide travel concessions in accordance with the arrangements until he gives notice of withdrawal in accordance with the arrangements and the period of notice has expired.

(3) The authority or authorities responsible for administration of any such scheme may at any time by notice in writing served on any operator of a registered local service qualifying for fuel duty grant (including an operator already participating in the scheme) impose on him an obligation to participate in the scheme in respect of any such service operated by him to which the notice applies, to be effective as from a date immediately following the end of such period as may be specified in the notice.

[Mr. Michael Spicer]

A notice under this subsection is referred to below in this section and in sections *(Further provisions with respect to participation notices)* and *(Supplementary provisions)* of this Act as a participation notice.

(4) Subject to subsection (5) below and section *(Further provisions with respect to participation notices)* of this Act, where a participation notice is served on any such operator, he shall be obliged, as from the date immediately following the end of the period specified in the notice in accordance with subsection (3) above, to provide any travel concessions required by the scheme on journeys on any service to which the notice applies either—

(a) in accordance with any arrangements agreed between that operator and the authority or authorities responsible for administration of the scheme before that date; or

(b) in default of any such agreement, in accordance with the arrangements currently applicable to reimbursement of operators participating in the scheme or to any class of such operators to which that operator belongs.

(5) An obligation imposed on any operator by subsection (2) or (4) above shall, except as provided by the following provisions of this section, cease to apply in relation to that operator by virtue of the requirement mentioned in subsection (2) above or (as the case may be) by virtue of the participation notice mentioned in subsection (4) above if, following—

(a) in a case within subsection (2) above, the making of the arrangements including that requirement; or

(b) in a case within subsection (4) above, the date there mentioned;

there is any variation of the travel concession scheme in question or of the arrangements applicable to reimbursement of operators participating in the scheme or to any class of such operators to which that operator belongs.

(6) Where it is proposed—

(a) to vary a scheme under section 85 of this Act; or

(b) to vary the arrangements for the time being applicable to reimbursement of operators participating in any such scheme or of any class of such operators which consists of or includes operators of registered local services qualifying for fuel duty grant;

the authority or authorities responsible for administration of the scheme may, not less than such period before the variation is to take effect as may be prescribed, by notice served on any operator of any such service who is eligible to participate in the scheme require him to indicate, within such period and in such manner as may be prescribed, whether or not he is willing to participate or (as the case may be) to continue to participate in the scheme after the variation takes effect.

(7) Where in pursuance of subsection (6) above an operator indicates that he is willing to participate or (as the case may be) to continue to participate in the scheme after the variation takes effect, that variation shall be disregarded for the purposes of subsection (5) above.

(8) Where the authority responsible for administration of a scheme under section 85 of this Act is a Passenger Transport Executive, the exercise by the Executive of the power to serve a participation notice on any operator shall require the consent of the Passenger Transport Authority for the Executive's area.". —*[Mr. Ridley.]*

Brought up, and read the First time.

The Secretary of State for Transport (Mr. Nicholas Ridley): I beg to move, That the clause be read a Second time.

Mr. Speaker: It will be convenient for the House to consider at the same time the following: New clause 11 — *Further provisions with respect to participation notices.*

New clause 10 — *Supplementary provisions.*

New clause 16 — *Enforcement of participation in travel concession schemes.*

Government amendments Nos. 96, 99, 100, 101, 103 and 111.

Mr. Ridley: In Committee, a number of hon. Members expressed concern that there should be a mechanism available to local authorities in cases where they considered that the participation of an operator in a concessionary fares scheme was necessary but that operator was unwilling or downright recalcitrant. The Government appreciated that the purely voluntary participation of operators might in some cases leave gaps in the coverage of schemes whose benefits ought to be available either more widely or throughout their area.

We undertook to bring forward amendments on Report to honour our commitment to give councils a discretionary power to insist that operators should opt in unless, through some special appeal mechanism, good reason could be shown why they should not. Some Opposition Members greeted our reaffirmation of this commitment with the utmost scepticism. But today the mechanism is before us, and it will be interesting to see whether the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) acknowledges that we have delivered.

Under these new clauses, an authority may serve notice on recalcitrant operators, who will be bound to provide the travel concessions required. The clauses also give authorities powers to require operators who are participating voluntarily to give advance notice of any intention of withdrawal. This will allow authorities to ensure continuity of provision by serving a notice obliging continued participation. There is also a mechanism for the operator to apply to me or my successors, on grounds which are quite specific, to have the notice cancelled.

I hope that hon. Members will appreciate that it would be wrong to compel operators to enter into arrangements which were onerous, inappropriate or unfair. If the Secretary of State finds that the terms of the scheme or of reimbursement are inappropriate, not just for the appellant but for all operators in that position, he must spell out the aspects of the scheme which led him to that view.

New clause 16 makes it a criminal offence for an operator who is under an obligation—perhaps having appealed, or perhaps not—to provide concessions to fail systematically to do so. If an operator accepts a participation notice, or if the Secretary of State determines that it should take effect, he cannot be allowed then to refuse with impunity to provide the travel concessions.

I hope that all hon. Members are now satisfied that we have kept our word and that they will support these amendments. I hope, too, that this will bring to an end the insinuation or scurrilous rumours that have been spread by Labour supporters that concessionary fares schemes will come to an end or in some way be affected by the Bill. They are affected by the Bill in that they are made more comprehensive on all operators. To have acknowledgement of that from Labour Members would give my hon. Friends and I great pleasure.

Mrs. Dunwoody: The new clauses and associated amendments arise out of a commitment given by the Secretary of State in Committee in March, when he said:

"It should be a matter of opting out of the scheme rather than opting in. Therefore, I undertake to table an amendment, or possibly a new clause, on Report to meet that requirement".—[*Official Report, Standing Committee A*, 19 March 1985; c. 668.]

We have four new clauses and a number of amendments, the net effect of which is to place on the statute book a great deal of verbiage which barely conceals the Secretary of State's reluctance to give effect to his undertaking.

Mr. Ridley: Shame.

Mrs. Dunwoody: The spirit of the Secretary of State's comments about concessionary fares is exemplified by the fact that subsection (1) of new clause 9, which is entitled

"Compulsory participation in travel concession schemes",

specifies that schemes may lay down conditions and that the operator may withdraw, which is hardly what we would call an enthusiastic and positive approach. Subsection (2) goes on to say:

"where arrangements so made include such a requirement, the operator in question shall be obliged to provide travel concessions in accordance with the arrangements until he gives notice of withdrawal"

That seems to be a "put up with the children, the elderly and the disabled until you find an excuse not to do so" attitude.

Mr. Forth: Will the hon. Lady at this early stage put us out of our misery and tell us whether she will thank my right hon. Friend the Secretary of State for bringing forward this measure which was requested in Committee? We are waiting to hear whether the hon. Lady welcomes its inclusion in the Bill.

Mrs. Dunwoody: I understand the hon. Gentleman's passion to know what I think about these matters, so I shall do my best to satisfy his interest. The Secretary of State did not want to bring this concession forward. He has brought forward a small concession and still has not answered the real question concerning the funding of these schemes. We have been offered a poor substitute for the proper concessionary fare schemes which are applied by many local authorities who believe that such schemes are not a way of filling empty seats when it happens to suit the operator. Many people in local government and throughout the country see concessionary fare schemes as a means of changing the lives of those most in need of the freedom to travel, including the elderly and the disabled —those in need of the right to get out of their homes and not feel trapped by their poverty or inability to move about.

I am firmly convinced that not only the hon. Member for Mid-Worcestershire (Mr. Forth) but the Secretary of State regard concessionary fare schemes as an irritation which they have had to consider because of the pressure put on them in Committee. The clauses which have now been brought forward do not show that, even at this late stage, the Government are prepared to discuss seriously how the schemes should be funded or to say that their suggestions will be an adequate alternative to what exists.

The hon. Member for Mid-Worcestershire may regard it as a political point for me to say that I am not flinging myself upon the kindness of the Secretary of State and saying how grateful I am to him for the crumbs that fall from his rich table. I shall explain why. Concessionary fares should be provided to people as a right. They have contributed to the economy throughout their working lives, and they have the right to be able to move about, not to be subjected to a substitute scheme under which they receive any old token that happens to be available from an authority which can manage to scrape up sufficient funds from its rate-capped finances to provide an alternative. I am sorry if the hon. Member for Mid-Worcestershire does not like that point. That confirms me in my view that what we are offered is inadequate.

Mr. Ridley: Will the hon. Lady therefore tell the House the Labour party's plans for the concessionary fare schemes, the level at which she would like them imposed and the mechanism that she would use to impose them? Will she not just wrongly criticise what the Government are doing but state her alternatives?

Mrs. Dunwoody: If the Secretary of State would like to listen to the rest of my speech, he might discover what I think is wrong with his legislation.

Mr. Ridley: Oh.

Mrs. Dunwoody: "Oh," says the Secretary of State. Even though the Labour party might find itself at the end of two years with no public transport system of any size to talk about, he thinks that Labour Members should today say, "We can somehow weld the independent operators into a scheme that will provide concessionary fares." I shall give the Secretary of State one undertaking. I hope that he will accept it because it is meant in the kindest way. I believe in public transport. I use it, and I know what it means to those who are unable to afford a motor car or to those who are but do not always have one available. A Labour Government will restore a public transport system to this country because the Labour party understands the importance of such a system and would not simply look at it in terms of the cost of the bus subsidy. A Labour Government would look at transport questions in wider social ways, not merely in terms of the cash implications.

6.15 pm

Mr. Ridley: It really will not do for the hon. Lady to dodge the question that I asked her and to answer unspecifically a completely different one which has nothing to do with the subject we are debating — concessionary fares. I asked her whether her party will in this legislation or in a wider context change the arrangements that this Government have made. The hon. Lady had dodged that question by saying that it is not really for her to say, two years before an election, what she would do. After criticising this Government's actions, the hon. Lady should state the way in which she would change the schemes.

Mrs. Dunwoody: It is clear that the Secretary of State is frightened that we are actually discussing his concessionary fares, because he does not want to talk about what his legislation states. I repeat: in two years from now, we may not have a public transport system that is recognisable by that name. My party intends when in government to set up concessionary fare schemes that will restore to the elderly, the disabled and those most in need a scheme that genuinely allows them to travel freely. If that means going back to proper passes, and not the absurdity of tokens and insisting on inadequate schemes of the type that will inevitably arise from the chaos and nonsense entailed by the Bill, the right hon. Gentleman will find that the general public will rapidly understand the difference between our proposals and what he plans.

Mr. Harry Cowans (Tyne Bridge): My hon. Friend should remind the Secretary of State that we are questioning his legislation. She should ask him why his Government saw fit to undertake to underwrite concessionary fares in the London Regional Transport Bill. Perhaps she will also ask him why, in the grant-related expenditure, 50 per cent. is the level of concessionary fares. Is that the Government's standard?

Mrs. Dunwoody: My hon. Friend reminds us of the basic point that the Secretary of State was forced by

[Mrs. Dunwoody]

London Members to write in an undertaking to protect concessionary fares in that earlier Bill. I do not know for how many sittings the House considered this point or how many words were spoken on it in Committee, but it must have been a great many. Not once was the Secretary of State prepared to give an undertaking in this legislation that he would underwrite concessionary fares. Not once was he prepared to write into this Bill a similar guarantee to the one that he wrote into the London Regional Transport Bill. The reason is simple—he did not intend the rest of the country to have proper concessionary fares schemes. The right hon. Gentleman knows that.

Mr. Don Dixon (Jarrow): Although the Secretary of State did not give that undertaking in Committee, his hon. Friend the Member for South Hams (Mr. Steen) gave the game away when he suggested that the Tory policy on concessionary fares was for bus companies to make a profit before considering granting concessionary fares to the old and disabled. Before these private entrepreneurs can deal with the disabled or the old, they must first make a profit. Under the Government's policy during the next two years, until all these entrepreneurs make a profit, the disabled, the blind and the old-age pensioners will be prisoners in their homes.

Mrs. Dunwoody: There is no doubt that this is the thought behind the whole of the Government's attitude towards concessionary fare schemes. The concession was given reluctantly. It was not a genuine underwriting of concessionary fares. The Secretary of State has never been prepared to discuss the fact that it will be extremely difficult for rate-capped authorities to find the money necessary for genuine concessionary fare schemes. He has never discussed the financial implications, preferring to say that this is a matter for his right hon. Friend the Secretary of State for the Environment.

Mr. Ridley: I have asked the hon. Lady twice what her policy is and the rather pathetic attempts of the hon. Members for Tyne Bridge (Mr. Cowans) and for Jarrow (Mr. Dixon) do not obscure the point. The hon. Lady went so far as to say that a Labour Government would enable elderly people to travel "freely", but she did not say that they would travel free. Why is she so shy about answering my question? The only conclusion that one can draw is that she is not prepared to go one inch beyond the Government's position.

Mrs. Dunwoody: I am flattered that the right hon. Gentleman regards my undertakings as so much more genuine and real than his own. He may not be Secretary of State next year, let alone for another two years. *[Interruption.]* Let us not be too unkind. He may make it to the autumn but not far beyond that, especially once this legislation becomes law. The effects of the Bill will be so wide ranging that we may have to create an entirely new public transport system, but if the Secretary of State is so worried I will give this undertaking. A Labour Government would regard the provision of concessionary fare schemes as one of the first priorities in transport policy. That is as firm as anyone can expect me to be at this stage. Unlike the Secretary of State, however, I can give a further guarantee. Under a Labour Government there will be a public transport system for old-age pensioners to travel on. The right hon. Gentleman has been careful not to claim that that will be the case after two years of the chaos and bewilderment that will inevitably result from this legislation.

Let us now consider the right hon. Gentleman's new clause, which he is anxious to obscure even further. Subsection (3) finally reaches the original objective—an authority may require an operator to participate in a concessionary fares schemes by serving a participation notice upon him. Participation notices are dealt with in new clause 11. New clause 10 provides the framework. Some authorities are very worried about the way in which this insistence will work. It is a pity that there is no blackboard, as I have a marvellous flow chart showing what will happen. It is clear that some authorities will have to go through the most complicated procedure if they want to operate a concessionary fare scheme under clause 85. I shall not bother the House with all the highly complex implications, but it will certainly not be simple to produce a workable, sensible scheme with a number of different operators. Inevitably, those most in need of concessionary passes will be affected by that.

The Secretary of State has created an extremely complex appeals procedure. As he is so keen to answer questions, perhaps he will tell us why the traffic commissioners, rather than the Secretary of State, cannot act in disputes as arbiters between local authorities and operators. The commissioners will have that role in relation to traffic regulation conditions — a matter in which they are arguably less expert.

Subsection (4) provides that an operator is to provide concessions in accordance with his individual agreement or with any general conditions applying to this scheme, unless subsection (5) applies and the operator has managed to find a way out of the scheme altogether. That being so, it is scarcely surprising that we do not regard this as the best thing since sliced bread.

Subsection (6) allows an operator, on receiving notice of a variation, to find yet another way out. Subsection (7) provides that if an operator

"is willing to participate or . . . to continue to participate in the scheme after the variation takes effect"

the cop-out in subsection (5) will not apply.

Subsection (8) requires the passenger transport authority to give its consent to the passenger transport executive before a participation notice is served. Presumably the Secretary of State believes that there is just a chance that the executive will have misinterpreted the authority's policy on concessionary fares and he wishes to give the operator further protection from the dreaded participation notice.

In Committee, the Secretary of State dredged up the word "otiose", meaning redundant and unnecessary, to describe some of the legislation that he had been sitting on for years. Much of what is said in the new clauses is also otiose. Despite the grudging attitude that they display, however, there is no option but to accept that half a loaf is better than no bread. Nevertheless, we should make it clear who will be affected. In the six metropolitan counties alone, more than 1·5 million people are covered by concessionary travel arrangements. Pensioners travel free of charge at off-peak times in four of the metropolitan counties and travel passes are provided. In Greater Manchester and in west Yorkshire they travel at half fare or at a flat rate throughout the day. The physically disabled

are entitled to similar concessions throughout the day and the blind travel free throughout the day in all metropolitan counties.

Concessionary travel payments for 1984-85 are expected to exceed £100 million — almost half the aggregate VLS. Widely differing methods apply to the calculation of concessionary travel payments. Greater Manchester will be required to find between £12 million and £14 million. Is the Secretary of State seriously suggesting that a rate-capped authority will be able to make good a gap of that size? Of course he is not. What he really intends is clear from the figures that he has given for the amount to be spent on transport this year. He intends that there should be a direct cut in the amount available. He knows that authorities will find it extremely difficult to underwrite the sums required by the changes proposed in the Bill. Any authority or group of authorities can establish travel concesssion schemes, but they will find it very difficult to fund them and many existing schemes will be severely damaged.

Throughout our discussions on the Bill, the Secretary of State has said that it is entirely up to the local authority to decide not just on the type of scheme but on the way in which it is administered. Even with the minimal conditions included in the Bill, it is clear that, instead of useful bus passes and access to transport almost all day, many people will suddenly be offered an inferior system. It may involve tokens, which are easily used up and do not allow as many journeys as the present passes. In addition, the provision currently made by the larger authorities may well not be replaced when individual operators take over the services and, due to their size, cannot provide the same type of scheme or even the same kind of vehicle.

I do not believe that the new clauses genuinely underwrite the type of scheme required by the elderly and the disabled. At best, they are a smokescreen for the Secretary of State, who did not want to write anything into the Bill. He could easily have given an undertaking to ensure continuation of the present level of concessionary fare schemes, but, for one simple reason, he did not want to do that. To him, transport is simply a matter of pounds, shillings and pence and concessionary passes are merely a way to provide, grudgingly, a lower standard of service when it suits him and at times when he cannot get enough fare-paying passengers. The hon. Member for South Hams (Mr. Steen) made that clear in Committee. To the Conservative Government, concessionary fare schemes are an indulgence and an extravagance, and should be abolished.

6.30 pm

Mr. Dixon: In fairness to the Secretary of State, will my hon. Friend acknowledge one point? When the question about private operators taking part in the scheme was first raised in Committee—it was raised by some Conservative Members as well as by my hon. Friend and others of my hon. Friends — the Secretary of State suggested that the private entrepreneurs should not pick up the old-age pensioners and the disabled, in case the prospect of a full load of full fares should be jeopardised, and that a ghost service should be run alongside to pick them up. The present suggestion, although wholly inadequate, is a massive improvement on the original one.

Mrs. Dunwoody: I accept that. However, there is no provision for the mentally handicapped, and throughout the Committee stage the Secretary of State consistently refused to accept many of the amendments that would have dealt with the problems of the disabled. It is clear that adequate schemes will be replaced by token schemes. The Bill in no way provides a proper service for the disabled or for those most in need.

Mr. Anthony Steen (South Hams): Surely the hon. Lady is not suggesting a special bus service for the mentally handicapped. Of course one must provide services for those less fortunate than the very fit and healthy, but surely the hon. Lady is not suggesting that there should be a special bus service for all the disadvantaged.

Mrs. Dunwoody: Listening to the hon. Member for South Hams one would not believe that he had been a member of the Committee. Even though he appeared only briefly after dinner from time to time, I would have thought that even he was present when we debated at great length the changes that would have to be made to the Bill to safeguard the interests of the disabled. It is a shame that the hon. Gentleman should try to divert attention away from the complete inadequacy of the scheme.

Mr. Flannery: I am familiar with the sheer arrogance and contempt of the Secretary of State. I once described him—he has got worse since then—as the only hon. Member in the House who could strut sitting. We are falling far behind when even the poverty-stricken Republic of Ireland has concessionary fares on everything except aircraft. Many countries are miles ahead of us. Even the Labour party should take note of that. The Government will take us back a long way. I do not know how they can defend what they are doing. We tried private enterprise and it failed. That is why we municipalised and nationalised public transport.

Mrs. Dunwoody: The Secretary of State knows exactly what he is doing. He has given us figures. In case anyone missed them, I will repeat them. The public expenditure White Paper shows a reduction in actual expenditure on concessionary fares from £245 million in 1984-85 to £197 million planned for 1985-86. That is almost 20 per cent.

Mr. Ridley *rose*——

Mrs. Dunwoody: Public transport in metropolitan areas will be rate-capped. It is clear that there will be a reduction in the availability of concessionary fares in metropolitan areas.

Mr. Ridley: If I may say so, that is a piece of deliberate deception. The true figures are as follows: for 1982-83, a provision of £163 million; for 1983-84, £173 million; for 1984-85, £188·5 million, and for 1985-86, £197 million. There is an ever-increasing total. The outturn in each case is greater than the provision, but the hon. Lady compared the provision with the outturn. She did not say that she was confusing the figures. I invite her to withdraw what can only be described as a deliberate deception.

Mrs. Dunwoody: The Secretary of State should tell us himself what the changes were. Let him give us the figures. They are his figures. They were produced by his Department.

Concessionary fares will suffer under the Bill. There has been a slight concession. If the operators cannot find a way out—and, by heaven, there are enough ways of

[Mrs. Dunwoody]

getting out of the schemes if the determination exists to do so—the independent operators will have to comply. In no way will that concession protect the public. When travel conditions deteriorate, the public will make its judgment.

Mr. Martin M. Brandon-Bravo (Nottingham, South): The House might well wish to award to the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) an Oscar for outrage. Her response to the new clauses is as ungracious and mealy-mouthed as it could be.

The hon. Lady has tried to play down the contribution made by the Secretary of State in Committee. It has become evident from the hon. Lady's speeches throughout the four months of the debates on the Bill that she knows very little about public transport. When referring to the Secretary of State's undertaking, she omitted to recall that he had said:

"I am not resisting the principle of the amendment—I would undertake to meet the spirit of my hon. Friend's amendment."—[*Official Report, Standing Committee A*, 19 March 1985; c. 668.]

If the hon. Lady had mentioned that, she might have received a different response from the House.

Much later in the Standing Committee proceedings we debated clause 85, and this humble Member suggested a five-line amendment. My hon. Friend the Under-Secretary of State gave us a full undertaking. Indeed, I was able to say that I could not have wished for a more fulsome undertaking. Some Labour Members did not understand the word "fulsome", so I had to spell it out.

Conservative Members are very grateful for the way in which the matter has been handled. However, I thought that I had said in five lines what was necessary. That what was said in five lines in Committee now requires 150 lines demonstrates what fun the parliamentary draftsmen and the lawyers have in this place.

The hon. Lady has made considerable play of the value of concessionary fares in general, but she has failed to respond to the Secretary of State's request for her own specific views. We became used to that in Committee. Our understanding is that concessionary fares — whether tokens, passes, or off-peak passes — currently vary between £20 and £80 in value from the most generous to the least generous authority that offers them. The fair city of Nottingham seems to take a central place in terms of its generosity as well as geographically. Our concessionary fares scheme—free pass, off-peak—is currently valued at £48.

Perhaps in this case one could speak of a blanket subsidy, although blanket benefit may be the better phrase. A blanket benefit may be described as generous, but it usually means that those who are in need do not get enough while those who are not in need receive a benefit that they could do without. Conservative Members have often been worried about such benefits. This, however, is one of those benefits which satisfy everybody. It confers a benefit and fulfils the needs of a group of people who, as the hon. Lady said, can claim to be entitled to it, at a value that I doubt any Chancellor of the Exchequer could equal.

For less than £1 a week, we can give senior citizens in greater Nottingham the mobility of which the hon. Lady spoke so passionately. There is no way in which the Chancellor, by giving pensioners an extra £1 a week, could confer such a benefit. Even in our fairly compact city, £1 a week in cash would mean that somebody who lives comparatively close to the centre of Nottingham could make three or four return journeys a week whereas somebody who lives further out might be able to make only one. The system is excellent value for money and benefits senior citizens. I am grateful to my right hon. Friend the Secretary of State for accepting the spirit of the amendment that we tabled in Committee. I could not have wished for a more fulsome undertaking from my hon. Friend the Parliamentary Under-Secretary of State.

It is right that the Bill does not set down a mechanism by which concessionary travel should be provided. I am satisfied that the system will vary in different parts of the country. I believe fervently in the concessionary pass system, but there are parts of the country for which the token system is better. It is right, therefore, that local authorities should be allowed to choose a system that suits local needs. Local authorities and operators must be able to fix the value of a pass clearly and fairly.

Mr. Steen: I should merely like to repeat what I said in Committee. Neither side of the House has a monopoly on compassion. The proposals for concessionary fares are as fair as possible and it is wrong for the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) to imply that it is the Labour party's prerogative to protect the weak and the handicapped. New clause 9 gives such groups as much protection as they had before.

Mr. Brandon-Bravo: My hon. Friend is right. The Labour party seems also to believe that if it bobs up and down and tables new clauses saying that if would provide this, that and the other, it has expressed its sincerity. Labour Members know full well that what matters is the practicality, not the volume of words used.

6.45 pm

Mrs. Dunwoody: Would the hon. Gentleman like to remind the hon. Member for South Hams (Mr. Steen) that it was he who said that, before concessionary fares should be offered to the elderly, independent operators would have to make a profit? It was he who said that, much as such operators would want to help the elderly, they would have to make a profit before being able to consider them. How many of the areas where no concessionary fares are provided are Conservative controlled?

Mr. Brandon-Bravo: It was monstrous that my hon. Friend the Member for South Hams (Mr. Steen) was criticised in his absence from the Committee——

Mrs. Dunwoody: He was never there.

Mr. Brandon-Bravo: —and that he was not given an opportunity to repeat what he said in Committee which, taken in the round, was quite different from what the hon. Lady has suggested. As to the hon. Lady's second question, I do not know how many authorities do not provide for the elderly, nor do I know whether all or any of them are Conservative controlled. I hope, however, that when the Bill is on the statute book all local authorities will respond to my right hon. Friend's generous provisions.

Mr. Cabom: Is the hon. Gentleman recommending to the Secretary of State that the concessionary fares system in the city of Nottingham should be the minimum in the rest of the country? Does he agree that some local authorities, because of rate capping, will have difficulty in supporting concessionary fares? We have just gone

through one round of rate capping and the next one might involve considerably more local authorities who will have enormous trouble supporting schemes such as that in Nottingham, which I gather is free.

Mr. Brandon-Bravo: I can confirm that the scheme in Nottingham is free, off-peak. As the generosity of the scheme is about average, I hope that it is an example of schemes that my right hon. Friend would be more than happy to approve. He will be able to comment later.

Rate capping is the only shot left in the Labour party's locker. Few, if any, local authorities would be unable to provide a scheme such as we have in Nottingham if they cut out some of their ridiculous spending and applied the rules of normal prudent housekeeping.

Mr. Ridley: If any local authority controlled by the Labour party cared a fig for old people — I do not believe that many of them do; they care for their votes —they would never mention rate capping because they would make it their priority to support a concessionary fares scheme at the expense of almost any other rubbish that they might spend money on.

Mr. Brandon-Bravo: I am grateful to the Secretary of State. He has, as we say, scored a bullseye. Indeed, it was the Conservatives who introduced the scheme in the city of Nottingham.

Mr. Robert N. Wareing (Liverpool, West Derby): Should not the hon. Member be retorting to his right hon. Friend the Secretary of State that it was in Birmingham in 1955 that, in the case of Prescott *v.* Birmingham Corporation, the local authority was banned from operating a concessionary fares scheme? It took 10 years until a Labour Government were in power to rescind that judgment. An Act of Parliament of a Labour Government introduced concessionary travel.

Mr. Brandon-Bravo: I do not dispute what the hon. Gentleman has said. The law was as it was at the time of the case in Birmingham. It is to the credit of the Labour Government at that time that they changed the law. However, one could say that about almost anything that comes before Parliament: we change law because we perceive the law or the existing situation to be unacceptable.

Mr. Wareing: But the Conservative Government did not do it in 1955.

Mr. Brandon-Bravo: There are many things that Governments do not do. There are just so many hours in the day, and we are demonstrating very ably just how long we can take over the most acceptable clauses in the Bill.

Mr. Parris: Will my hon. Friend ask himself how it can be that Sheffield, under rate capping, feels that it cannot afford a concessionary fares scheme yet at the same time can afford £16,000 a year for an anti-nuclear co-ordinating officer?

Mr. Brandon-Bravo: My hon. Friend makes a valid point. Opposition Members may say, "Ah, yes, but you can't provide a concessionary fares scheme for just £16,000", but I am certain that, if one went through the Sheffield books, one would discover countless instances of such amounts which, put together, would provide sufficient to fund a concessionary fares scheme.

Mr. Ridley: I am sorry to have to disagree with my hon. Friend, who perhaps too readily agreed with the hon. Member for Liverpool, West Derby (Mr. Wareing). My hon. Friend might like to know that in 1955 legislation was introduced by the Conservative Government to give powers to municipal authorities, including Nottingham, to grant concessionary fares immediately after the judgment to which the hon. Member for West Derby referred.

Mr. Brandon-Bravo: I am grateful to my right hon. Friend for correcting my ignorance. I trust, therefore, Mr. Deputy Speaker, that if the hon. Member for West Derby catches your eye he will be gracious enough to accept that and withdraw his earlier remark.

Mr. Steen: I wish to put right the unfortunate slur which has been made too often with regard to the proceedings in Standing Committee in what the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) tried to infer. Does my hon. Friend agree that we on the Government Benches, by accepting the principles behind the Bill, realise that private operators running without a subsidy have to run a profitable service? They cannot run an unprofitable service because they are not eligible for Government subsidy. Therefore, they have to be profitable. Only when they are profitable and are going concerns can they provide the much needed help from which the elderly, the mentally ill and others can benefit. Until the profit is there, unfortunately, they cannot provide the widescale facilities which the Opposition seek to have provided. Does my hon. Friend agree that the Bill is concerned with the ability to make a profit? Does he also agree that under the Bill we hope to provide more facilities for a wider cross-section of people so that more people travel by bus and more profits will be made?

Mr. Brandon-Bravo: I am grateful to my hon. Friend, and I see nothing untoward in the way that he puts his case. My hon. Friend is saying that one cannot offer an operator a concessionary fare scheme unless operators exist in the first place, and operators will not exist in the first place unless there is a mechanism by which they can operate. If that is what my hon. Friend seeks to say, I do not think that any hon. Member could question it. I say again that I think that my hon. Friend's name was grossly abused in his absence in Standing Committee.

There are two matters that I hope the Secretary of State will clarify in replying. When I set out in Standing Committee the scheme which operated in Nottingham, I said that the mechanism was under the control of the traffic commissioner. That scheme was agreed between the then local authority in 1967 or 1968 and the traffic commissioner, and that formula has remained ever since. In clause 11, it seems that the Secretary of State can designate somebody to act for him. I hope that I am not being presumptuous, but by implication that person appears to be the traffic commissioner. If that is so, I think that nobody will regard that as unreasonable. It seems a sensible way forward.

New clause 16 seems to suggest that an operator can only be fined for failure to comply with the scheme. I hope that by implication that does not mean that, if an operator persistently abuses the facility of a concessionary fare scheme, the traffic commissioner will not have the power to take away his operator's licence. No one surely would wish to permit to remain in operation an undertaking that constantly infringes the scheme within the area of its activity. We owe it to the elderly and to the disabled who

[Mr. Brandon-Bravo]

will have passes to ensure that they are not persistently denied access to the buses in their area because there is an operator who flies close to the wind.

If indeed clause 16 is just one of the mechanisms, I suggest that clause 25 might be the mechanism by which a traffic commissioner could withdraw an operator's licence for persistent abuse of a scheme.

Mr. Cowans: I have been following closely the hon. Gentleman's speech, and up to now he has sounded more like the sheriff of Nottingham than Robin Hood. There is now a glorious opportunity for him to be Robin Hood. Would he at my invitation like to place on record a categorical assurance that the scheme that he has praised in Nottingham will be the same scheme after the Bill is enacted, because new clause 9 provides for opting out rather than opting in, which could be the death knell of the scheme that he has so greatly praised?

Mr. Brandon-Bravo: The hon. Gentleman was not a member of the Standing Committee, and clearly has not bothered to read the report of the proceedings in Standing Committee. Nor has he bothered to read new clause 11. These four new clauses have to be taken in the round. It would not be possible for any one to stand alone. They are inter-related and inter-dependent. One cannot opt out under clause 9 if there is not a scheme and, if there is a scheme under clause 11, clause 9 would operate. I am sorry if the hon. Gentleman is unable to understand that.

Mr. Cowans: Will the hon. Gentleman take this opportunity to tell his constituents that the scheme will still exist after the enactment of the Bill?

Mr. Brandon-Bravo: I am perfectly happy to say that I am satisfied that the undertaking that the Secretary of State gave in Standing Committee and the undertaking that the Minister gave in Standing Committee were such that it would be impossible for them to renege on those undertakings under the clauses that they have included in the Bill and to stay in office. I do not have the power to give such an undertaking. That is a matter for Ministers and the law as it is. However, I believe that it is a reasonable assumption that the Bill allows local authorities to operate a concessionary fares scheme.

The Bill and the new clauses suggest to me that the scheme that we are running in Nottingham will also be allowed. As much as that scheme costs—£2.4 million—it is a sum of money that has bipartisan support in the city of Nottingham. It is a provision of first priority. It is entirely up to the local authority to decide whether it wants to run its affairs so badly that its highest priority, provision for the elderly, is at risk. I say to the hon. Member for Tyne Bridge (Mr. Cowans) that, if the Conservatives control Nottingham, the commitment to the old-age pensioners will be honoured to the full. If Labour remains in control for much longer—some of the mad schemes that Labour representatives have up their sleeves might put that at risk—that is for the local authority, and the local authority alone. There is nothing that the Secretary of State can say or do that will change that.

I restate what I said at the beginning of my remarks. We had a long debate in Committee. We were given undertakings which have been honoured. My constituents and I and, I am sure, my hon. Friends are grateful to the Secretary of State.

7 pm

Mr. Stephen Ross (Isle of Wight): Although I recognise that the Secretary of State has fulfilled the promise to introduce new clauses that give some assurance to hon. Members that the concessionary fares schemes will continue, I think that he will agree that they are excessively complicated and full of qualifications. I wonder whether the question put by the hon. Member for Tyne Bridge (Mr. Cowans) to the hon. Member for Nottingham, South (Mr. Brandon-Bravo) can be answered by the Secretary of State.

Subsection (6) of new clause 9 states:

"Where it is proposed—

(a) to vary a scheme under section 85 of this Act".

In new clause 11, someone participating in a scheme has to give special reasons why his participation in the scheme would be inappropriate. Tomorrow we shall discuss amendment No. 97, which also refers to exemption from that obligation. New clause 16 refers to enforcement and a fine. I cannot help believing that somebody somewhere will find a way through that mire of legislation. If people have financial difficulties in maintaining the service, they may wish to use some of those ways out.

I can only bore the House with the experience that I have had over the past few months, which is driving me crazy, with regard to the provision of services by Sealink, which the Secretary of State privatised. In my constituency, it is part of the public transport system which links two sections of the railway system. The latest concession that has been withdrawn by Sealink is the half fare for service men. Men serving in the Royal Navy who live in my constituency have written to me complaining bitterly that whenever they wish to come on leave or visit home for a weekend they now have to pay full fares on Sealink whereas on the railway they have to pay only half fare. The railway gives a travel concession, but Sealink does not do so now. Also, visitors to the Isle of Wight who are unlucky enough to live near a station where they cannot buy a printed ticket that goes through a computer have to buy a separate ticket when they arrive at Portsmouth harbour. When there are hundreds of them and the boat is going in five minutes, that is no joke. Many of those people are writing to me.

I realise that I am off the point about concessionary bus fares, but that is an experience that I am now having with a private operator. I know that a commitment was not written into the sale, but a wish to maintain through booking was expressed. I pay tribute, as I did in Committee, to the role of the Minister when he tried to help put that right in April, when I pleaded with him over the Easter period. The through fare was withdrawn at the peak period of Easter. There is no legal obligation on the operator of Sealink to maintain the through fares.

The new clauses are complicated. Surely the provision could have been written in without all this verbiage. They are full of qualifications. I suggest that some operators will wish to find ways out. I know that they may be fined, but I hope that the Secretary of State will give us stronger assurances. He moved the new clause 9 very quickly. It and the others are complicated, and I find them difficult to understand. I am sure that other hon. Members do too, if they are honest about it. I hope that the right hon. Gentleman will give stronger assurances that the clauses mean that if a concessionary fares scheme is operating at the moment, as far as he is aware, there is no earthly

reason why it should not be continued, and adequate finance will be provided to local authorities such as Nottingham so that they can maintain the scheme. Let us think again of the situation in London. It is what cities such as Nottingham and other great cities deserve. It was granted to London, and it should be granted to the rest of the country.

Mr. Peter Fry (Wellingborough): I declared on the Second Reading my interest in the National Bus Company, but I happily declare it again.

I should like to ask my right hon. Friend the Secretary of State two fairly short questions about new clause 11. One concerns the use of the word "inappropriate" in subsection (3). It is an unusual word. Why has my right hon. Friend chosen it rather than "unreasonable"? If a participation notice were unreasonable, there could be quite clear reasons for it. For example, operators could be required to carry passengers with concessionary tickets at peak times, or the scheme may not sufficiently compensate the operator for the service provided. Therefore, would it not be better to use the word "unreasonable"? The word "inappropriate" seems slightly odd. For example, if there were a successor transport authority to South Yorkshire, it might impose some unreasonable conditions in the notice, which need not necessarily be inappropriate in terms of its own transport policy. I should like my right hon. Friend to answer that point.

Secondly, when participation notices are served, the operator might decide that the scheme is not appropriate for him, yet the local authority might still wish him to continue. I know that the new clause gives the operator the right to appeal, but the problem is that he could find himself operating at a considerable loss while that appeal procedure went through. I understand how the system works, and at the end either the notice is confirmed, in which case the operator must decide whether to carry on, or the appeal is allowed. Will my right hon. Friend explain why operators, who will presumably be running tight under his new regime, should have to run at what could be considerable financial losses? In the event of an appeal, will they receive compensation?

Mr. Pike: The new clauses are important because the threat to concessionary fares is the most serious threat in the Bill. In Committee, when we were assured that amendments would be made to take care of the points raised by Conservative Members, they accepted the assurances and withdrew their amendments. They believed that the Minister would come forward with some proposals to safeguard the position. At that stage my hon. Friends and I thought that they were being conned and buying a pig in a poke, and that they would not get genuine safeguards.

The hon. Members for Nottingham, South (Mr. Brandon-Bravo) and for South Hams (Mr. Steen) accepted those assurances, but the safeguards which are supposed to be included in these amendments show that they were not sincere about wishing to safeguard concessionary fares. These proposals take a short pace forward, but do not provide the type of security for concessionary fares that we wish.

Although I am prepared to accept that some Conservative Members may have a social conscience and believe that there should be some provision for the elderly and disabled, when the desire to meet that commitment is set against the cash required, I know which they choose and where their judgment lies. During our debates on this important Bill, Conservative Members have shown themselves to care more about financial implications than about protecting services and concessionary fares.

I accept that the new clause is a slight improvement to the Bill, but it is only slight. If Conservative Members were sincere, they would have secured amendments to safeguard concessionary fares for people throughout the country on the same basis as those in London.

Mr. Ridley: Does the hon. Gentleman share my horror and aghast feeling that the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) was not prepared to tell the House what scheme her party would operate, if it were ever in government again, or even to guarantee that the present scheme would continue? Has the hon. Gentleman ever known such hypocrisy as that of the hon. Lady and her hon. Friends, who doubt the Government's intentions about concessionary fares, and refuse point blank to answer my three questions about whether they have any plans to introduce anything better themselves, if they ever come to office?

Mr. Pike: There is no hypocrisy on the part of my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody). If there is any, it is on the part of the Government, who say that they believe in concessionary fares but who do nothing to safeguard them. Whether the Secretary of State likes it or not, the Labour party is democratic. It will determine its policies at party conferences before we fight the next general election. No Secretary of State in a Labour Government would determine the policy. The opposite is true of the Conservative party, which formulates its policy after winning an election. The hypocrisy in this debate is shown by the Secretary of State and his hon. Friends, who are not prepared to write into the Bill any safeguards to protect concessionary fares.

7.15 pm

In Committee, we requested that the Bill should include provisions for concessionary fares on the same basis as that which was forced on the Secretary of State in the London Regional Transport Act 1984. If they are good enough for London, they are good enough for my constituents, the people of Lancashire and the nation as a whole. That request was perfectly reasonable. Failing that, our fallback position of asking for an amendment to ensure that there would be no detriment to concessionary fare systems as a result of the Bill is absolutely reasonable. I do not conceive how any Conservative Member can debate this issue without supporting such safeguards, if he genuinely believes that there should be concessionary fares.

In Committee, I drew attention to the fact that Hyndburn borough council was already preparing for the Bill, and had announced that 16 to 18-year-old students will no longer be eligible for concessionary fares. It said that concessionary fares could continue if the county council was prepared to meet the bill and pay the additional cost. That is nonsense. It is worth mentioning that that council is Conservative-controlled. However, if it continues to pursue that policy, it will not be Conservative-controlled for long.

The hon. Member for Nottingham, South referred to many bad local government decisions. He shares the view of his hon. Friends that Labour authorities are extravagant,

[Mr. Pike]

wasteful and inefficient, but that is not true. It is a fallacy put about by Conservative Members and the Conservative party. Labour councils try to tackle the problems that face their communities, which they have been elected to do. Unfortunately, because of the financial restraints placed on them by the Government, they cannot tackle the problems to the extent that they would wish.

The implications of rate capping and penalties severely affect the future of concessionary fares. The question is not merely whether a local authority is rate-capped, but whether it receives a penalty as a result of overspending or raising an additional penny in the pound rate. The penalty can be equivalent to a 7p rate, and it is that which makes councils think carefully about what they can do.

It is not sufficient for the Secretary of State to say that local authorities have the right to provide concessionary fares, when he will not give them the money to do the job. It is strange that he says that local authorities should have the power to determine what concessionary fare schemes they should provide, when the Secretary of State for the Environment increasingly ties down local government with every act and statement that he makes. If the Secretary of State believes that local government should have the freedom to determine concessionary fares, he should say to his right hon. Friend the Secretary of State for the Environment, "If that is the Government's policy on transport, why is it not their policy on the environment? Why do we not allow local authorities to determine their expenditure on all local services?"

The Secretary of State shows his insincerity on this issue by not being prepared to follow that line. We must put some safeguard in the Bill. However, having been a member of the Committee and having read the Second Reading debate, I doubt whether any amendments will come from the Government to provide the guarantees that are needed.

Although the new clauses are a slight improvement, they are extremely difficult to understand, as the hon. Member for Isle of Wight (Mr. Ross) said, and will not give the protection to concessionary fares that we would wish. If the Secretary of State, his colleagues in the Department and Conservative Members want the disabled, the blind, the elderly and others to continue to enjoy concessionary fares, even at this late stage, they should introduce suitable amendments to protect such fares. However, I believe that they will not. The procedure involved in the new clauses will be extremely difficult to administer. Although the Secretary of State will not accept it, most of us recognise that local authorities will almost certainly be forced to use tokens as a result of the Bill. Most hon. Members must recognise that tokens are not the most suitable form of concessionary fares, and that the pass is a much better system.

Lancashire county council has made great strides in co-ordinating all the concessionary fare systems in the county. The chairman of the county council's transport committee wishes Lancashire to merge its schemes with those in Greater Manchester and Merseyside, so that those who live in the north-west can enjoy much wider concessionary travel. That will be a tremendous step forward. However, when the Bill is enacted, such steps forward will become more difficult to introduce. There will almost certainly be reductions, not improvements, in the provision of concessionary fares.

Although we hear words of sympathy from Conservative Members, we have yet to see them vote to support their words. I doubt whether, when we vote later on other issues, any Conservative Member will have the courage to support protection for concessionary fares.

In Committee, my hon. Friend the Member for Jarrow (Mr. Dixon) said more than once that it was not only pressure from Labour Members in Committee on the London Regional Transport Act 1984 which forced the Secretary of State to make a concession. There was also pressure from Conservative Members, who had the courage not only to utter words of sympathy but to vote when it mattered.

Mr. Stephen Ross: The hon. Gentleman will know that the Conservative manifesto stated that concessionary fares would be protected, which is why those hon. Members voted as they did.

Mr. Pike: I thank the hon. Gentleman for that information. It is hard to imagine that the Conservative party tried to honour some of the pledges in its election manifesto, but I accept his assurance that Conservative Members did so on that occasion. If the Conservative Members of that Committee had not been prepared to support what they believed and to tell the Secretary of State, "If you do not protect concessionary fares in London, we will not support the Bill," it would have gone through unaltered. If Conservative Members had had the same courage in respect of this Bill, we could have been debating amendments much more meaningful than the present ones, which, while they may satisfy Conservative Members, do not satisfy me and my hon. Friends.

Mrs. Elaine Kellett-Bowman (Lancaster): I do not accept the suggestion of the hon. Member for Burnley (Mr. Pike) that it will be impossible in Lancashire to operate a system other than tokens. In half of my constituency, tokens are used; the only snag is that many people cannot use them, either because there is no rural bus service or because they are too disabled to get on the buses. Therefore, my constituents will welcome the fact that, in future, they can use their tokens on regular taxi routes.

In my constituency, it is essential to have concessionary fares, for the simple reason that existing bus fares are extremely high. For example, it costs £2·10 to get from Lancaster to Abbeystead, and £1·90 to get from Pilling to Garstang. A great problem is that, when one gets to the centres of population, one cannot get back home because the buses leave so quickly. That means that passengers must rush to do their shopping and certainly cannot pause to have coffee or tea with their friends. There is a mad scramble to get back. However, when they can use their tokens for taxis, their visit will be more leisurely. They may go to the town by bus, as they do now, but they can use their tokens to return home.

Mrs. Dunwoody: Will the hon. Lady give way?

Mrs. Kellett-Bowman: No; I have finished.

Mr. Bob Clay (Sunderland, North): Conservative Members, led by the Secretary of State and the Minister of State, have taken another step in a cynical and fraudulent conspiracy to mislead pensioners and to give the impression that something is being done, whereas they know perfectly well by now — the hon. Member for Nottingham, South (Mr. Brandon-Bravo) gave the game

away—that what they are doing with the new clauses is saying to local authorities, "We give you the licence to do the impossible if you can find out how to do the impossible." Nothing in the clauses explains how local authorities will continue to fund the good schemes that exist now.

It was interesting to hear the hon. Member for Nottingham, South, in an almost throwaway remark, say that if some authorities would stop wasting section 137 money, they would be able to fund concessionary fare schemes. Given that the maximum spending under section 137 is the equivalent of a 2p rate, that gives us some idea of the Mickey Mouse notion of concessionary travel——

Mr. Brandon-Bravo: Will the hon. Gentleman accept from me that, in the city of Nottingham, the 2p rate raises just under £1 million? I understand that in the county of Nottinghamshire it raises three times that amount. Although he may believe that that is Mickey Mouse money, I do not, and I doubt whether anyone else in the Chamber does.

Mr. Clay: The hon. Gentleman explained that the present, somewhat limited concessionary travel scheme in Nottingham cost £2·2 million. Therefore, from his figures, it appears that Nottingham's section 137 money provides less than 50 per cent. of what it costs to fund the existing scheme. But in Tyne and Wear, with which the hon. Gentleman is familiar to some extent, the concessionary travel scheme costs about £22 million. The equivalent of a 2p rate in Tyne and Wear, which at present would be only £2 million, comes nowhere near meeting our requirements.

That is the key to the deception that is being perpetrated on the public. The hon. Member for Nottingham, South tried to wriggle away repeatedly—we shall look at his answer with interest in the *Official Report*—from the question whether he could put his hand on his heart and say that even the scheme in Nottingham will exist after the Bill is enacted.

I challenge the Secretary of State to put his hand on his heart and say that every existing concessionary travel scheme will still be in place after the Bill is enacted. I do not see that he could say that some of the best schemes in metropolitan country areas and in some municipal areas can exist when the grant-related expenditure that he will allow in the rate precept will be the equivalent of half fares. He has already said that. That might be the case at the moment, but metropolitan counties and other authorities have more flexibility to do something more generous if they wish.

7.30 pm

If the GRE is to be based on the assumption that concessionary travel means half fares, that shows the true philosophy of the Government Front Bench. It fits in with the remarks of the Minister of State at the Bus and Coach Council dinner when he said that the shire counties had got it about right. Given the assumption that concessionary fares will be based in half fares, given that the transport joint boards in the metropolitan counties are effectively rate-capped, and given that the Secretary of State will determine the rate precept for concessionary travel, I do not know how it will be financially possible for authorities which at the moment provide a completely free scheme or which make generous provision for children, such as the 5p flat fare in my county, to maintain those services under the financial arrangements that will result not only from this Bill but from other legislation that is going through Parliament.

Mr. Ridley: The hon. Gentleman must turn his wrath on the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). She has made it clear that she has no intention, if she ever comes to power, of financing concessionary fares on a full repayment basis. Three times I challenged her and three times she denied it. The cock crowed thrice. Would the hon. Gentleman please take the hon. Lady outside and have his argument with her in private? There is no point in blaming me for what she has said.

Mr. Clay: I have no wish to have any argument with my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) because she is not sitting where the Secretary of State for Transport is sitting. If she were, and if we had a Labour Government, I and my hon. Friends might be making complimentary speeches about restoring the public transport system that the Secretary of State is about to wreck, or we might be having arguments about how fast we could go along that road. However, it is the Secretary of State who is responsible, and he has not answered the specific points I made.

It is disgraceful to try to distract hon. Members into arguments about what a Labour Government would do if they were in power. We are arguing about what the Secretary of State is doing. I was making a specific point, that it is fraud and hypocrisy to claim continually that clauses are being put in the Bill to enable people to have concessionary travel schemes. The people who benefit from such schemes at the moment do not understand the kind of parliamentary deception that is being practised. They have believed, not unreasonably, that when Ministers say they are protecting concessionary travel, that means that what exists in their area will stay. The Secretary of State knows very well that that is not what it means and that that will not happen. Therefore, it is deception and fraud.

Mr. Parris: The hon. Gentleman and the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) say that the new clauses are capable of improvement. How would they improve them?

Mr. Clay: I am arguing that these clauses could have more teeth. I am not arguing specifically about the requirement on operators to provide a scheme. I realise that I am somewhat wide of the clause but much of the debate has been in the same vein.

There is no dispute about the fact that these clauses are the Government's response to the promises made continually in Committee to come back on Report with something that guaranteed concessionary travel. We are arguing that concessionary travel is not guaranteed by the new clauses because they do not provide the means for local authorities to finance even existing schemes, let alone enable local authorities which wish to improve their concessionary schemes to do so.

Mr. Ridley: Why did the hon. Gentleman not table a new clause seeking to achieve the objective that he is now putting forward? Was his arm twisted by the hon. Member for Crewe and Nantwich, who has made it clear that it is Labour party policy to cut concessionary fares? Will he tell his constituents that, instead of spreading all this rubbish?

Mr. Clay: It is absolute slander to say that it is Labour policy to cut public transport. The Secretary of State is misrepresenting what has been said by anyone on these Benches.

Mrs. Dunwoody: Will my hon. Friend explain to the Secretary of State that we debated the matter at great length in Committee? The Secretary of State knows very well that, had we put down the same amendments that we debated in Committee, we should have been ruled out of order. He is well aware that the Labour party has spelt out time and time again its commitment to concessionary schemes. What is more, the Labour party has brought them into effect when it has been in control in local government. All his party does is seek to destroy existing schemes and refuse to give the finance that is necessary.

Mr. Clay: I am grateful to my hon. Friend for making that point. She is right that in Committee many amendments about concessionary travel were tabled by Labour Members. Those amendment would have specifically enabled local authorities to have concessionary travel schemes and to require operators to be involved in them. Conservative Members consistently defeated the amendments because the wording would have put an obligation on the Secretary of State to supply adequate funding.

I well recall the Under-Secretary of State arguing that, if we passed an amendment which would have provided free concessionary travel for old people throughout Britain at all times, it would have cost, in his estimate, the scandalous sum of £230 million. He thought that the possibility of something costing £230 million would convince us all that not even a Labour Government could contemplate it. That brings to mind the absurd runway that has just been laid in the Falklands. If we could provide free travel at all times for every old age pensioner at £230 million, that would be chickenfeed for such an achievement.

Mr. Brandon-Bravo: I hope the hon. Member will dissociate himself from the deception—I cannot find another word for it—that has been perpetrated by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). She told the hon. Member for Sunderland, North (Mr. Clay) that the reason why the Labour party had not tabled amendments specifically on this matter was that they would be ruled out of order. May I suggest that that is a rather lame excuse? To its credit, the Liberal party—now absent from the Chamber—tabled an amendment to leave out clause 1, which is the kernel of the Bill. If the Liberal party can put down an amendment to underline what it wants to say, why should it have been so difficult for the Labour party?

Mr. Clay: We are straying off the debate about this new clause. I am not answerable for what the Liberal party does about anything. This matter was debated at great length in Committee and I remind hon. Members that we were told——

Mr. Dixon: Will my hon. Friend bear in mind the fact that anyone can put down any amendment, but it is up to Mr. Speaker whether or not it is selected? Will he also bear in mind the fact that the amendments about concessionary bus passes that the Secretary of State suggested should be tabled would not be accepted because that could have an effect on the money resolution?

Mr. Clay: I am grateful to my hon. Friend. I should prefer not to give way on this point again. We have had red herring after red herring about Labour party policy and why we did not put down amendments. Conservative Members have been deceiving pensioners and the disabled.

Mr. Ridley *rose*——

Mr. Clay: I will give way only if the Secretary of State will explain, for the first time, how local authorities with good concessionary fare schemes will still be able to fund them when, after another Bill becomes law, the metropolitan counties are abolished, joint boards have rate precepts fixed by the Secretary of State and other financial restrictions are placed on local authorities. Can he guarantee that Tyne and Wear will still have a 5p flat fare for children and free travel for the disabled and that other counties will have the same?

Mr. Ridley: The hon. Gentleman is getting himself into extremely deep water, and the hon. Member for Jarrow (Mr. Dixon) made the water a little deeper for him. Is the hon. Gentleman aware that the Labour party tried to amend the Bill to achieve permanent guarantees for concessionary fares? That did not work, because the Bill is not about the finance of the concessionary fare schemes but about arrangements for the bus industry. There is no way that the Bill could be amended in the way suggested. He knows that perfectly well. Will he come clean and admit for once that he is talking about the wrong Bill?

Mr. Clay: The Secretary of State knows perfectly well that a Bill can deal with taxis as well as buses, with virtually every aspect of the bus industry, and with banning smoking on buses—which has nothing to do with deregulation—could have had clauses which would have guaranteed concessionary travel and placed the financial responsibility for that on the Secretary of State.

Mr. Pike: It is important not to be led down the line that the Labour party has tabled no amendments on concessionary fares today. New clause 18, in the names of my right hon. and hon. Friends, is about our fallback attempt, which we made in Committee, to ensure that existing concessionary fare schemes are protected. We realised that we would not have got any further than that.

Mr. Deputy Speaker (Mr. Ernest Armstrong): Order. Hon. Members are dealing with a number of clauses and amendments, but we must deal only with the ones selected in this group. Hon. Members must stop talking about what is in order—the Chair decides that.

Mr. Clay: I am grateful for that protection, Mr. Deputy Speaker. I said that I should like to return to this new clause instead of having to deal with the disruptions from Tory Members designed to disguise the central fact that the Government have been deceiving the public with their promises about concessionary travel being protected.

There is no explanation of how local authorities will negotiate the basis of reimbursement with the operators concerned. That is a very complicated matter. Repeatedly in Committee, we said that we expected that when this famous set of clauses, for which we have all been waiting, was finally revealed to the light of day, something in it would explain how the local authorities and the operators would agree the basis of reimbursement for whatever scheme the local authority wished to apply.

It is significant that, at the end of the day, after the complicated and bureaucratic procedure of appeals and the rest laid out in the new clause, if an operator still refuses to participate in a scheme, the case will go to the Secretary of State. The Secretary of State can, if he wishes, go back to the local authority and say that the scheme that it wishes to impose on the operator is unreasonable for certain reasons. Effectively, he can say to the authority that, if it wants the operator to participate in the scheme, it will have to have a certain scheme.

Mr. Parris: That is correct.

7.45 pm

Mr. Clay: I am glad that the hon. Member for Derbyshire, West (Mr. Parris) has agreed that I have that right.

In that case, the Secretary of State, far from guaranteeing concessionary travel, has given himself powers that he has been after for some time. They are powers to tie down authorities and to shape the kind of concessionary travel schemes that they will have. It is obvious that, with this Secretary of State, if the more generous schemes are resisted by operators, he will say that the authorities are unreasonable. He will side with the operator and tell the local authority that it will have to have a different scheme if it wants him to force the operator to come into the scheme.

Mr. Brandon-Bravo: Will the hon. Gentleman restate his last few sentences? I find it difficult to follow the logic that an operator is likely to refuse the more generous schemes. Surely this clause is to protect both local authorities and operators when the scheme is ungenerous. That is the reverse of what the hon. Gentleman is suggesting.

Mr. Clay: The hon. Gentleman misunderstands. There is a difference between generosity to receivers of concessionary travel — the old, the young and the disabled—and generosity to operators. It may be that a generous scheme that provides free travel at all times for the disabled and the old and cheap flat fares for children will not, because of the way it operates, be particularly attractive to certain bus operators. On the other hand, a less generous scheme may be more attractive to bus operators. There may be disputes about this, and what is best for passengers may not always be most attractive to the operator. In such a conflict, the case will end up with the Secretary of State, whom I am fairly certain will come down in favour of the operator.

Furthermore, the Secretary of State still has not explained, although this question was asked repeatedly, how on earth a local authority, particularly when it is faced with the complex mechanism to oblige operators to participate in the scheme, will estimate how to pool the concessionary travel money that it will need to finance schemes in a particular year—assuming that it can get the money from somewhere. Operators will be able to register and pull out again and will be able to argue about whether they want to participate in the scheme. How will a local authority, at a particular point in its year, be able to estimate what amount of concessionary money to allow for the following year, when it does not even know what operators there will be in the scheme, what rate support grant there will be or any of the other factors required to make a judgment?

Even if generous funding and central Government support were available, the rest of the Bill and the instability that may be created in the industry will make it impossible for the PTAs to be able to estimate what money to allocate for such schemes. How will they be able to say to an operator that if he operates on a particular rate for a year he will be paid so much if he participates in the concessionary travel scheme? Once the authority has named a sum of money and secured an agreement with an operator, what happens if another operator registers along that route to compete with the first? Does it promise him the same sum of money, or does it go back to the first operator and say, "Despite the agreement that we made with you, we shall pay you only half the amount we originally agreed to pay, because we have to give the other half to somebody else who has just decided to register and to operate a service in competition with you?" These fundamental questions have not yet been answered by the Secretary of State, or by anybody else.

For these reasons, as well as the fundamental reason of a persistent refusal to explain how the existing schemes, let alone better ones, will be funded, these clauses are a fraud and one of the most cruel deceptions that this Government have inflicted. The pensioners and the disabled now realise how they have been deceived and misled by the Government's phoney promises on concessionary travel. The Government will reap the whirlwind because of the deception that they have practised.

Mr. Parris: Good heavens, Mr. Deputy Speaker. If that is the kind of speech that the hon. Member for Sunderland, North (Mr. Clay) and his colleagues make when my right hon. Friend the Secretary of State for Transport has honoured every undertaking that he gave in Committee, I wonder what kind of speeches they would have made had he not honoured those commitments. Everything that my right hon. Friend said in Committee that he would do he has now done in the new clauses. They lay down in clear and uncompromising terms precisely the obligations upon operators which the Committee asked my right hon Friend to lay down. A considerable burden is laid upon operators. If there is any cause for raised eyebrows about the new clauses, it should be about the burden that the obligations lay upon operators, a point to which my hon. Friend the Member for Wellingborough (Mr. Fry) referred.

No mention has been made of the position under the existing regime. There are no formal statutory powers under which a local authority may oblige operators to participate in concessionary schemes, but local authorities have an effective power to encourage operators to participate. As a local authority is involved in the licensing of routes, it can withdraw the licence of an operator who refuses to operate a concessionary scheme, or somebody else can be licensed to operate on the same route. That is not very different from providing the ghost service which my right hon. Friend suggested might be included in the Bill, which would be a sufficient weapon in the hands of local authorities but upon which the Opposition poured so much scorn.

Mr. Dixon: Nonsense.

Mr. Parris: The hon. Gentleman says "Nonsense". Would he care to explain why?

Mr. Dixon: How on earth could a local authority run a ghost service to pick up the disabled and the elderly who will not be catered for by the private entrepreneurs?

Mr. Parris: The same question could be asked about the powers which are available to local authorities under the existing system. If an operator refuses to participate in a concessionary scheme, the only power that is available to a local authority is to say that a licence will be given to somebody else to operate on that particular route or that the local authority will subsidise the running of a service on that route. If all local operators wanted to call the bluff of the local authority, they would be in a strong position, but they have rarely, if ever, done so and concessionary schemes have been imposed quite effectively upon operators.

The hon. Member for Sunderland, North said that this was a roundabout way for the Secretary of State to determine what kind of concessionary schemes a local authority ought to run. If it is, the Secretary of State already has such a power under the existing system. Appeals against the withdrawal of a licence or the refusal to grant a licence are now determined under the same kind of system as is proposed in the new clauses. My right hon. Friend's arrangements make it absolutely clear that wherever a local authority has a reasonable travel concession scheme it can oblige operators to take part in it. The local authority will have all the means necessary at its disposal to ensure that operators co-operate. What more can we ask from my right hon. Friend than that?

All that we could ask for is what the Opposition have been pressing for but for which it is unreasonable to ask: that the Secretary of State should undertake to underwrite financially every concessionary fare scheme which any local authority may wish to operate. My right hon. Friend refuses to do it under the new provisions, he refuses to do it under the existing provisions, and the last Labour Government certainly did not do it during the many years when they had the opportunity to do exactly the same thing.

At a time when public transport in many parts of this country had declined substantially and seriously, the Labour Government were not prepared to step in and underwrite concessionary fare schemes. My right hon. Friend is not prepared to do that, nor would it be reasonable for him to do it. All that my right hon. Friend is doing in the new clauses is saying to local authorities, "Work out a reasonable and sensible concessionary fares scheme. If the local operators will not participate, I shall give you the power to force them to participate." My right hon. Friend has done everything that he said in Committee he would do, and Conservative Members are grateful to him.

Mr. Sydney Bidwell (Ealing, Southall): The hon. Member for Derbyshire, West (Mr. Parris) and I both serve on the Select Committee on Transport, but I did not have the privilege of serving on the Committee which examined the Bill. I have been stunned by some of the remarks which have been made, to which I have listened carefully. I have also been listening carefully to you, Mr. Deputy Speaker. You have said that we should try to deal with the clauses and not roam all over the globe.

Hon. Members will recall that I have already said that I am disturbed about the nature of the Bill. The Transport and General Workers Union is also disturbed by it. That is why continual lobbying is taking place. Hon. Members who support the Bill are being asked to discuss it with the union because union members feel grave disquiet about their future wages, conditions of work and pensions. Their suspicions and fears have not yet been allayed, nor have the suspicions and fears of the elderly about the concessionary fares which the new clauses attempt to wrap up as much as possible. Concessionary fares in London, however, are almost enshrined in law.

The Secretary of State has never lacked nerve, but he has great nerve when he suggests that the Opposition do not care about the elderly and that it is only the Conservatives who care. That is ridiculous. I concede immediately to the hon. Member for Nottingham, South (Mr. Brandon-Bravo) that the care felt in local government cuts right across party political boundaries. It may be that in Nottingham the Tories were persuaded by the attitude of the then Labour Government and by what was taking place in Birmingham, which is not very far from Nottingham. When one scheme gets under way, great pressure is exerted, which works to the advantage of the elderly.

Many Conservative and Liberal members of local authorities would prefer that kind of scheme to be applied as generously as possible. Vying with that would be the philosophy of hon. Members who hold similar views to those of the hon. Member for Nottingham, South: that such a scheme should not impose too heavy a burden upon ratepayers and taxpayers. If the hon. Member for Nottingham, South does not hold that view, I shall accept what he says. However, that is the general attitude of the Tories and of the Secretary of State, who has been forced to try to allay people's fears.

Many questions about new clause 11 have to be asked. If a private operator backtracks upon his supposed obligations under the local authority scheme, what kind of policing is there to be? If reports are made because of certain misdeeds, will the private operator be able to use lawyers to try to safeguard his scheme? How many cases do we envisage? The answer to the hon. Member for Derbyshire, West is that people in general have greater faith in local authority and municipal transport schemes.

I have lived a bit longer than the hon. Gentleman and I well remember the substandard private bus operations that we heard about when we visited Hereford and Worcester. There were ample tales about that. I want to know more about the consequences of such things—the charging of people who should not be charged when only one vehicle is in sight. The whole gamut of the Bill opens the way for the slick operator and to cowboy activity. We shall see it in full measure in due course.

8 pm

I want particularly to allude to the climate in which the free fare—not the concessionary fare—on London buses and tubes came into being. That was accepted in the longer term by Tory members of the GLC. It was in their election manifesto and they could not backtrack on that. But they certainly did not spearhead the free fair system. It is not customary for concessionary fares or free travel for pensioners to be spearheaded by Tories, despite their importance. Mostly they go along with initiatives taken by Labour Members on local authorities, and that is what happened in the GLC.

Labour Members have had the most powerful lobby that they have ever experienced, financed by the Labour-controlled GLC. Old people have been encouraged to keep smothering us with representations on the necessity to safeguard their free travel on London's buses and tubes. They are now worried about the extent to which privatisation will mean that they will not get the same deal that they have been accustomed to under the GLC's management of buses and tubes which has now long gone. That is why Tory Members in Committee on the London Regional Transport Bill had to get up on their hind legs and insist that the Secretary of State dare not do anything other than safeguard the situation in London.

I do not know why the Secretary of State is making such a meal of the Bill tonight. Of course, one cannot spell out exactly what would occur under a Labour Administration, but at least tonight, in response to this debate, he must state clearly that the present concessionary fares are safe in his hands. Conservative Members should also be insisting on that. If the policies of the Prime Minister, the Secretary of State's close associate, on social and hospital services and so on are anything to go by we must be doubtful about that. However, that is what he should do in an attempt to allay some of the fears.

I assume that we shall seek to divide the House on the new clauses, but much will depend upon the reply that the Minister gives tonight. He is an architect of confusion. He loves cut-throat competition and thinks that market forces can go where the hell they like in order to determine fare levels. Therefore, one imagines that he had to be forced further than his philosophy allowed him to go in order to write safeguards into these new clauses.

The Secretary of State has introduced a crackpot Bill. We wait anxiously to get away from that audacious assertion that we do not care about old folk and their travelling facilities which are enormously important. Jack Jones, the former general secretary of the Transport and General Workers Union, together with the trade union movement, has been at the forefront of demands that concessionary travel should be safeguarded as well as many other matters which affect the poor working class. It is in its interests that we battle here tonight. We are trying to extract some humanity from the Secretary of State. The ability of old folk to travel, leaving the car at home so that they are no longer burdened with it, is of enormous importance to Britain's social structure. The Bill and many other measures put through by the Government put old folk in jeopardy.

Mr. Wareing: It was clear in Committee that the Secretary of State was looking for some fig leaf with which he could cover his nakedness over this issue. He has come along with these new clauses and none of them adequately satisfies Labour Members. The Committee was stuffed with one-term Tory Members who will not be in the House when, after the next election, the Labour Government are asked to restore public transport and the right which our senior citizens and disabled people now have—the right to concessionary travel passes. They will not be here, but they were a little worried so they tabled amendments. One related to concessionary travel and another to disabled people and their rights.

Labour Members felt that there might be courageous souls among Tory Members, but when it came to the vote we found that the Tory Back Benchers had the courage only of the Secretary of State's conviction. They were not willing to take their amendments to the vote. It was the Labour Members in Committee who had to vote against the withdrawal of amendments tabled by Tory Members. Presumably, they believed the gobbledegook of the package promised by the Secretary of State. We see now that the reality of that package is not one that even the hon. Member for Nottingham, South (Mr. Brandon-Bravo) can respond to by saying honestly that the scheme in his city will remain in existence if the Bill, with the new clause, reaches the statute book.

Mr. Parris: It would be an example of courage to see a Labour Member admit that the Opposition's argument on this is completely bogus and that the Government have delivered everything that they promised in Committee. That would take courage.

Mr. Wareing: No, I am afraid that the Government have not come up with what Labour Members demanded in Committee. Despite pretending otherwise, the Government have not fulfilled their promise to the disabled and the elderly or to parents with young children, in the latter category to enable them to take children to and from school.

Although the Secretary of State made promises in Committee which seemed to placate Back Benchers, the real spokesmen on the Conservative Benches — those who were saying out loud what was in the Secretary of State's mind — included the hon. Member for South Hams (Mr. Steen) who has honoured us with his presence today, though he was often conspicuous by his absence from Committee.

Mr. Steen: The hon. Gentleman is quite wrong.

Mr. Wareing: During one of the hon. Gentleman's brief excursions into the Committee Room he said — speaking, no doubt, for his party — that commercial undertakings had to make a profit and that he regarded public transport as a commercial undertaking and not a social service. Indeed, that is the gap that divides the parties on this issue. He said that profits must come first and that then we might consider what facilities could be provided for the disabled, the elderly and the rest.

He was supported in that assertion at a later stage by the hon. Member for Bristol, East (Mr. Sayeed)—who is conspicuous by his absence today — who told the Committee that hon. Members should not be overwhelmed by arguments about assisting the disabled. I hope that the hon. Member for Bristol, East is never disabled, although he seems to suffer from a degree of mental handicap.

Mr. Brandon-Bravo: The hon. Gentleman referred to concessionary fares for children. Does he agree that, for the first time, the Bill enshrines a provision in that respect for children and that he, like every other member of the Standing Committee, received letters from county councils welcoming that provision?

Mr. Wareing: There is no guarantee in the Bill that services which are at present provided—for example, by Merseyside county council to enable children to travel for half fare—will continue once the Bill becomes law. It was made clear in Committee that Tory Members were concerned with the cowboys who can be trusted to support them at subsequent elections.

Let us not forget that the White Paper which was a prelude to the Bill went so far as to say that it would be easier to administer a token system. All the evidence

[Mr. Wareing]

appears to prove that, if the Government are not willing to provide the financial resources to enable the pass system to continue, any concessionary scheme that is permitted will probably be the token system. I shall deal with some of the difficulties to which that would give rise.

Mr. Steen: We had the pleasure of speeches from the hon. Member for Liverpool, West Derby (Mr. Wareing) many times in Committee. Indeed, the only time that I was absent from the proceedings was when the hon. Gentleman was speaking; he was so tiresome and repetitive that I felt it preferable to be outside. Other than on those occasions, I was one of the most regular attenders and contributed in a positive and constructive way to the Committee's deliberations.

Is the hon. Gentleman really suggesting that transport systems should be seen as social services?

Mr. Wareing: Yes.

8.15 pm

Mr. Steen: As he knows, I am one of the few trained social workers in the House, a point that I made in Committee. I repeat it because, with many of my hon. Friends, I am experienced in the welfare of the elderly, the handicapped, the ill and the mentally sick. The last thing that my hon. Friends and I want is to see that group of people being disadvantaged.

However, we believe—the hon. Gentleman cannot yet absorb this—that it is not inconsistent to have a commercial undertaking and at the same time to help the disabled, the handicapped, the poor, the mentally sick and the rest. The hon. Gentleman wants guarantees. That is the difference between a totalitarian, monopolistic approach and a private enterprise commercial approach. Does he accept that it is not inconsistent to have a commercial enterprise which cares for others?

Mr. Wareing: That intervention was almost as long as the one that the right hon. Gentleman made in Committee when I permitted him to interrupt a speech that I was making, and he made the statement to which I referred. He reveals the great divide between the two sides on this issue. He sees public transport as a commercial enterprise, and the motive of commercial enterprises is profit. Thus, profit must come before people—[*Interruption.*]—be they the elderly, the disabled or whoever. The very raison d'etre of private enterprise is profit, whereas the raison d'etre of a social service is to provide for the needs of people. We do not ask whether a particular NHS hospital makes a profit. Legislators have a duty to look after the whole community.

The hon. Member for South Hams may have received training in social work, but it did not teach him much. He may remember, before he emigrated from Liverpool, Wavertree to the safer seat of South Hams in Devon, that many old folk and young disabled people lived on the outskirts of Liverpool in council and residential estates and that the only way to relieve their isolation and loneliness, perhaps by visiting relatives and friends, was by using the bus passes provided by nearly all the district councils on Merseyside—with the exception, of course, of the ultra Right-wing Tory council of Sefton district, which consistently refused to provide for the needs of its senior citizens.

Mr. Dixon: If the hon. Member for South Hams (Mr. Steen), a qualified social worker, believes that the disabled, the old and the infirm should not have concessionary passes until the bus companies make profits, one is bound to wonder what view the accountants, barristers and company directors on the Tory Benches take of concessionary fares.

Mr. Wareing: I agree with my hon. Friend. If a Conservative social worker cannot find it in his heart to overcome the Tory private enterprise ethic on behalf of the elderly and disabled, it will be hard luck on those folk if they are left to the mercy of the 100 barristers on the Government Benches.

Labour Members have to speak for constituencies such as mine, where 75 per cent. of the people, including the able-bodied as well as those who need concessionary fares, do not have the use of a private car. This is a social service. That is why we on Merseyside decided, after the Labour party was in control, to provide concessionary travel passes to the poor senior citizens of Tory-dominated Sefton district and to reduce fares on the buses to enable more people to travel. We turned the tide after years of Tory rule during which the number of passengers using the buses declined. Since 1981, the Secretary of State has argued that there has been a decline in the use of buses. We know, however, that on Merseyside patronage of buses has increased by 13 per cent.

A lesson can be learned from concessionary travel. It costs Merseyside county council and other local authorities on Merseyside £18·4 million a year to provide concessionary travel, £16 million of which is provided by Merseyside county council. The Secretary of State for the Environment, however, is determined that GRE to cover the cost of concessionary travel should be £4·5 million. I raised this matter in Committee with the Secretary of State, who has not yet answered me. What on earth will be the real cost of providing the same scheme to the people on Merseyside when the council is abolished and the joint board has its budget fixed for the first three years by the Secretary of State for the Environment? Obviously, the cost will be much more than £18·4 million. It will be much more than the GRE which the Secretary of State for the Environment is willing to provide for concessionary travel.

After this Bill becomes law, the authority that runs transport on Merseyside after 1985 will have to abandon the present concessionary scheme. It might have to go over to the ludicrous token scheme, with its accompanying disadvantages of a black market, with tokens being transferred and used as currency. This measure might ensure—this is the crux of the matter—that public expenditure on concessionary travel is cut. Every clause in every Bill introduced by a Conservative Secretary of State is aimed at redressing the imbalance for the Treasury. The Chancellor of the Exchequer is the person who really determines policy.

The Government have chided Labour Members, asking why the Labour party did not ensure that concessionary travel passes were provided when it was in power. The Secretary of State has been busy chiding my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) about the actions of a future Labour Government. It was not the Labour Government of the 1970s which, year in and year out, cut transport supplementary grant or reduced rate support grant from 61 per cent. to 48 per cent. The

Labour Government did not introduce the draconian rate-capping legislation which this Government have introduced during the past three years.

We can say, "The next Labour Government would not be allowed to retain such a Bill on the statute book." No Labour Member of Parliament would be allowed by his constituents — by the activists living in Crewe and Nantwich, in Liverpool, West Derby or elsewhere—to retain this Act for longer than was absolutely necessary. It would be months rather than years before this legislation was repealed, local authorities again had democratic rights and transport undertakings were provided as a social service.

When the people see what is behind this fig leaf, which does not fully cover the nakedness of the Secretary of State, and understand this folly, they will realise the effect of deregulation. Indeed, as was shown in Committee, people in the Secretary of State's constituency are up in arms about the deregulation of buses.

We should clearly say to the Government, "This measure may make the Bill a little better than it was in Committee, but it does nothing to safeguard the interests of our people. As soon as the Labour party is in power, it will ensure that those interests are resurrected."

Dr. Marek: I am sorry that the hon. Member for South Hams (Mr. Steen) has shown a jack-in-the-box attitude and is not present at the moment. A short time ago he said that he was the only social worker in the House.

Mrs. Dunwoody: Trained social worker.

Dr. Marek: He said that he was the only trained social worker in the House. He said that there was no possibility of helping the handicapped or the elderly until bus services were profitable. I am paraphrasing him, but that was the essence of his argument. The hon. Gentleman's argument is deplorable and must be brought to the attention of the country. That argument rang somewhat hollow. Conservative Members, using their favourite phrase, have said that the Labour party has no monopoly of compassion for the aged or the handicapped. I hope that Conservative Members will help the aged and the handicapped. They mouth platitudes and make noises but, when it comes to voting, they obey their Whips and troop into the Lobbies as directed like sheep.

Some Conservative Members say that it takes some courage to state that this clause is an improvement. I believe that it is an improvement, although I am worried about some aspects of it. I can see that it takes some courage for Conservative Members to vote in the Lobby with the Opposition against aspects of the Bill that clearly will not help the handicapped, the disadvantaged or the elderly.

Although the new clause makes the Bill a little better, I am not happy with it, for the reasons given by my hon. Friend the Member for Liverpool, West Derby (Mr. Wareing). The metropolitan counties are to be abolished and it is by no means clear that the existing level of concessionary fares will be maintained. With the exception of London, where a special case has been made, the provision of concessionary fares will be left to the boroughs and is likely to deteriorate. It is no use the Government arguing that the Labour Government did nothing about this because the Labour Government should have done something about it and that is certainly no excuse for the Conservatives doing nothing about it either. In many ways, we seem to be going backwards into the 19th century rather than forwards into the 21st century. This is an evil Bill, the new clause does little to improve it, and I shall vote against it.

8.30 pm

There is also the problem of the shire counties, where existing concessionary fares schemes are much more rudimentary. If the financing of such schemes is moved out of the transport supplementary grant and into the block grant there will be great pressure on authorities from all the other problems that have beset them in the past five years — education cuts, inadequate housing provision, and so on. It is likely, therefore, that nothing will be done in the shire counties. If concessionary schemes continue to exist at all, old-age pensioners may receive £20, £30 or £40 worth of tokens each year. More enlightened shire counties may operate half fare schemes, although I am not aware of any such provision in my area. In any event, it looks as though such schemes as now exist will suffer as a result of this legislation, so we are going backwards. That is why I object to the new clause and to the Bill.

The fact that an operator cannot leave the scheme without the authority's consent is a welcome provision, but I fear that shire authorities may allow operators to leave the scheme. An operator may say that his service is unsuitable, that he must catch the commuters and so has no time to help women with children or shopping. Rather than face the possibility of the operator ceasing to provide a service in a rural area and the authority having to consider supporting it through subsidy, the authority may well allow the operator to withdraw from the scheme.

Even if the authority says that the operator must remain in the scheme, the operator can appeal to the Secretary of State, and who knows what attitude the Secretary of State will take? He may take decisions that are utterly unacceptable to us. Experience certainly suggests that that will be the case with the present Secretary of State, although the next Labour Secretary of State will doubtless take the first opportunity to repeal these provisions. *[Interruption.]* The Secretary of State may laugh now, but he will not be laughing in a little while. The right hon. Gentleman may well not last beyond October, but any Tory Secretary of State might allow operators to opt out on a purely arbitrary basis. We do not know whether any criteria will be laid down in regulations. Again, therefore, it is clear that the old and the disadvantaged are likely to suffer.

The new clause does not meet the need to provide a service for the elderly and the disabled. Ideally, I should like to see concessionary fares abolished because I would like everyone to have a free pass for local stage carriage services. That should be the aim of the whole House. If the actions of the Conservatives were not perpetually clouded by dogma about profit and the market, they might realise that the hassle and the administrative problems involved in counting and issuing tokens is simply not worth it in terms of the additional revenue to be extracted from old-age pensioners. It is far simpler to give them all photocards stating that they are old-age pensioners and allowing them to travel free on any local stage carriage service. That is an equitable solution. It is also a social solution. From the Government's point of view, the economic value may be greater for pensioners in rural areas because it costs a great deal to travel 12 or 15 miles into the nearest town to visit the shops, the community

[Dr. Marek]

centre, the cinema or the bingo hall. Old-age pensioners simply cannot afford to do that, and even if there are concessions the tokens will run out after three or four journeys.

Mr. Eddie Loyden (Liverpool Garston): As my hon. Friend the Member for Liverpool, West Derby (Mr. Wareing) has said, even if the Conservatives do not accept the social need for mobility, medical evidence shows that it is beneficial and therapeutic for the elderly and the disabled to be able to get about. If the Government do not accept the general point, they should regard concessionary schemes as an important social service in that sense.

Dr. Marek: I agree entirely with my hon. Friend. Whether pensioners live in the country or in the town, they have paid their taxes throughout their lives and society should help them by providing free local travel. Under this legislation, private operators will be running parallel services subject to withdrawal or alteration at whim. If a bus driver going in one direction sees more potential passengers on the other side of the street, he may turf out the old-age pensioners and go off in the opposite direction.

The Secretary of State shakes his head, but I fear the worst. We shall see what happens after D-day in September. I believe that chaos will reign, as it did in Hereford, with buses crowding in on one another and trying to get as many passengers as possible. The old and the handicapped will suffer because they will not be able to race from one stop to another trying to catch the buses. The situation will be as chaotic as it has been in the Hereford trial area. There are fewer services in Hereford now, there is competition only on one route and many rural towns such as Kington and Presteigne have fewer services than they had before. I believe that this legislation will result in chaos. It will be difficult for the next Labour Government to end the chaos and set up a proper regulated system once again. I am not in favour of regulation for its own sake. I am in favour of regulation because of the service and the integration of transport that regulation can provide.

Unless we reintroduce regulation, it will be very difficult for us to establish a system of completely free local stage carriage services for old people. That has always been my aim, regardless of which party has been in power. I hope that Conservative Members can agree with that aim even if they cannot agree with the methods that I would use to bring it about. It would be nice just to hear hon. Gentlemen say that such a system is desirable because it would provide proper mobility for our old people whether they live in the towns or in the country.

I hope that the Conservative party will see the light. I do not think that the Government will do so. They are a lost cause. However, the argument is not lost yet. I hope that when we find ourselves in chaos — I assure the Secretary of State that I shall not speak for more than another minute——

Mr. Ridley: A minute?

Dr. Marek: The Secretary of State should listen to some sense for once. It may be presumptuous of me to say so, but I think that he might find it instructive to listen to what I am saying. When D-day arrives and the initial regime is set up, many of our old people will be severely disadvantaged. If we cannot amend it now, or if it is not amended in another place or when it returns to this Chamber, I hope that once it becomes apparent that the legislation is making a mess of the transport system the Government will do something about it then.

8.45 pm

Mr. Dixon: It is true that these changes improve the Bill slightly. Rather than opting in, contractors must opt out of the concessionary scheme. That is the only concession that the Secretary of State has given us, after all the discussions in Committee on concessionary fares.

My hon. Friends and Conservative Members tabled amendments on concessionary fares in Committee, and the Secretary of State made his famous statement that local authorities should run ghost services to pick up elderly and disabled people left at the bus stops by the entrepreneurs or cowboys, as we call them, who would be more concerned about putting backsides on seats than about allowing time for the elderly or disabled to get on to the bus.

Will the Secretary of State say why pensioners in Tyne and Wear should be treated differently from pensioners in Greater London? During the Second Reading of the London Regional Transport Bill two London Conservative Members who were concerned about concessionary passes for London pensioners challenged the Secretary of State to amend the Bill so as to safeguard those passes. At that time, the Secretary of State refused to do so. However, the members of the Committee showed much more backbone than the members of the Committee on the present Bill. They forced the Secretary of State to underwrite concessionary passes for London's pensioners.

That is what we want for the rest of the country. What is good enough for London is good enough for pensioners in my area. Pensioners in my area and in areas represented by Conservative Members will ask why we did not provide in the present Bill what was provided in the London Regional Transport Act.

My hon. Friend the Member for Liverpool, West Derby (Mr. Wareing) said that, although Tory Members tabled amendments about concessions for the disabled, they disappeared when it was time to vote. There was a memorable occasion, after dinner one evening, when the Tory Members rebelled. It was a bogus rebellion. One after another, the Tory Members said that under no circumstances would they accept clause 22. The Minister said that in that case clause 22 would be deleted. What was the effect of clause 22? It was the only clause that gave ordinary people the right to make representations to the traffic commissioner about the take-over by private people of bus services in their area and the probable destruction of those services.

Concessionary passes are as important as home helps to old-age pensioners. Indeed, if the passes are withdrawn, more will have to be spent on home helps. Many people in my area, living just across the water from Whitley bay, never had the opportunity to visit that holiday resort until Tyne and Wear introduced concessionary passes.

Mr. Brandon-Bravo: The hon. Gentleman is becoming extremely passionate. *[Interruption.]* The hon. Member for Walsall, North (Mr. Winnick) has only just walked in. If he had bothered to listen to the rest of the debate, I do not think that he would have opened his mouth.

Mr. David Winnick (Walsall, North): Yes, I would.

Mr. Brandon-Bravo: The hon. Member for Jarrow (Mr. Dixon) is kicking at an open door. My hon. Friends are satisfied that concessionary pass schemes can be continued. The Opposition have spent the past two hours playing to their private galleries back home.

Mr. Dixon: I will be perfectly satisfied about concessionary passes if the pensioners of Tyne and Wear are given the same assurance in this Bill as pensioners of London were given under the London Regional Transport Act. Why should people outside Greater London be treated differently?

Mr. Parris: Will the hon. Gentleman give way?

Mr. Dixon: No. I am sorry.

Mr. Parris: There are only half fares in London.

Mr. Dixon: I believe that, apart from the Secretary of State, the hon. Member for Derbyshire, West (Mr. Parris) is the only Conservative Member present who was a member of the Committee on the London Regional Transport Bill. When the Secretary of State made that provision in the Bill, it referred to restricted hours. The restrictions were lifted in the other place, so that London pensioners are now enjoying a provision that will not be given to pensioners elsewhere. We too want concessionary passes for our people.

We cannot vote against these provisions, because they improve the Bill. But I would not say that they are good or that they are what we want. Perhaps the Secretary of State, even at this late stage, will give us some assurance that in another place the same clause will be added to the Bill as appeared in the London Regional Transport Bill.

Mr. Ridley: We have had two interwoven debates and I shall try to deal with both. The first concerns what I might call the Brandon-Bravo clauses as my hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo) led the campaign for them. The second concerns concessionary fares and how they can be made more sure.

I hope that the House will bear with me if I consider the new clauses fairly fully to reassure hon. Members who have asked questions about them. The hon. Member for Isle of Wight (Mr. Ross) said that they are long and complex. They are, because we are dealing with a complex matter and have tried to anticipate all manner of events and configurations which might arise so that the legislation deals adequately with everything. I hope to demonstrate that I have already spotted one matter in regard to which we have not got it right. This is a very complex business.

The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) asked the reasons for the word "withdrawal". She seemed to imply that, under new clause 9, an operator can apply to withdraw from a concessionary fares scheme. I am sure that she read it wrong. If an operator threatens to withdraw or gives notice of his intention to withdraw, the local authority can appeal to prevent him from withdrawing. It is the other way round from how she presented it.

Like many other hon. Members, the hon. Lady mentioned tokens. There is nothing in the Bill which prevents local authorities from continuing with pass schemes. If they want, they can select token schemes or stick with pass schemes. With modern technology, pass schemes become even easier and many local authorities operate them with several bus proprietors.

Mr. Wareing: Will the right hon. Gentleman give an assurance that he will press on the Secretary of State for the Environment the need to provide the necessary funding if existing schemes are to be continued if local authorities want them?

Mr. Ridley: It is always a great mistake to give way to the hon. Gentleman. He knew that I would consider concessionary fares and their financing later. The hon. Gentleman has simply wasted my time and that of the House. I shall deal with that matter at the correct time.

My hon. Friend the Member for Nottingham, South and the hon. Member for Crewe and Nantwich mentioned delegation of the power to settle appeals. My hon. Friend thought that perhaps it was intended that delegation should be to the traffic commissioners and the hon. Lady thought that perhaps it should be to the traffic commissioners. It was not intended that delegation should be to the traffic commissioners. It will probably be to the Chartered Institute of Public Finance and Accountancy, which would appoint an impartial expert to decide. The reason for that is that appeals might often be about remuneration for bus passes. There can be difficult decisions about the system for rewarding bus companies which carry old people and about whether that system is sufficient, proper and accurate and reflects the cost to the bus company.

My hon. Friend the Member for Nottingham, South said that the bus pass in Nottingham is worth £48. If, having got a scheme in place, the local authority said that it would pay £24 rather than £48 and that the bus operators would have to carry the difference, that would be a variation of the scheme and it would be perfectly right for operators to withdraw. They would then be appealed against and I should have to make a decision. In those circumstances, I think that the House would believe it right for me to say that I am not prepared to uphold the local authority's appeal because the level of remuneration is clearly inadequate. Such matters, which are economic and could become on the verge of political, are not the right ones to be decided by the traffic commissioners. On a more technical side, it is right that there should be a power to delegate the decision of appeals to CIPFA or a similar body.

Mrs. Dunwoody: Is the Secretary of State convinced that, on that basis, sufficient information will be available to CIPFA? Would it not be better to have an input from a transport planning authority as this is rather more than an argument about cash? I know that the right hon. Gentleman sees all of this in terms of an argument about cash, but it is rather more complicated.

Mr. Ridley: The hon. Lady must not impart prejudice into every question. It is a transaction between a bus company and a local authority. The local authority offers money to a bus company to carry old people with passes. If the transaction is to be enforced by law, we cannot leave the price of that transaction to the local authority without providing arbitration. If the hon. Lady goes to a grocer's shop and the grocer has, by law, to sell her butter, she cannot tell the grocer that she will pay only half the asking price and that he can stand the loss. If we are passing that sort of law, we must set up an appeals procedure.

[Mr. Ridley]

I can reassure my hon. Friend the Member for Nottingham, South and the hon. Member for Isle of Wight about penalties. If an operator is fined under clause 16 for failing to operate a concessionary fare scheme when he has lost an appeal or has not appealed and he is fined, probably quite heavily, the second time, there would be no doubt in my mind that the traffic commissioner would find him not a fit or proper person to run a bus company, and the commissioner would have the power to take away the operator's licence. The same point was made by the hon. Member for Ealing, Southall (Mr. Bidwell) who was concerned about whether the criminal sanctions were adequate. I believe that I made it clear that they are backed up by operator licensing sanctions. I have dealt with the hon. Gentleman's point about the variation of a scheme. If a local authority varies the terms of recompense or the requirements, it is clearly right that the operator should be able to go to appeal. I am afraid that the whole process will bring the Government into a certain amount of arbitration, at least until case experience is established to the extent that schemes begin to work sensibly.

9 pm

The first point of my hon. Friend the Member for Wellingborough (Mr. Fry) was, I thought, a slight verbal quibble as to whether the grounds upon which an operator could appeal if he wanted to come out of the scheme should be described as inappropriate or unreasonable. I think that we are trying to do the same thing. I have a slight preference for inappropriate as against unreasonable. If the remuneration of a local authority is inadequate, it would be inappropriate for somebody to have to stay in the scheme. Taking the case, say, of a long-distance luxury coach service which the local authority might seek to bring within the scheme, it would be inappropriate rather than unreasonable for that type of service to be included. With all due respect, I believe that "inappropriate" is better than "unreasonable". It is something that I would be happy to pursue with my hon. Friend over a glass of refreshment on another occasion if he feels dissatisfied.

As to my hon. Friend's second point, he is right to draw attention to the unclear position about what happens to the operator in the course of an appeal and whether he should continue to operate the scheme. I give an assurance that in another place we shall seek to rectify that omission and to clarify the position. My preference is for those who are operating schemes and appealing against staying in to be required to stay in, and for those who are not in schemes and are required to come into them to be allowed to stay out until the appeal is determined. However, that is not the last word on the subject. We shall seek to put right in another place the point that my hon. Friend correctly made.

My hon. Friend the Member for Lancaster (Mrs. Kellett-Bowman) raised the important point of the great new opportunities for taxi owners and, more importantly, for pensioners arising from the provisions of the Bill which allow concessionary fare schemes to include taxis running in the configuration of a bus service. As she rightly said, in many villages only a few people wish to travel, it is not economic to run a bus and at present no buses are running. Therefore, when smaller, cheaper vehicles such as taxis can run, as provided for in the Bill, concessionary fares can be applied to them also. Indeed, under these clauses local authorities can force taxis in such a configuration to carry passengers when a concessionary fares scheme is currently running.

I deal next with the more general argument. The hon. Member for Wrexham (Dr. Marek) said that it was his dream and aspiration that one day there would be a system of free travel for all elderly and disabled people throughout the country. I must tell the hon. Gentleman that

> "The Government is clear that our national resources simply will not stretch to the level of expenditure required for universal free travel for all those entitled to concessions".

Opposition Members will be interested to know that I was quoting from the Labour party's White Paper of February 1979 on the subject of concessionary fares. That is why I turned on the hon. Lady the Member for Crewe and Nantwich earlier to inquire whether she has departed from that White Paper. We have already had some long speeches, and I think that we will have a few more. The White Paper states:

> "It is sometimes argued that the best way of 'securing uniformity is to raise all schemes to the level of the most generous, in other words to provide free travel for everyone eligible for a concession. This would however cost well over £200 million a year, even if the concession were available only in a person's own locality. Local authorities who wish to provide more generous schemes should retain the option of doing so, since local discretion to take account of local conditions and priorities is valuable and must be retained . . . It could be argued that it is not enough for the concession to be available for local travel and that it should be possible for concessions to be available on longer-distance journeys. On average some 30 per cent. of the passengers carried on National Travel's express service coaches are elderly and mandatory half-fare concession could lose the National Bus Company a substantial amount of revenue with insufficient compensation in terms of generated traffic."

That is the language of the Labour party in office. That Government said, "We can't afford it. It costs too much. We shall leave it to the local authorities to top up if they wish." Where in that White Paper is the guarantee that all Labour Members have been calling for?

In the light of what I knew of the hypocritical gramophone record that we would hear during the debate, before we got under way, I asked the hon. Member for Crewe and Nantwich whether she went beyond that White Paper, and was prepared to guarantee to the people about whom she is talking that the Labour party was in favour of full fare concessions in some way being written into statute. Three times I asked her the question, and three times she dodged it. Therefore, Labour Members should forget it. All their aspirations and dreams, and the fibs that they have been telling their constituents, will be shattered by the hon. Lady herself.

Let me take the House into the full horror of it. The second time that I asked the hon. Lady what Labour's schemes for concessionary fares were, if it had the chance to put them into practice, she said that all elderly people should be able to travel freely. She added the two letters "ly". Everybody is enabled to travel freely. Nothing stops us travelling freely. However, when I asked her the third time, I said, "The hon. Lady said 'freely'. Does 'freely' mean 'free'?" She sludged off it. She went into a quagmire about how much she loved public transport, and refused to answer the question. So now we know. All Labour Members can forget their bogus, hypocritical and humbug campaign about concessionary fares because the hon. Lady has made it as clear as clear can be that she believes in a half fare scheme, that it is too expensive to have a full fare scheme, that there is no guarantee that those schemes

will continue in the future, and that we should leave it to the local authorities alone, unguided, to decide on the scheme that they prefer to put into practice.

Let me take the House through the last stages of the argument.

Dr. Marek: Will the right hon. Gentleman give way?

Mr. Ridley: The Government have——

Dr. Marek: Will the right hon. Gentleman give way?

Mr. Ridley: All right.

Dr. Marek: I am grateful to the Secretary of State for giving way as he was referring to me in his speech. He would receive more respect from me and the House if he quoted me correctly. I talked about free travel on local stage carriage services. If the Secretary of State reads the record tomorrow, he will see that that is correct. I am not ashamed of having aspirations or dreams, as he calls them. If he does not have them, that is so much the worse for him and so much more impoverishment for him and his kind on the Government Benches.

Mr. Ridley: There is no doubt that the hon. Gentleman has those aspirations. I would even claim to share them. However, the point that he must take on board is that the hon. Member for Crewe and Nantwich does not share them. She does not have the faintest intention of imposing concessionary fares schemes on local authorities if she ever has the misfortune to find herself on the Government Front Bench. The hon. Lady made it clear before the February election, and that was when she was trying to win votes. February 1979 was a time to make promises to the electorate, but the Labour party did not promise to impose concessionary fares. It said that it could not afford it, that half fares were enough, that the matter should be left to local authorities and that it could not give a guarantee. That was the Labour party electioneering. When I asked the hon. Lady about the matter today, she said, "We have not moved from that position. I could not answer that. I would get into trouble from the deputy leader of the party, who has not sanctioned extra public expenditure." What a hypocritical campaign.

I shall give the House the figures and the method of financing for concessionary fare schemes. For the past four years, including 1985-86, the provision made for local authorities' concessionary fare schemes was £163 million, £173 million, £188·5 million and £197 million. That is a progressive increase, which takes account of changes in living, but not much has changed. The outturn of local authorities for each of those years was £202 million, £219 million and £244·8 million.

Mrs. Dunwoody: What about the outturn for the fourth year?

Mr. Ridley: The outturn has not yet happened. I cannot tell the hon. Lady what the outturn for 1985-86 is. She is becoming increasingly stupid. She started off very stupid, but for her to suggest that I can give her the outturn figure for 1985-86, she must be off her nut.

Every local authority gets a GREA for concessionary fares based on the Labour party's policy that there should be half concessionary fares throughout the land. The Labour party's White Paper of February 1979 said that there should be GREAs for all local authorities to enable them to finance a concessionary half fare for every old-age pensioner. This Government, who have not departed one iota from that Labour party policy, instituted a GREA, based on a concessionary half fare throughout the land. The result has been that money goes to local authorities based on a half fare. Again in accordance with the Labour party's policy we have allowed authorities to go to full concessionary fares if they wish, but at their own expense and from their own finances. In no sense has that position been changed by the Government in other legislation, in the abolition legislation or in this Bill.

Opposition Members referred to the precept control, which we shall exercise over the PTAs in their first three years of operation. In using the powers to set rate precepts, Ministers will certainly wish to take account of the existing pattern of expenditure in the metropolitan areas, especially their existing concessionary fares schemes, and they will not necessarily be bound to the levels of expenditure implied by the GRE formula. In other words, Ministers may go above it. It is wrong to suggest that our freedom of action is limited in that respect by the GRE provision. It would be equally wrong to make any provision which would prevent the authorities from making their choice of priorities within the level of the overall resources available for transport.

As my hon. Friend the Member for Derbyshire West (Mr. Parris) said, these new clauses are good for pensioners because they extend the right to concessionary travel to every normal stage bus operating in a local authority which is operating a concessionary fare scheme. Therefore, in two respects we have improved on the Labour party's policy. It will now be possible to force operators to operate concessionary fare schemes, and we have said that we shall go beyond the financial provisions of the Labour party's White Paper.

Despite the great campaign that was fought by the Labour party, and which was still being fought this evening, it is wrong to suggest that concessionary fares will be reduced or will end because of the Bill. The truth is that the Government have improved the provision, which is more than the Labour Government did. The hon. Lady denied that she had any plans even to match what we have done. I hope that my hon. Friends and Opposition Members will take this message to Lancashire, Merseyside, Birmingham and Crewe: Labour Members have been talking rubbish for the past three months.

Mrs. Dunwoody: Will the Minister give way?

Mr. Ridley: I ask the House to approve the new clauses, which are a great improvement on what the Labour party did.

9.15 pm

Mrs. Dunwoody: I believe that the Secretary of State has given way.

Mrs. Kellett-Bowman: He has not given way. He sat down.

Mrs. Dunwoody: Perhaps he would answer——

Mrs. Kellett-Bowman: On a point of order, Mr. Deputy Speaker. I suggest that my right hon. Friend the Secretary of State had sat down, and had not given way.

Mr. Deputy Speaker (Mr. Harold Walker): It is difficult for me to judge whether——

Mrs. Kellett-Bowman: He did not.

Mr. Deputy Speaker: Order. The hon. Lady raised a point of order, and I hope that she will allow me to respond

[Mr. Deputy Speaker]

to it. It was difficult for me to decide whether the Secretary of State had given way or whether he had concluded his speech.

Mr. Ridley: I had sat down, Mr. Deputy Speaker, but I shall give way.

Mrs. Dunwoody: How kind. The Government's present assessment of Merseyside's need for concessionary fares is £4·5 million, but that council spends £18·5 million on them. Is he genuinely saying that if the new passenger transport authority is rate-capped the Government would be prepared to provide that 75 per cent. difference to support the concessionary fares scheme?

Mr. Ridley: The hon. Lady must understand that there are two sources of local authority finance—Government money and ratepayers' money. The difference between what the Government pay and what is spent is met by resources out of the rates. When we set the precept limit for metropolitan areas, we will not set it on the Government's contribution—on what is left of the block grant or the transport supplementary grant. We shall set a precept that will contain an element of Government money and an element of ratepayers' money, and I assure the hon. Lady that concessionary fares will be accommodated within the precepts set.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 11

FURTHER PROVISIONS WITH RESPECT TO PARTICIPATION NOTICES

'(1) The period specified in accordance with section *(Compulsory participation in travel concession schemes)* (3) of this Act in a participation notice served on the operator of any service shall be not less than such period as may be prescribed.

(2) The authority or authorities by whom a participation notice is served on any operator shall send to the operator, together with the notice, a copy of—

(a) such particulars of the scheme to which the notice relates and of any variations of that scheme; and

(b) such particulars of the arrangements for the time being applicable to reimbursement of operators participating in that scheme or of any class of such operators which consists of or includes operators or registered local services qualifying for fuel duty grant;

as have been published under section 85(10) of this Act before the date of the notice.

(3) Subject to the following provisions of this section, an operator on whom a participation notice has been served may apply to the Secretary of State for the cancellation or variation of that notice on either or both of the following grounds, that is to say—

(a) that there are special reasons why his participation in the scheme in question in respect of the service or any of the services to which the notice applies would be inappropriate; and

(b) that any provisions of the scheme or of any such arrangements as are mentioned in subsection (2)*(b)* above are inappropriate for application in relation to operators other than operators voluntarily participating in the scheme.

(4) Subject to subsection (5) below, an application under subsection (3) above may be made by notice in writing given to the Secretary of State before the end of the period of twenty-eight days beginning with the date of the participation notice.

(5) An operator may not make such an application unless he has given notice in writing of his intention to do so to the authority or authorities by whom the participation notice was served—

(a) if a period allowed for that purpose is specified in the participation notice, before the end of that period; or

(b) in any other case, at any time before the date of the notice given to the Secretary of State under subsection (4) above.

(6) The Secretary of State may if he think fit appoint a person to determine an application under this section on his behalf.

(7) On any such application the Secretary of State, or any person appointed under subsection (6) above to determine the application on his behalf, may—

(a) cancel the participation notice or vary it by excluding from it any service operated by the applicant; or

(b) determine that the participation notice shall take effect without variation;

and in any case where the participation notice is cancelled on the ground mentioned in subsection (3)*(b)* above shall give to the authority or authorities by whom the notice was served a notice in writing indicating in what respects the scheme or arrangements there mentioned are inappropriate for application in relation to operators other than operators voluntarily participating in the scheme.'.—*[Mr. Ridley.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 10

SUPPLEMENTARY PROVISIONS

'(1) Regulations under this section may make provision as to—

(a) the form and contents of participation notices and other notices required for any purposes of sections *(Compulsory participation in travel concession schemes)* and *(Further provisions with respect to participation notices)* of this Act; and

(b) the manner in which any such notice is to be served.

(2) Regulations under this section may prescribe the procedure to be followed in connection with applications under section *(Further provisions with respect to participation notices)* of his Act and may in particular (but without prejudice to the generality of that) include provision—

(a) as to the conduct of any proceedings held in connection with any such application; and

(b) enabling the Secretary of State to require either the applicant or the authority or authorities by whom any participation notice which is the subject of any such application was served, or both or all of them, to pay such sum as the Secretary of State may determine towards any expenses incurred by him in connection with the determination of the application.

(3) Any sums paid to the Secretary of State by virtue of subsection (2)*(b)* above shall be paid into the Consolidated Fund.'.—*[Mr. Ridley.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 12

REPEAL OF SECTION 24(3) OF THE 1968 ACT

'—(1) Section 24(3) of the 1968 Act (which imposes on the National Bus Company, the Railways Board and the Scottish Transport Group a duty to co-operate with one another for the purpose of co-ordinating the passenger transport services provided respectively by them or by their subsidiaries) shall cease to have effect.

(2) In subsection (4) of that section, for the words "Subsections (2) and (3)" there shall be substituted the words "subsection (2)".'.—*[Mr. Ancram.]*

Brought up, and read the First time.

The Parliamentary Under-Secretary of State for Scotland (Mr. Michael Ancram): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendment No. 148.

Mr. Ancram: The new clause will repeal the statutory duty of the National Bus Company, the British Railways Board and the Scottish Transport Group to co-operate with each other to co-ordinate their services. The co-operation duty comes from the world of forced integration which the Bill will end. When the duty was designed, it had two purposes. The first was to bring about by statutory means co-ordination among the different nationalised operators so that their timetables coincided; the bus met the train, the ferry met the bus, and so on. In the absence of competitive forces, statutory duties are perhaps needed, but the Bill relies on the more efficient co-ordinating mechanism of market demand. A bus that leaves the station before the train arrives will not attract many passengers, and that discipline will create co-ordination under the new dispensation.

Secondly, the duty was designed to avoid so-called wasteful competition — a concept which the Conservative party rejects. It embodies the idea that passengers should be given no choice. If there is a rail service, the passenger must use it; he may not be offered a rival coach service. That was an idea that was decisively rejected in the House in 1980 when we deregulated long distance coach services.

In practice the duty under section 24 of the Transport Act 1968 has been a dead letter in that respect ever since, with the National Bus Company's and the Scottish Bus Group's competing coach services at last able to give passengers what they wanted—cheap attractive services —thereby tapping the enormous potential for increasing patronage. It is our view that this co-operation duty is no longer necessary. It would be an anachronism under the terms of the legislation. This is an important new clause, and I ask the House to support it.

Mr. Craigen: The tabling of the new clause is a bit of cheek. Why have we got this piece of procedural queue-jumping at this stage of the Bill? If the new clause is as important as the Minister suggests, why was it not included in the original print of the Bill? The Secretary of State told us at the conclusion of the proceedings in Standing Committee that 127 amendments, mostly Government amendments, had been made. Why was there this sin of omission?

The Government ask local authorities to co-operate with each other. What is wrong, therefore, about ensuring that the Scottish Transport Group, British Rail and the National Bus Company should have some co-operation? The Minister might like to comment on the likelihood of competition taking place as a result of the Ayr-Glasgow electrification programme. Some co-ordination in that part of the west of Scotland might be appropriate. Can the Minister tell us something about the discussions and consultations that he had with ScotRail, the Scottish Transport Group and the National Bus Company about the repeal of section 24?

When the Scottish Minister is here, it will be useful to hear from him, because of his knowledge and expertise in Scots law, whether he confirms that any company subject to unfair competition will have interim protection until the Office of Fair Trading has made a judgment. The Under-Secretary of State rather skilfully skipped over my question earlier this afternoon.

New clause 12 is another blow at the principle of co-ordination of approach and the integration of services for the betterment of the travelling public in the private sector. Unless we get a convincing reply from the Minister, I shall advise my right hon. and hon. Friends to vote against the new clause.

Mr. Malcolm Bruce (Gordon): I agree with the hon. Member for Glasgow, Maryhill (Mr. Craigen) that for the Government to produce new clause 12 at this late stage is dishonest; it is an absurd and outrageous move that will not work in practice.

In my area British Rail has just pushed forward some good schemes to open new stations and develop new suburban services. There is concern that the Bill, far from creating competition, will lead to the development of monopoly bus operators. The Scottish Bus Group is likely to try to take over municipal bus services. The net effect will be that it will be most unwilling to deliver passengers to its main competitor, the new suburban rail services. We will finish up with a shambles when we could have a properly co-ordinated service.

The repeal of section 24 would be very much to the detriment of consumers in Scotland. My hon. Friends and I wish to vote against it.

Mr. Robin Maxwell-Hyslop (Tiverton): In rural areas there can be problems that are not immediately obvious in urban areas. These concern integration between a bus service and a rail service to not heavily used intermediate stages, which can be very important except for those who travel to the station by car. One can get into a circular position in which British Rail says that there is not the demand to keep the station open because the public do not use it, and the public do not use it because the bus service does not connect with it at times that enable the station to be used. I have examples of this in my constituency.

To say that demand-oriented bus services will always meet a need for co-ordination with rail services is not true in rural areas. The bus company has many other considerations to meet. It has to schedule its entire service so that the buses end up at the garage at night at the end of the shift and overtime is not paid, and start again in the morning at a time when they can take people to work. These factors have to do with the mass demand for the service.

If the bus service does not link with the rail service, British Rail will close a station or withdraw services from it on the grounds that the public does not want to use it —when it is not the case that the public do not want to use it but that they do not have the opportunity to use it because there is no bus to service it. That is why it is so necessary to have the co-ordinating functions in the hands of the county council, so that there is interconnection instead of rail and road being in competition with each other in the destructive sense of deliberately not making contact so that one's services can triumph over the other's.

In the early days, when there were no bus services, there were competitive rail services in the same areas that deliberately tried to cream off traffic so that the alternative line would suffer. That is not the position today, when there is a monopoly rail service. But to rely on the pressures of competition to ensure that bus services are efficient feeders to and from rail services when they have other needs to meet for their own profitability shows, I am afraid, a lack of understanding of the needs of rural areas.

Mr. Gordon Wilson (Dundee, East): This new clause does not only affect the rural areas. It will have a detrimental effect on transport services on Tayside, the

[Mr. Gordon Wilson]

city of Dundee and Strathclyde. I have a letter from the then manager of the Scottish region of British Rail to the effect that, if there were unregulated competition, the future of commuter services between Arbroath and Dundee, and of the Strathclyde commuter services, would be placed in jeopardy.

No benefit to the public interest will be achieved by repealing section 24(3) of the Transport Act 1968. We shall regress to transport anarchy if the new clause is passed. For those reasons, I shall vote against it.

Mr. David Marshall: New clause 12 is obviously intended to correct an omission from the original Bill and is another sign of just how badly the Bill was drafted. As the hon. Member for Dundee, East (Mr. Wilson) said, it is not only the rural areas that will be affected by the new clause. The whole of the Strathclyde rail review, which has been carefully negotiated between the Scottish Bus Group, British Rail and the Strathclyde PTE, will also be affected. I wish to draw the attention of the Under-Secretary of State for Scotland to a report in *The Scotsman* on 15 May:

"The Scottish Transport Group is preparing to fight a price war which is expected to break out on Scotland's most profitable bus routes when the Government opens them to free competition."

Councillor Waugh, the chairman of the Strathclyde highways and transport committee, claimed:

"The Ayrshire rail electrification scheme could become a £62 million white elephant"

and said:

"the Glasgow to Ayr service is attracting 400,000 fewer passengers a year than expected."

Who will foot the £62 million bill for this white elephant? How many jobs on British Rail will be lost? The new clause is not needed. The Bill is much better without it.

Mr. Fry: I wish to comment upon the very interesting speech of my hon. Friend the Member for Tiverton (Mr. Maxwell-Hyslop). I do not remember my hon. Friend going into the Lobby against the Bill on Second Reading. If, however, he reads the report of his speech, he will see that his argument for co-ordinating rail and road transport is similar to the arguments of many hon. Members in favour of co-ordination between rail and road.

I fail to understand how my hon. Friend approves of the Bill if he sincerely believes in what he has just said. He made the excellent point that there is a need for co-ordination. It is the failure to retain co-ordination in the Bill that gives me considerable reservations about it. We have been told before that if rail services are abolished they will be taken over by road services, but because of the failure to provide proper co-ordination in the past my hon. Friend is suspicious about unco-ordinated services. If my hon. Friend sincerely believes in what he says, he will have to re-examine his attitude towards the Bill.

Mr. Maxwell-Hyslop: Since my hon. Friend has been good enough to visit the Chamber during the last few minutes——

Mr. Fry: I have been here most of the day.

Mr. Maxwell-Hyslop: My hon. Friend has not been in the House for very long. May I point out to him that the Second Reading of a Bill deals with its general principles, while its Report stage deals with the details? It is not the general principle which will result in more appropriate——

Mr. Wilson: On a point of order, Mr. Deputy Speaker. What relevance do the hon. Gentleman's remarks have to the clause under discussion?

Mr. Deputy Speaker: It is rather difficult to relate the two. I hope that the hon. Gentleman's intervention will be brief and will relate more directly to the new clause that is under discussion.

Mr. Maxwell-Hyslop: It was apparently in order for my hon. Friend the Member for Wellingborough (Mr. Fry) to mention how I voted on Second Reading. You allowed that, Mr. Deputy Speaker, as a relevant observation, so it must be in order for me to reply to it.

I was reminding my hon. Friend, who had evidently forgotten, that the Second Reading of a Bill deals with its general principles. I agree with the general principles of the Bill. We are debating not its Second Reading but a new clause. That is why I wondered whether my hon. Friend was in the House when it was moved. It is co-ordination between road and rail, not the general principle, that is being debated, so how hon. Members voted on Second Reading is out of order now, though clearly that is not the view of Mr. Deputy Speaker.

Mr. Fry: That is an excellent example of why one should not give way. Apart from chairing a Select Committee for two hours this afternoon, I have been in the Chamber for all but 20 minutes of the debate. I hope that my hon. Friend will accept that that is rather longer than he has been in the Chamber.

I do not wish to prolong the debate. I have made my point. I was simply attempting to say that an important point of principle arose here. If the new clause has made my hon. Friend and others think again about the Bill, this short debate has been thoroughly worth while.

Mr. Ancram: I shall briefly respond to the questions which have been raised in this short but important debate.

The hon. Member for Glasgow, Maryhill (Mr. Craigen) asked why the new clause had not been put down before. In Committee I seem to remember him reminding us all the time that the Government had said right from the beginning of the Committee stage that during the course of the Bill we would try to improve it. This new clause is in fulfilment of that commitment and, as I have already explained, will go a long way to improving the Bill.

The hon. Gentleman and several of my hon. Friends asked what was wrong with co-ordination. There is nothing wrong with co-ordination as long as it arises out of the transport requirements shown in the market place. What is wrong is when a certain form of transport is imposed, purely at the whim and wish of central planners, on those who wish to travel. It is precisely that sort of co-ordination against which the new clause strikes.

The hon. Gentleman asked why the new clause was necessary. I should like him to consider the position of the Scottish Bus Group which will be competing with other bus operators. If the new clause were not to be passed, that group would find itself having to consult and co-ordinate with other services while those that it was competing against would not be required so to do. If he thinks that that is fair competition, he had better look up the meaning of the word "competition" again.

The hon. Member for Gordon (Mr. Bruce) and my Friends the Members for Tiverton (Mr. Maxwell-Hyslop) and for Wellingborough (Mr. Fry) asked about competition with rail. Even in the constituency of the hon. Member for Gordon rail is proving successful in competition with buses because it offers better journey times to the centre of Aberdeen. The Government—this has been exemplified over the past week by a £3 million grant to improve rail services in Glasgow — are confident that the rail services will be able to compete with, and will be better for the competition from, buses. Indeed, the director of ScotRail, while making it clear that he would rather not have that competition, has shown confidence that he will be able to compete successfully.

Mr. Dennis Canavan (Falkirk, West) *rose*——

Mr. Ancram: The hon. Gentleman has not been present all evening and I do not see why I should give way to him.

Several hon. Members, in particular my hon. Friend the Member for Tiverton, referred to the co-ordination of bus and train services. The market place will ensure that private operators who are operating on profitable routes will, in order to maintain that service against other possible competition, try to co-ordinate with the rail services. They will find that if they arrive either too soon before a train leaves or after it has left they will soon lose their passengers to other operators.

In areas where there will be unprofitable services which private operators will not take up, clause 59 will give county councils and, in Scotland, the regional and island councils the power to promote the availability of public passenger transport services for the convenience of the public. In putting their services out to tender they will be able to meet the necessary requirements.

Mr. Fry *rose*——

Mr. Ancram: Time is moving on and hon. Members wish to debate other new clauses.

The speech of the hon. Member for Maryhill points up a fundamental difference between the Labour and Conservative parties. He believes that people should be made to fit the transport system. We believe that a transport system should be designed to fit people. It is in pursuance of that that this new clause has been moved, and I ask my hon. Friends to support it.

Question put, That the clause be read a Second time:—

The House divided: Ayes 218, Noes 164.

Division No. 216] **[9.40 pm**

AYES

Aitken, Jonathan
Amess, David
Ancram, Michael
Arnold, Tom
Ashby, David
Atkins, Robert *(South Ribble)*
Baker, Nicholas *(N Dorset)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Beaumont-Dark, Anthony
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Biffen, Rt Hon John
Biggs-Davison, Sir John
Blackburn, John
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Boyson, Dr Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim
Brooke, Hon Peter
Brown, M. *(Brigg & Cl'thpes)*
Browne, John
Buchanan-Smith, Rt Hon A.
Bulmer, Esmond
Burt, Alistair
Butler, Hon Adam
Butterfill, John
Carlisle, John *(N Luton)*
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Carttiss, Michael
Cash, William
Chapman, Sydney
Clark, Hon A. *(Plym'th S'n)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clegg, Sir Walter
Cockeram, Eric
Colvin, Michael
Coombs, Simon
Cormack, Patrick
Critchley, Julian
Currie, Mrs Edwina
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Dover, Den
Dunn, Robert
Durant, Tony
Eggar, Tim
Emery, Sir Peter
Evennett, David
Eyre, Sir Reginald
Fallon, Michael
Favell, Anthony
Fenner, Mrs Peggy
Fletcher, Alexander
Fookes, Miss Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Marcus
Franks, Cecil
Freeman, Roger
Gale, Roger
Gardner, Sir Edward *(Fylde)*
Garel-Jones, Tristan
Glyn, Dr Alan
Gorst, John
Gower, Sir Raymond
Greenway, Harry
Gregory, Conal
Griffiths, E. *(B'y St Edm'ds)*
Griffiths, Peter *(Portsm'th N)*
Grist, Ian
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hargreaves, Kenneth
Harris, David
Harvey, Robert
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hawksley, Warren
Hayes, J.
Hayhoe, Barney
Hayward, Robert
Heddle, John
Henderson, Barry
Hicks, Robert
Higgins, Rt Hon Terence L.
Hirst, Michael
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Howard, Michael
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Howell, Ralph *(N Norfolk)*
Hubbard-Miles, Peter
Hunt, David *(Wirral)*
Jackson, Robert
Jenkin, Rt Hon Patrick
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(W Herts)*
Joseph, Rt Hon Sir Keith
Kellett-Bowman, Mrs Elaine
Kershaw, Sir Anthony
Key, Robert
King, Roger *(B'ham N'field)*
King, Rt Hon Tom
Knight, Gregory *(Derby N)*
Knox, David
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lilley, Peter
Lloyd, Peter, *(Fareham)*
Lord, Michael
McCrindle, Robert
McCurley, Mrs Anna
MacGregor, John
MacKay, John *(Argyll & Bute)*
Maclean, David John
Major, John
Malins, Humfrey
Malone, Gerald
Marland, Paul
Marshall, Michael *(Arundel)*
Mates, Michael
Mawhinney, Dr Brian
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Meyer, Sir Anthony
Mills, Iain *(Meriden)*
Mills, Sir Peter *(West Devon)*
Miscampbell, Norman
Mitchell, David *(NW Hants)*
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Morrison, Hon C. *(Devizes)*
Morrison, Hon P. *(Chester)*
Moynihan, Hon C.
Murphy, Christopher
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Normanton, Tom
Norris, Steven
Oppenheim, Phillip
Osborn, Sir John
Ottaway, Richard
Page, Richard *(Herts SW)*
Parkinson, Rt Hon Cecil
Parris, Matthew
Patten, J. *(Oxf W & Abdgn)*
Pattie, Geoffrey
Peacock, Mrs Elizabeth
Percival, Rt Hon Sir Ian
Pollock, Alexander
Porter, Barry
Portillo, Michael
Powell, Rt Hon J. E. *(S Down)*
Powell, William *(Corby)*
Powley, John
Prentice, Rt Hon Reg
Price, Sir David
Proctor, K. Harvey
Raffan, Keith
Rathbone, Tim
Rhodes James, Robert
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Roe, Mrs Marion
Rumbold, Mrs Angela
Sackville, Hon Thomas
Sainsbury, Hon Timothy
Shaw, Giles *(Pudsey)*
Shepherd, Colin *(Hereford)*
Silvester, Fred
Sims, Roger
Skeet, T. H. H.
Smith, Tim *(Beaconsfield)*

Spicer, Michael *(S Worcs)*
Stanbrook, Ivor
Steen, Anthony
Stern, Michael
Stewart, Andrew *(Sherwood)*
Stradling Thomas, J.
Sumberg, David
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Townsend, Cyril D. *(B'heath)*
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Viggers, Peter
Walker, Bill *(T'side N)*
Wall, Sir Patrick
Watson, John
Watts, John
Wiggin, Jerry
Wood, Timothy

Tellers for the Ayes:
Mr. Ian Lang and
Mr. Mark Lennox-Boyd.

NOES

Abse, Leo
Adams, Allen *(Paisley N)*
Archer, Rt Hon Peter
Ashley, Rt Hon Jack
Atkinson, N. *(Tottenham)*
Barnett, Guy
Beckett, Mrs Margaret
Beith, A. J.
Bell, Stuart
Benn, Tony
Bennett, A. *(Dent'n & Red'sh)*
Bermingham, Gerald
Bevan, David Gilroy
Bidwell, Sydney
Blair, Anthony
Boyes, Roland
Bray, Dr Jeremy
Brown, Gordon *(D'f'rmline E)*
Brown, Hugh D. *(Provan)*
Brown, N. *(N'c'tle-u-Tyne E)*
Brown, Ron *(E'burgh, Leith)*
Bruce, Malcolm
Buchan, Norman
Caborn, Richard
Callaghan, Jim *(Heyw'd & M)*
Campbell, Ian
Campbell-Savours, Dale
Canavan, Dennis
Carlile, Alexander *(Montg'y)*
Carter-Jones, Lewis
Cartwright, John
Clark, Dr David *(S Shields)*
Clay, Robert
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S.)*
Cook, Robin F. *(Livingston)*
Corbett, Robin
Cowans, Harry
Craigen, J. M.
Crowther, Stan
Davies, Rt Hon Denzil *(L'lli)*
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric
Dewar, Donald
Dixon, Donald
Dobson, Frank
Dormand, Jack
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eadie, Alex
Eastham, Ken
Evans, John *(St. Helens N)*
Field, Frank *(Birkenhead)*
Fields, T. *(L'pool Broad Gn)*
Fisher, Mark
Flannery, Martin
Foot, Rt Hon Michael
Forrester, John
Foster, Derek
Fraser, J. *(Norwood)*
Freeson, Rt Hon Reginald
Fry, Peter
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman
Golding, John
Gourlay, Harry
Hamilton, W. W. *(Central Fife)*
Hancock, Mr. Michael
Harman, Ms Harriet
Harrison, Rt Hon Walter
Hart, Rt Hon Dame Judith
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart *(Vauxhall)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hoyle, Douglas
Hughes, Dr. Mark *(Durham)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
John, Brynmor
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kirkwood, Archy
Lamond, James
Leadbitter, Ted
Leighton, Ronald
Lewis, Ron *(Carlisle)*
Lewis, Terence *(Worsley)*
Litherland, Robert
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Edward
McCartney, Hugh
McDonald, Dr Oonagh
McKelvey, William
MacKenzie, Rt Hon Gregor
McNamara, Kevin
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael
Mason, Rt Hon Roy
Maxton, John
Maxwell-Hyslop, Robin
Maynard, Miss Joan
Meacher, Michael
Meadowcroft, Michael
Michie, William
Mikardo, Ian
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon A. *(W'shawe)*
Nellist, David
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Owen, Rt Hon Dr David
Park, George
Patchett, Terry
Pavitt, Laurie
Penhaligon, David
Pike, Peter
Prescott, John
Radice, Giles
Randall, Stuart
Redmond, M.
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Robertson, George
Robinson, G. *(Coventry NW)*
Rooker, J. W.
Ross, Stephen *(Isle of Wight)*
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon R.
Shore, Rt Hon Peter
Short, Ms Clare *(Ladywood)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, C.*(Isl'ton S & F'bury)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Stewart, Rt Hon D. *(W Isles)*
Strang, Gavin
Straw, Jack
Thomas, Dr R. *(Carmarthen)*
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Tinn, James
Wallace, James
Wareing, Robert
Weetch, Ken
Welsh, Michael
White, James
Williams, Rt Hon A.
Wilson, Gordon
Winnick, David
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. John McWilliam and
Mr. Frank Haynes.

Question accordingly agreed to.
Clause read a Second time, and added to the Bill.

New Clause 13

Extension of taxi licensing in England and Wales

'(1) Where, immediately before the commencement of this section, the provisions of the Town Police Clauses Act 1847 with respect to hackney carriages (as incorporated in the Public Health Act 1875) were not in force throughout the whole of the area of a district council in England and Wales whose area lies outside the area to which the Metropolitan Public Carriage Act 1869 applies, those provisions (as so incorporated) shall—

(a) if not then in force in any part of the council area, apply throughout that area; and

(b) if in force in part only of its area, apply also in the remainder of that area.

(2) Where part only of a district council's area lies outside the area to which the Act of 1869 applies, that part shall, for the purposes of subsection (1) above, be treated as being the area of the council.'.—*[Mr. Michael Spicer.]*

Brought up, and read the First time.

Mr. Michael Spicer: I beg to move, That the clause be read a Second time.

During the 18th sitting of the Standing Committee, as reported at column 996 of *Hansard*, my hon. Friend the Member for Penrith and The Border (Mr. Maclean) pointed out that, because the taxi-sharing provisions were rightly restricted to licensed vehicles, people living in rural areas where taxis were not licensed would not benefit from the new provisions for sharing. My hon. Friend suggested that this might be the moment to require that taxis throughout the country should be licensed so that everyone could benefit from the provisions, and the Government agreed to consider the matter.

Before dealing with the new clause itself, it may help if I explain briefly how taxi licensing currently operates. Taxis may be licensed by district councils under the provisions of the Town Police Clauses Act 1847 applied through the Public Health Act 1875 and the Local Government Act 1972. The net effect of that somewhat archaic legislation, which we have already agreed to review, is that most district councils licence taxis throughout their areas. However, about 70 districts out of a total of 360 control taxis in only part of their areas. A further 60 councils—or about 20 per cent. of the total—do not license taxis at all. The new clause deals with that 20 per cent.

The councils are generally in rural areas, where shared taxis might make an especially important contribution to

the provision of local transport. The new clause will extend the taxi licensing provisions of the 1847 Act throughout England—outside London—and Wales. All district councils will license taxis throughout their areas and provide for taxi ranks or other authorised places to facilitate the operation of shared taxi schemes.

We have discussed the new clause with the Association of District Councils, which has agreed that an extension of taxi licensing seems to be the only way to ensure that all areas are placed on an equal footing.

Mrs. Dunwoody: Will there be some differentiation between stands for shared taxis and stands for taxis that will operate, without the restrictions, for passengers on their own? Is the licensing arrangement so framed that certain taxis will be forced to stand at taxi ranks? Under the licensing procedure, will further safety rules be followed? The Minister will remember that there was much discussion in Committee about extending the provisions for taxis to include what would be, in effect, minibuses. Will such taxis be covered by the licensing provision in the new clause?

Mr. Spicer: There will be no distinction between taxi ranks for shared taxis and for other taxis. That issue was debated in Committee.

The hon. Lady mentioned minibuses. There are provisions in the Bill to deal with that subject. I hope that I understood the hon. Lady's question correctly; if not, perhaps she will intervene again. Licensing conditions—for instance, conditions of fitness—will be a matter for the district. As we have already said, we may produce some guidance on the conditions. The very tough conditions applied in London may be repeated in other parts of the country, but that will be a matter for the discretion of the districts.

Mrs. Dunwoody: There are restrictions on who may use shared taxis. Is the Minister now saying that any taxi may operate either as a shared taxi or as a single passenger taxi provided that it takes phone bookings? There will be difficulties if the public are not clear which taxis are shared taxis. That could happen if there is no differentiation in the stands, and if the other clauses in the Bill are complied with.

I am not clear—I do not say that there is necessarily any disadvantage involved—whether any taxi operating from any stand may perform in any capacity. There may be a difficulty with passengers sharing taxis.

Mr. Spicer: The hon. Lady knows that there are at least three different types of sharing. There are provisions which allow taxis to act in effect as registered buses, there are provisions concerning pre-booking and there are provisions for carrying at separate fares from taxi ranks.

It being Ten o'clock, MR. DEPUTY SPEAKER *proceeded, pursuant to the order [1 April] and the resolution this day, to put forthwith the Question already proposed from the Chair.*

Question agreed to.

Clause read a Second time, and added to the Bill.

MR. DEPUTY SPEAKER *then proceeded to put forthwith the Question on the new clause, moved by a Member of the Government, of which notice had been given, to that part of the Bill to be concluded at Ten o'clock.*

New Clause 16

ENFORCEMENT OF PARTICIPATION IN TRAVEL CONCESSION SCHEMES

If during any period an operator of any service who is under an obligation under section *(Compulsory participation in travel concession schemes)* of this Act to provide travel concessions in accordance with a scheme under section 85 of this Act for persons travelling on that service systematically fails to comply with that obligation he shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale."—*[Mr. David Mitchell.]*

Brought up, read the First and Second time, and added to the Bill.

Schedule 1

AMENDMENTS CONSEQUENTIAL ON THE ABOLITION OF ROAD SERVICE LICENSING

Mr. Ancram: I beg to move amendment No. 124, in page 111, line 1 leave out paragraph 7.

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 4, 127 to 131, 134 to 137, 142, 147 and 151.

Mr. Ancram: All these amendments simplify previous legislation. Amendments Nos. 127 and 128 do that by simplifying the drafting of the Bill. At the moment, schedule 2 contains redundant wording taken from schedule 2 to the Public Passenger Vehicles Act 1981 and, no doubt, goes far back into history. There is no reason to spell out the functions of the traffic commissioner in giving the Secretary of State power to appoint deputies, and the amendments remove two unnecessary lists of enactments. The other amendments also arise out of historical leftovers and tidy matters up. I hope that, on that basis, the amendments will be acceptable.

Amendment agreed to.

Mr. David Mitchell: I beg to move amendment No. 125, in page 112, leave out lines 37 to 43 and insert

'there shall be substituted, for the words from "stage carriage" where they first occur to "1981" the words "local service (within the meaning of the Transport Act 1985)" and for the words "stage carriage" where they next occur the word "vehicle".'.

This is a drafting amendment, which corrects an inaccuracy in an amendment made by schedule 1 to the Road Traffic Regulation Act 1984 which substitutes the local service terminology of the Bill for the outmoded stage carriage one. It is technical, and I commend it to the House.

Mrs. Dunwoody: We accept many of these drafting amendments because they fulfil precisely the function that the Minister has outlined. They put into the Bill more accurate definitions that should have been in the original legislation. I hope that we shall not be told at the end of the Report stage that the Government have accepted another 128 amendments when about 127 of them arise out of their own drafting errors.

Mr. Mitchell: I note what the hon. Lady has said.

Amendment agreed to.

Clause 3

TRAFFIC COMMISSIONERS

Mr. David Mitchell: I beg to move amendment No. 3, in page 3, line 28, at end insert
'or goods by road within Great Britain'.

Mr. Deputy Speaker: With this it will be convenient to take Government amendment No. 126.

Mr. Mitchell: The right hon. Member for Halton (Mr. Oakes) drew attention in Committee to the need for careful examination of the required declaration of interests by traffic commissioners. He suggested that the required disclosure might be too narrow. I undertook to look carefully at what he said and if on further confirmation I found myself in agreement with the point that he made I agreed to bring forward an amendment. The amendments fulfil that undertaking. I think that they will be found agreeable to both sides of the House. I am grateful to the right hon. Member for Halton for having drawn this to our attention.

Mrs. Dunwoody: In the absence of my right hon. Friend the Member for Halton (Mr. Oakes), may I say that I know that he will be delighted, because he believed that it is important for it to be clear in the Bill exactly where the balance of interests lies. I am grateful to the Minister for having accepted the suggestions.

Amendment agreed to.

Amendment made: No. 4, in page 3, leave out lines 36 to 41 and insert—

'(1) The traffic commissioner for any traffic area constituted for the purposes of the Public Passenger Vehicles Act 1981 shall exercise the functions conferred on him by this Part of this Act and is in this Part of this Act referred to as "the licensing authority".'.—*[Mr. David Mitchell.]*

Schedule 2

TRAFFIC COMMISSIONERS

Amendments made: No. 126, in page 113, line 11, after 'passengers', insert
'or goods by road within Great Britain'.

No. 127, in page 113, line 20, leave out from 'that' to end of line 24.

No. 128, in page 113, line 34, leave out from 'matters' to 'as' in line 36.

No. 129, in page 114, line 14, leave out from 'considers' to end of line 15 and insert 'appropriate'.

No. 130, in page 115, line 2, leave out from '113' to end of line 10 and insert—

'(1) of the Road Traffic Act 1972 (licensing authority for Part IV of that Act), there shall be substituted—

(a) for the words "The person who is the chairman of the traffic commissioners" the words "The traffic commissioner"; and

(b) for the words from "including" to "duty" the words "shall exercise the function".'.

No. 131, in page 117, line 20, leave out from 'and' to the end of line 23 and insert
'for the word "their" shall be substituted the word "his".'.—*[Mr. David Mitchell.]*

Mr. Ancram: I beg to move amendment No. 132, in page 117 leave out lines 35 and 36.

This is a minor drafting amendment. There is in fact no need to change the word "commissioners" to "commissioner" in section 62 of the Public Passenger Vehicles 1981 which Act relates to PSV driver licensing in the metropolitan traffic area since that section is repealed in Schedule 7.

Amendment agreed to.

Clause 4

INQUIRIES HELD BY TRAFFIC COMMISSIONERS

Mr. David Mitchell: I beg to move amendment No. 5, in page 4, line 28, after 'enactment', insert
'mentioned in subsection (6) below,'.

Mr. Deputy Speaker: With this it will be convenient to take Government Amendments Nos. 6 and 7.

Mr. Mitchell: The purpose of the amendment is to restrict the disclosure of commercially confidential matters to purposes not directly related to PSV operator licensing. This again I think will not be controversial. It is largely a technicality.

Mr. A. J. Beith (Berwick-upon-Tweed): Why is the Minister satisfied, as he appears to be in amendment No. 7, that it will be appropriate to deal with these matters by way of negative instrument?

"The Secretary of State may by order"

add a reference to other enactments or remove it by use of the negative procedure. We are all aware how deficient that procedure is and how little opportunity it allows to hon. Members to raise matters. Can the Minister say why he is satisfied that it is adequate in the circumstances?

Mr. Mitchell: It is not a matter of major substance, and therefore it is not of such a nature that one would normally expect to deal with it in any other way.

Amendment agreed to.

Amendment made: No. 6, in page 4, line 31, after 'any', insert 'such'.—*[Mr. David Mitchell.]*

Amendment proposed: No. 7, in page 4, line 37, at end insert—

'(6) The enactments referred to in subsection (5)*(b)* and *(c)* above are—

(a) sections 12 to 21 of this Act; and

(b) sections 22 to 25 of the Transport Act 1985.

(7) The Secretary of State may by order made by statutory instrument amend subsection (6) above by adding a reference to an enactment or by removing any such reference; and any statutory instrument made in exercise of the power conferred by this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.'. — *[Mr. David Mitchell.]*

Question put, That the amendment be made:—

The House divided: Ayes 193, Noes 19.

Division No. 217] **[10.10 pm**

AYES

Aitken, Jonathan	Brandon-Bravo, Martin
Amess, David	Bright, Graham
Ancram, Michael	Brinton, Tim
Ashby, David	Brooke, Hon Peter
Baldry, Tony	Brown, M. *(Brigg & Cl'thpes)*
Beggs, Roy	Buchanan-Smith, Rt Hon A.
Bellingham, Henry	Bulmer, Esmond
Bendall, Vivian	Burt, Alistair
Bevan, David Gilroy	Butler, Hon Adam
Biffen, Rt Hon John	Butterfill, John
Blackburn, John	Carlisle, John *(N Luton)*
Bonsor, Sir Nicholas	Carlisle, Rt Hon M. *(W'ton S)*
Boscawen, Hon Robert	Carttiss, Michael
Bottomley, Mrs Virginia	Cash, William
Bowden, A. *(Brighton K'to'n)*	Chapman, Sydney
Bowden, Gerald *(Dulwich)*	Churchill, W. S.
Braine, Rt Hon Sir Bernard	Clarke, Rt Hon K. *(Rushcliffe)*

Clegg, Sir Walter
Cockeram, Eric
Colvin, Michael
Coombs, Simon
Currie, Mrs Edwina
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Dover, Den
Dunn, Robert
Durant, Tony
Eggar, Tim
Emery, Sir Peter
Evennett, David
Eyre, Sir Reginald
Fallon, Michael
Favell, Anthony
Fenner, Mrs Peggy
Fletcher, Alexander
Fookes, Miss Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
Franks, Cecil
Freeman, Roger
Fry, Peter
Gale, Roger
Gardner, Sir Edward *(Fylde)*
Garel-Jones, Tristan
Goodhart, Sir Philip
Gorst, John
Gower, Sir Raymond
Greenway, Harry
Gregory, Conal
Griffiths, E. *(B'y St Edm'ds)*
Griffiths, Peter *(Portsm'th N)*
Grist, Ian
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, Kenneth
Harris, David
Harvey, Robert
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hawksley, Warren
Hayes, J.
Hayhoe, Barney
Hayward, Robert
Heddle, John
Henderson, Barry
Hicks, Robert
Hind, Kenneth
Hirst, Michael
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Howard, Michael
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Howell, Ralph *(N Norfolk)*
Hubbard-Miles, Peter
Hunt, David *(Wirral)*
Jackson, Robert
Jenkin, Rt Hon Patrick
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(W Herts)*
Kellett-Bowman, Mrs Elaine
Kershaw, Sir Anthony
Key, Robert
King, Roger *(B'ham N'field)*
King, Rt Hon Tom
Knight, Gregory *(Derby N)*
Knox, David
Lang, Ian
Lawler, Geoffrey
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim
Lightbown, David
Lilley, Peter
Lord, Michael
McCrindle, Robert
McCurley, Mrs Anna
Macfarlane, Neil
MacGregor, John
MacKay, John *(Argyll & Bute)*
Maclean, David John
Major, John
Malins, Humfrey
Marland, Paul
Marshall, Michael *(Arundel)*
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Merchant, Piers
Meyer, Sir Anthony
Mills, Iain *(Meriden)*
Miscampbell, Norman
Mitchell, David *(NW Hants)*
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Morrison, Hon C. *(Devizes)*
Morrison, Hon P. *(Chester)*
Moynihan, Hon C.
Murphy, Christopher
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Normanton, Tom
Norris, Steven
Osborn, Sir John
Ottaway, Richard
Page, Richard *(Herts SW)*
Parkinson, Rt Hon Cecil
Parris, Matthew
Patten, J. *(Oxf W & Abdgn)*
Pattie, Geoffrey
Peacock, Mrs Elizabeth
Percival, Rt Hon Sir Ian
Pollock, Alexander
Portillo, Michael
Powell, William *(Corby)*
Powley, John
Price, Sir David
Proctor, K. Harvey
Raffan, Keith
Rathbone, Tim
Rhodes James, Robert
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Roe, Mrs Marion
Rumbold, Mrs Angela
Sackville, Hon Thomas
Sainsbury, Hon Timothy
Shaw, Giles *(Pudsey)*
Shepherd, Colin *(Hereford)*
Silvester, Fred
Sims, Roger
Skeet, T. H. H.
Smith, Tim *(Beaconsfield)*
Spicer, Michael *(S Worcs)*
Steen, Anthony
Stern, Michael
Stewart, Andrew *(Sherwood)*
Sumberg, David
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Townsend, Cyril D. *(B'heath)*
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Viggers, Peter
Walker, Bill *(T'side N)*
Wall, Sir Patrick
Watson, John
Watts, John
Wiggin, Jerry
Wood, Timothy
Yeo, Tim

Tellers for the Ayes:
Mr. Mark Lennox-Boyd and
Mr. Peter Lloyd.

NOES

Canavan, Dennis
Carlile, Alexander *(Montg'y)*
Cartwright, John
Hancock, Mr. Michael
Howells, Geraint
Hughes, Simon *(Southwark)*
Kennedy, Charles
Kirkwood, Archy
Madden, Max
Meadowcroft, Michael
Owen, Rt Hon Dr David
Penhaligon, David
Ross, Stephen *(Isle of Wight)*
Skinner, Dennis
Stewart, Rt Hon D. *(W Isles)*
Wallace, James
Weetch, Ken
Wigley, Dafydd
Wilson, Gordon

Tellers for the Noes:
Mr. A. J. Beith and
Mr. Malcolm Bruce.

Question accordingly agreed to.

Clause 6

REGISTRATION OF LOCAL SERVICES

Mr. Ridley: I beg to move amendment No. 8, in page 5, line 18, after 'service', insert—

'*(aa)* the period of notice in relation to the registration has expired;'

Mr. Deputy Speaker: With this it will be convenient to discuss amendment No. 159, in page 5, line 20 at end insert—

'(2A) Without prejudice to any Regulations which may be made under subsection 7*(e)* below, the prescribed particulars to be supplied for the purposes of registration shall include—

(a) the size and type of vehicle used in the service; and

(b) particulars of the proposed route, stopping places, terminal points, timetable and level of fares.'.

Government amendments Nos. 9, 11 to 18, 20, 21, 23 to 28, 33, 38, 40, 60 and 110.

Mr. Ridley: The purpose of the amendments is to clarify the legal nature of registration. Registration is the cornerstone of the system established by the Bill to ensure that competition is fair, that services are operated safely and with proper regard to the passenger, and that the local authorities have a proper base to decide which services to subsidise through tendering. Therefore, it is important that it should be legally watertight. Careful study of the clause as originally drafted suggested that it might not have been so. The status of a registration between the date on which the application for it was accepted by the traffic commissioner, and that on which it became effective, was dubious. For instance, it was not clear that it could be varied during that period, which of course it can, within the general rules for variation of services.

The amendments clarify that, and at the same time simplify the way in which breaches of regulation rules are described in clauses 23 and 91, which provide sanctions to operator licensing and fuel duty rebate.

Mrs. Dunwoody: The amendment will make considerable changes in the conditions of registration. I am glad that the amendment tabled by the Opposition was chosen, because we noticed yet another mistake in the Bill and wished to bring it to the attention of the House. The amendments that I tabled originally were designed to ensure that the operators of registered local bus services make proper provision for the safety and convenience not only of their passengers but of other road users in the community. The safeguards that we wish to include would make it clear that the prescribed particulars to be supplied

[Mrs. Dunwoody]

for the purposes of registration should include the size and type of vehicle, the proposed route, the stopping places, the terminal points, the timetable and fares.

It is important to understand that registration is one of the few pieces of legislation that will remain in place. Therefore, not only must it be properly organised, but it must contain information that will enable passengers and the local authorities to know exactly what the service does. We suggested that safeguards should be included to ensure that the local highways authority and chief of police were involved in the proposed routes, and especially in the safety of the vehicle that would be used in the service. We wished to ensure that all roads, stopping places and terminal points used in the service met the requirements of the highways authority and especially those of the police, who are responsible for road safety and traffic management. The highways authority would also wish to be satisfied about the structural suitability of some roads for some vehicles.

The requirement was simply that the operator should consult the relevant authorities and obtain their approval before registering the service. The Government have gone some way towards inserting the safeguards that we wanted, but I am not sure that they have gone far enough. We must know whether operators have suitable vehicles for the services that they propose to operate. It is especially important to recognise that the bus industry provides a service to those members of the community who, at some stage, are least able to help themselves. Children, the disabled, family groups with shopping and other luggage, and the elderly especially are major users of buses. In west Yorkshire, the young and the elderly account for almost 50 per cent. of bus trips. The vehicles must be safe and convenient for use by the elderly and the disabled. Considerable advances have been made in recent years in bus design. Vehicles with low steps at the entrance, gently ramped rather than stepped floors and good provision of grab rails make it much easier for those who are unable in normal circumstances to cope with some of the older buses. Seats with easy access near the front of the vehicles are typical of the modern generation of vehicles operated both by well capitalised independent operators and certainly by most public sector companies.

By contrast, in Hereford and one or two other areas where competition took place older coaches with high steps and poor access were used. The Conservative party made great play of the suggestion that only employees who worked for an independent operator would be prepared to assist people on and off buses, but that is not my experience. Even though drivers may be prepared to help passengers, that delays other traffic. It means too that cash is left unattended. There is no substitute for properly designed modern vehicles which the majority of passengers may board and alight from without assistance.

Other information—copies of timetables and fares tables—should be carried and should be available for passengers to inspect. Destinations should be clearly displayed on the exterior of vehicles. Passengers should have adequate information. Some of those requirements were not included in the previous legislation. The requirement to display destinations is particularly important in busy areas where many routes operate from the same street. We know from the Hereford trial that where lots of buses are competing in a small area there is considerable confusion. I am afraid that that may be the case in future.

Amendment No. 159 consolidates the matters that I have referred to by requiring the appropriate particulars to be supplied for the purpose of registration. Although I am glad that the Government have accepted that the amendment should be considered as part of this very large group of amendments, I would have hoped that Government Ministers might have explained in greater detail why the need for all this information to be added to the registration has been accepted. We believe that it is essential, but I do not think that Ministers have yet gone into sufficient detail to explain the change of heart on their part.

Mr. Fry: I, too, would like to address a few remarks to amendment No. 159. If the Government intend, as I presume they do, to go ahead with the Bill in its present form it is vital that at the earliest possible stage maximum information is given to the traffic commissioner about the registration. The first part of the amendment refers to "the size and type of vehicle to be used in the service".

If I am contemplating running any service — I understand that is what my right hon. Friend wants—surely I should know what kind of vehicle is to be used by anyone else who is interested in the same route. If I discover that a minibus is being registered for a route and I believe that the route is susceptible to a considerable increase in demand—again I understand that is what the Government want — surely it is important that the maximum information is registered at the earliest possible opportunity. In that way the competition that is so dear to the Government's heart might be encouraged. Therefore, information of that nature would be very valuable at the time of registration, it would stimulate other people to consider whether they wanted to register for a parallel service over the whole route or part of it.

Other information suggested for registration is "particulars of the proposed route, stopping places, terminal points, timetable and level of fares".

Some of that may be open to discussion. Having been to Hereford I am convinced that that information is badly needed. There might have been certain stopping places in Hereford, but many of the buses did not go there to stop at them. They overtook each other to pick up people at the next bus stop, or even did not finish their journey because, having got three quarters of the way there, they saw people at the other side of the road waiting to go the other way, so they rapidly turned the bus round. I know that my right hon. Friend does not wish to encourage such behaviour.

10.30 pm

Mr. Colin Shepherd (Hereford): My hon. Friend has made some severe allegations about what has been going on in Hereford. I should be most grateful for his evidence, chapter and verse, on these incidents. Has he received complaints from passengers about this happening, and if so, on which buses where they travelling and when?

Mr. Fry: When the Select Committee went to Hereford and Worcester, we obtained a lot of information, some of which is published in our report. The complaint that I have just detailed was certainly made, although I cannot remember whether it was in the formal evidence that was published or in the informal evidence given to us by a number of operators and members of the public. However, I assure my hon. Friend that that accusation was made.

Mr. Conal Gregory (York): On a point of order, Mr. Deputy Speaker. Is it not the custom and precedent for an hon. Member to declare an interest before he speaks? I have not heard my hon. Friend the Member for Wellingborough (Mr. Fry) declare such an interest, so I invite him to do so.

Mr. Fry: I declared my interest not only on Second Reading but in a speech on an earlier amendment. If my hon. Friend had been present, he would have heard me do so.

My suggestions tonight are designed not to sabotage the Government's proposals but to ensure that they are as workable as possible and achieve the ends towards which the Bill has been framed. It is essential for any potential operator to know what the extent of the potential competition will be. This is the most valuable thing. The point about registration is that people can see what services are proposed, and potential operators can see whether there is a living or even a profit to be made—out of identical routes, or parts of them.

I should have thought that, in the interests of encouraging just that amount of competition that the Bill is intended to generate, the maximum amount of information should be given at the time of registration.

Mrs. Dunwoody: Does the hon. Gentleman know that the shire county councils have done a short report on the Hereford position, in which they pointed out that Buchanans is still under prosecution for offences, and that there was clear evidence that no new routes had been created and that competition had been by duplication? Therefore, the points that the hon. Gentleman is making are not only valid but accurate.

Mr. Fry: I thank the hon. Lady for that information.

I shall not say that the whole of the Hereford experiment was a disaster, and my hon. Friend the Member for Hereford (Mr. Shepherd) should not assume that. I am trying to show that there were defects in that experiment, and it should not be regarded as an ideal. Surely, the whole point of an experiment is that we should learn from the things that go wrong. I am not condemning the private operators in Hereford, but we should observe what happened there and try to see that such errors do not happen again. An essential pre-requisite is therefore the maximum of information at the time of registration.

Dr. Marek: When about two hours ago, I said that, under the Hereford system, buses could turn round if they saw intending passengers on the other side of the road, clear off the bus and pick up those passengers and go on the other way, the Secretary of State waved his hands, laughed and rocked back in his seat as if it were a completely fatuous suggestion. It is interesting that the hon. Member for Wellingborough (Mr. Fry) has said that precisely the same complaints were made to the Select Committee on Transport when it visited Hereford. It is not a fatuous suggestion; it is likely to happen. People have complained, which means that it has happened. Unless the Government do something about it, it will happen time and time again. Some semblance of regulation must be provided for.

It is also interesting that when the Minister commented upon the experiment in Hereford he said that it would have been a success if Midland Red had not been allowed to cross-subsidise services in order to eliminate competition. In Committee, many Conservative Members pointed to Hereford and said that it was a wonderful system which would be copied by bus services all over the country if the Bill were enacted. Now we are getting a little nearer the truth: that all is not rosy in the garden of Hereford. Things are going from bad to worse. My hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) referred to this point. It shows that the position in Hereford is dismal indeed. The fact that at one time there was a great deal of competition but that now there is competition in only one corridor in the Hereford area speaks for itself.

Mr. Clay: Has my hon. Friend noticed that the only private operator who is left in that one corridor in the Hereford area, Mr. Buchanan, has been charged with using false registration plates? It seems, does it not, to be an extremely rosy situation in Hereford.

Dr. Marek: I agree with my hon. Friend, but as this operator is still under the threat of prosecution I believe that the rules of the House do not allow me to refer to his case.

Mr. Colin Shepherd: I know what value the hon. Gentleman places upon accuracy. Perhaps, therefore, he will carefully read the press reports. He will find that it is not Mr. Buchanan but another operator who is charged with using buses bearing the wrong number plates and that a number of charges have been deferred until 1 July. The presumption of innocence ought to be maintained until guilt has been proved.

Dr. Marek: I accept the hon. Gentleman's word on this, because he is the Member of Parliament for Hereford.

Mr. Shepherd: The hon. Gentleman ought to withdraw.

Dr. Marek: On such a matter as this there is no need for me to withdraw. I understood that Mr. Buchanan was still under the threat of prosecution. If I am wrong, that is it. Other companies, however, spring to mind that have been prosecuted for something more serious than using the wrong number plates. However, the use of wrong number plates ought not to be allowed.

Mr. Brandon-Bravo: Opposition Members have always referred in derogatory terms to the Hereford experiment. The hon. Member for Wrexham (Dr. Marek) may be pleased to hear that, with the object of proving the rumours that they had swallowed during the past few months, a large party from Nottingham went to Hereford a few weeks ago. It was made up predominantly of city officials and Labour councillors. They returned very quiet and very chastened. The word in Nottingham is that the Hereford experiment is working and that the Bill contains many good things. The hon. Member for Wrexham ought to leave Hereford alone. Labour councillors in Nottingham have come to realise that there is a lot of good in the Hereford experiment.

Dr. Marek: I will not leave the Hereford experiment, because in my view it has proved to be an absolute disaster. We no longer have competition, except along one corridor into Hereford, and, as I said, towns such as Kington and Presteigne do not have services as good as they used to have.

Mr. Colin Shepherd: I am beginning to doubt the high value that the hon. Gentleman places on accuracy, because I had to pull him up on this point in Committee. He will

[Mr. Colin Shepherd]

be aware, in respect of the example that he regularly trots out, of Kington and Presteigne, that the reductions in service were made before the start of the trial area and were made by the county council and not as a result of bus operators pulling out. Will he not learn that, or is he programmed to trot that out regularly because somebody has given him the information?

Mr. David Mitchell *rose——*

Dr. Marek: I am always prepared to give way to local Members if they know what is going on and have first-hand information and I will give way to the Minister when I have pointed out that, while nobody can be right all the time, services in the rural areas of Herefordshire are not as good as they were. There have been no new routes and nobody has made a profit.

Mr. Mitchell: As the hon. Gentleman is holding forth on this area, with which he seems to be particularly familiar, may I ask him to explain how, when I was speaking at a meeting recently, a gentleman in the audience said, "I wish to take the opportunity to thank the Government for having introduced the trial area in the Hereford and Worcester area, because, for the first time for 25 years, we have a bus service in my village."?

Dr. Marek: If there is a new route that did not exist before the establishment of the trial area, the Minister should name the village and put it on the record. If I am wrong, fair enough—a contribution has been made to the debate and hon. Members on both sides of the House are wiser. I understand that no new routes have been pioneered since deregulation and since the establishment of the trial area in Hereford.

Mr. Steen: This is like a nightmare. Having listened to the hon. Gentleman for 150-odd hours in Committee saying the same thing, it is tiresome to hear him say it yet again on the Floor of the House. Can he adjust the programme a little? Without knowing the details of the Hereford experiment, I am concerned that the hon. Gentleman should be discrediting bus companies that may have prosecutions pending against them, but against whom nothing has been proved. It might be unfortunate if he pursued the point.

Dr. Marek: I was simply pointing out that prosecutions were pending, and nothing else that I said, or am saying, implies anything from the point of view of the two companies concerned. I hope that that satisfies the hon. Gentleman.

Mr. Steen *indicated assent.*

Mr. Colin Shepherd: When was the hon. Gentleman last in Hereford, when did he last travel on Herefordshire buses and when did he last speak to Hereford people on the subject?

Mrs. Dunwoody: It is all anecdotal, I suppose; one cannot know unless one has actually travelled on the buses.

Dr. Marek: I agree with my hon. Friend.

Mr. Colin Shepherd: Now answer my question.

Dr. Marek: I travelled in Herefordshire towards the end of last year. I cannot remember the date.

Mr. David Mitchell: By bus?

Dr. Marek: No, not by bus. *[Interruption.]* I travel by bus regularly and I travelled by bus every week on a great many occasions. Hon. Members have tried to catch me out on that, as on other matters, and again they have failed. The source of my remarks is the transport consortium of shire county councils, and I have made my own investigations. That body said:

"No new routes have been created and competition has been by duplication, so that the full benefit of the increased number of buses has not been realised. Hereford and Worcester County Council did at one stage make strenuous efforts to co-ordinate some of the competing services, but agreements between operators did not begin to emerge until last year."

I shall omit one short paragraph. The consortium continued:

"Early morning, evening and Sunday services are very limited. No buses before 7.30 am, a handful of journeys after 6.15 pm, just three journeys on Sundays on selected routes."

If hon. Members believe that that is a comprehensive integrated bus service, they should think again. It is an abysmal service. The citizens of Hereford do not have a service that they would describe, if asked for a proper expression of feeling, as better than the previous one. If they happened to live next to one of those three or four routes where fares are cheaper, they might describe it as a better service. I believe that the overall answer would be that the trial area has not been a success.

10.45 pm

Mr. Colin Shepherd: The hon. Gentleman has made assertions about no buses being earlier and no buses being later. Is he aware that, on the country routes, no one is worse off in terms of the arrival of buses although perhaps no one is better off? The hon. Gentleman must bear it in mind, in making his dismissive assertions that the bus revenue support is lower, that the taxpayer is getting better value for money for providing the same level or a better level of service. Is the hon. Gentleman aware also that in the informal evidence taken by the Select Committee the general view of those who lived in the countryside was that no one was any worse off but that a number of people were substantially better off?

Dr. Marek: I must continue.

Mr. Steen: Why?

Dr. Marek: Because the Government have imposed a guillotine on this important Bill. There are many clauses that we cannot consider. It ill befits Conservative Members to ask why, when I say that we should continue the debate.

Mr. David Mitchell: The hon. Member has recounted some comments that have been passed on to him. It might be helpful if I record just three points that were made to me by passengers which bear upon the points that have been raised. A young man visiting from west Yorkshire said:

"Where I come from the buses don't run so late and they cost more. I don't use them often here, but it is cheap and the last bus is after 11 o'clock at night."

An RAF man said:

"The service is fine, a lot cheaper than Cambridgeshire where I come from."

Another person stated:

"We only have hard leather seats in Cardiff. This is much more comfortable."

Those are repetitive comments from people who in practical terms found it——

Mr. Deputy Speaker: Order. The Minister is going a long way beyond the terms of the amendment. No doubt the Under-Secretary of State will seek in the fullness of time to catch my eye to reply to the debate. Dr. Marek.

Mr. Walter Harrison (Wakefield) *rose*——

Mr. Deputy Speaker: Order. Dr. Marek has the Floor.

Dr. Marek: I shall give way to my right hon. Friend the Member for Wakefield (Mr. Harrison).

Mr. Harrison: The Under-Secretary of State stated at the Dispatch Box, when referring to west Yorkshire——

Mr. Deputy Speaker: Order. For obvious reasons, I should not have allowed the Under-Secretary of State to refer to west Yorkshire. Perhaps I should have told the hon. Gentleman the moment he referred to west Yorkshire, rather than allowed him to continue, that that aspect was beyond the terms of the amendment. I hope that the right hon. Member for Wakefield (Mr. Harrison) will not pursue that point.

Mr. Harrison: I did not raise a point of order, Mr. Deputy Speaker. What you allowed was an infringement of the rules of the House. If you allowed the Under-Secretary of State to make a statement, surely I am entitled to raise a matter on the very point that you allowed. Can the Under-Secretary of State specify the area of west Yorkshire to which he referred? I represent part of west Yorkshire, which is a fairly large place.

Mr. Deputy Speaker: Order. I hope that the Under-Secretary of State will not.

Mr. Fry *rose*——

Mr. Deputy Speaker: Order. We cannot have interventions in interventions.

Dr. Marek: Amendment No. 159 is important because the public and the local authorities must know where the bus stops will be, when the services will run, and so on, and it is perfectly reasonable to refer to the experience in Hereford in that context. I do not deny the examples given by the Minister, but they are highly selective. No doubt I could go out asking for views and find one person who thinks that the evening service is terrible because he has been waiting for 15 minutes whereas at 5.30 in the afternoon he may think that the service is very good, but I do not believe that selective information of that kind assists our deliberations. I believe that if the views of the people throughout the Hereford area were gathered and assessed objectively the majority view would be that the trial area was not a success.

Mr. Fry: Does the hon. Gentleman agree that the subsidised rural services in the Hereford trial area were not subject to any competition, which is completely contrary to the proposals in the Bill, and that the information required by amendment No. 159 will be all the more important if competition is to be generated?

Dr. Marek: The hon. Gentleman is absolutely right. The House will note that, when the hon. Gentleman first made those comments, he was immediately attacked by his hon. Friends the Members for Hereford (Mr. Shepherd) and for York (Mr. Gregory) because they thought that he was saying something against the spirit of the Bill. In fact, he was doing no such thing, but he made the valid point that if we are to have deregulation—if we are to have this evil Bill thrust upon us——

Mr. Steen: We have been discussing it for 156 hours.

Dr. Marek: The hon. Gentleman does not need to tell us that. If we are to have this evil Bill, the traffic commissioner—an authority far removed from the local people — must have the information required by amendent No. 159. The requirements are perfectly straightforward. What possible objection can the Government have to a requirement to specify

"the size and type of vehicle to be used in the service"

or

"particulars of the proposed route"?

At least the traffic commissioner, the local authority and the public will know what route the operator proposes to follow. We do not want buses taking short cuts through town centres just to get ahead of the competition.

Specified stopping places are also important. In Hereford there were instances of six or seven buses trying to pile on to one bus stop. If the amendment is accepted, the traffic commissioner will have a chance to try to achieve some order out of the chaos. In that respect, amendment No. 159 is a very good one.

Mr. Hind: We discussed this in Standing Committee. Once one starts including that kind of detail in the legislation, one loses the flexibility of regulations in which the requirements for registration can evolve according to experience. As soon as one tries to hammer these things down, the system becomes inflexible and it is difficult to have any cogent, amendable policy. Regulations are flexible and do not give rise to the same problems. Does the hon. Gentleman agree with that?

Dr. Marek: No, I do not agree. The amendment states:

"Without prejudice to any Regulations which may be made under subsection 7*(e)* below, the prescribed particulars to be supplied for the purposes of regulation shall include".

There is no question of an attempt to impose more regulations. It is a means of providing more information for the traffic commissioners and the local authorities. If necessary, they can talk to the independent operators in an endeavour to achieve a more coherent system. Above all, the public should receive the information. The amendment does not seek compulsion.

I wish to bring my remarks to an end, Mr. Deputy Speaker, although I have suffered a barrage of interventions from Conservative Members. I shall do so by referring to the 3 May edition of *Labour Weekly*, which is an informative weekly newspaper. The 3 May edition tells us that proprietor Dennis Buchanan has been charged with the fraudulent use of number plates on a mechanically propelled vehicle. That carries no implications for operations in the Hereford area and no implications for proprietor Dennis Buchanan.

I have said that the country areas now have worse bus services than before. In doing so, I was taking up an article written by Mr. Dunbar that appeared in "Buses". If I have that wrong, I shall be the first to admit it, but I do not think that I have. Hon. Members who are interested in these matters can ascertain for themselves whether I have it right or wrong at the end of the debate.

Amendment No. 159 is sensible as it does not seek to compel anyone to do anything. It seeks merely to provide information, especially for the public. The public should be aware of timetables so that they know when buses will

[Dr. Marek]

run. They should know with certainty the destinations of particular buses. Buses should not run short of their stated destinations.

Mr. Steen: We have covered this circuit before. A commercial operator will not run a bus without stating where it is going. He will want customers and he will not run a bus that does not have a board stating its destination. He will know that no one will board it in the absence of that information. The public will not stand at lamp posts waiting for a bus if they know that the bus will not stop. Instead, they will stand at bus stops. The hon. Gentleman's points are a lot of nonsense.

Dr. Marek: The hon. Gentleman may hold that opinion, but we have heard that certain buses curtail their journeys, turn around and travel in the opposite direction. When people board a bus that is supposed to travel in a certain direction—to the destination stated on the front of the vehicle—they should be confident that it will travel to that destination. It is on that basis that I commend amendment No. 159 to the House.

Mr. Colin Shepherd: I shall intervene briefly, and mainly to express regret at the enormous number of inaccuracies trotted out by the hon. Member for Wrexham (Dr. Marek), who detained the House for far longer than it deserved.

Mrs. Dunwoody: Infernal cheek.

Mr. Shepherd: The hon. Lady may so describe my comment, but if the facts had been presented instead of apochryphal——

Mrs. Dunwoody: I wish to pay tribute to the number of times that my hon. Friend the Member for Wrexham (Dr. Marek) courteously gave way to Conservative Members. Notwithstanding my hon. Friend's courtesy, the hon. Gentleman chooses to talk about the time that my hon. Friend has detained the House. If some Conservative Members knew as much about transport as my hon. Friend, they would be much better informed.

Mr. Shepherd: I am grateful to the hon. Lady. I am prepared always to acknowledge the graciousness of the hon. Member for Wrexham and that of the hon. Lady. I defer, to an extent, to the hon. Gentleman's expert knowledge. However, he has talked about my constituency and my county in terms of great expertise without having studied the local issues at first hand. I can only regret that it was necessary for me to intervene. However, I acknowledge the hon. Gentleman's graciousness in allowing interventions in his contribution. I regret the negative attitude that has been taken and on the basis of hearsay evidence. My hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo) related the experiences of councillors from Nottingham who visited Hereford. People who have visited Hereford and spoken to Herefordians—[HON. MEMBERS: "Herefordians?"] A select breed with white faces. They have been privileged to participate in the experiment from which much has been learnt and incorporated in the Bill. Nobody has said that the experiment was perfect. It was the test bed and many of the lessons that have been learnt have been included in the Bill.

11 pm

In amendment No. 159, the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) addresses matters that have already been dealt with. I do not know whether my right hon. Friend accepts the amendment, but will he bear it in mind that the concept of the level of fares is itself an inflexibility in what could be flexible and competitive? Will the level of fares shown on the notice given with registration particulars be a maximum or a precise level? If it is a maximum, the operator can respond to competitive pressure by charging a little less and passengers will know that they will not be obliged to pay any more.

If it is the precise amount, however, inflexibility is introduced and a statutory period of notice must be given before and any change can be made. That might be advantageous when reducing fares, but when increasing them it might unnecessarily put an operator in financial difficulty. I want to ensure that we do not pin down operators with an inflexibility that we might regret. I should be most grateful if my right hon. Friend would comment on that. Having said that, I shall shut up.

Mr. Steen: I should like to repeat some of what I said in Committee, because amendment No. 159 has overtones of amendments which were proposed in Committee.

The difference between Conservative Members and the Opposition is that they distrust private operators. They think that private operators should be pinned down so that they are unable to make a go of things. The amendment provides that an operator must be as specific as possible to limit his scope of operation. He has to specify the size and type of his vehicle, for example. A member of the public could probably object to the traffic commissioner on the ground that an operator had to put in a replacement vehicle because his normal one was off the road. Even worse, the operator has to specify the proposed route.

Mr. Brando-Bravo: Will my hon. Friend give way?

Mr. Steen: No, because I am on an important point. The hon. Member for Wrexham (Dr. Marek) may not know this, but on the fast bus to Heathrow airport from Victoria coach station — the hon. Gentleman has probably not taken this bus, but I am a keen bus rider and I travel on it quite often—the bus driver is given a discretion as to which way he goes to Heathrow. I have travelled on the bus a number of times, and it has gone three or four different ways to avoid traffic jams and to accommodate various passengers. The driver asks where one wishes to alight, and he will go that way to assist the passenger. That is an example of the kind of private enterprise operation that one expects to see. However, once one stipulates that the operator has to have particulars of the proposed route, he will not succeed in offering the flexibility, imagination and enterprise that I want to see.

Mrs. Dunwoody: Does the hon. Gentleman seriously suggest that if in his constituency one of his constituents, who may live at some point along the route, wished to travel from Kingsbridge to Totnes, but did not know which way the bus was going to go, that would not inconvenience the constituent? It is interesting that the hon. Gentleman should have chosen the example that he did because, of course, London is not deregulated. Therefore, the hon. Gentleman is saying that we do not need deregulation in order to achieve flexibility. We simply need to tell the bus drivers on express coaches that they can go whichever way they like.

Mr. Steen: The hon. Lady always manages to twist any sensible point and turn it round to her advantage, but that is something for which she is well known.

If a passenger were travelling from Kingsbridge to Totnes—and the hon. Lady knows Totnes because she lived there for many years, and she is still referred to, although I will not say in what way, by various constituents — on a private enterprise bus which had nothing on the front, which is what the hon. Member for Wrexham was suggesting, the passenger would travel on that bus only once if it ended up at Ivybridge. Any commercial operator travelling from Kingsbridge to Totnes who took on board a passenger who asked for Totnes but ended up in Ivybridge would not be used by that passenger again. That is market forces, and that is what the hon. Lady does not understand. A person may be inconvenienced once, he may find himself in Ivybridge and not Totnes, but he would travel on that bus only once. Thereafter, he would make other arrangements.

Mr. Brandon-Bravo: My hon. Friend in his earlier remarks drew attention to the limitation that might be imposed on an operator if he had to specify the size and type of vehicle to be used, resulting in a rigidity in that

[Mr. Brandon-Bravo]

operator's performance. Would my hon. Friend accept that in our authority we have conventional double deckers, conventional single deckers and what we now call minibuses of 30 seats and less? It seems to me, as I am sure my hon. Friend would agree, that it is perfectly in order for an operator who has adequate vehicles of all types to make his own decision in the light of the circumstances as he sees them on which type of bus is appropriate, not only for a particular route, but for the time of day. It may be more appropriate to have the double decker at peak and the mini bus for the late night service.

Mr. Steen: My hon. Friend, as always, makes interventions that are particularly pertinent and relevant. His intervention is far more appropriate than was that of the hon. Member for Crewe and Nantwich (Mrs. Dunwoody).

This point is relevant not only to bus services but to airline services also. Airlines do not put on a jumbo jet with one person on board — unless it is the British Airways back-up to the shuttle service in order to make the maximum loss. In private enterprise bus services, one uses a small bus when there are a few people travelling and a big bus when there are a lot of people travelling. That is what private enterprise is all about. One does not waste money if one can avoid it.

The hon. Lady also said that one did not need to deregulate the bus service when I gave the example of the express bus. She gave a good example, but she does not understand that that express bus service to Heathrow is competing against the London Transport A1 and A2 bus, and the underground. That is why the express bus has been made flexible. That is to attract other——

Mrs. Dunwoody: The London bus service is not part of the Bill.

Mr. Steen: The hon. Lady is right.

Dr. Marek: I do not object to what the A1, A2 and A3 buses do, but the hon. Gentleman must admit that it is a specialised service. All that the bus does on the way from the airport is drop people off, not pick them up. The buses have a predestined route because there are bus stops en route. I have no objection to that, but airport buses and similar operations are not comparable to local stage carriage services. Does the hon. Gentleman admit that?

Mr. Steen: I have been drawn off the point that I was making. Whenever the hon. Member for Crewe and Nantwich intervenes, one get drawn off the point. I want to get back to what the amendment is about. I should like to deal with what the hon. Member for Wrexham has just said. I think that he must be on autopilot this evening because he is saying the same thing over and over again. At least we know that we are safe with him.

The amendment refers to stopping places. Let me imagine the Kingsbridge to Totnes bus with no sign on the front, trundling along the country lanes of Devon, and a little lady standing there with her shopping basket——

Mr. Gregory: And an umbrella.

Mr. Steen: And an umbrella. The lady is standing by a lamp post waiting for the bus to stop, but she does not know where it will stop or where it will go. That cannot make sense. If one is running a private enterprise service, one will want customers. That is what private enterprise and profit is about. One makes profits only if one has the passengers, but if nobody knows where the buses are going and where they stop, one does not get any passengers at all. When the amendment states that one should specify the stopping places, it is as if a private operator would wish to pass by all the potential passengers that he could take, to keep driving to an unspecified destination. The hon. Member for Wrexham cannot be serious in suggesting that that is what is required in the Bill.

The amendment goes on to say that there must be "terminal points". Of course there must be terminal points. The bus has to stop sometime. Is the hon. Gentleman suggesting that it goes on and on, passing all the passengers, going past all the lamp posts, and all the bus stops? What is supposed to happen if the amendment is passed?

The amendment also refers to a timetable. Not only is the hon. Gentleman suggesting that the bus has no destination on the front, that it keeps going past the bus stops and the lamp posts, and goes round and round non-stop, but nobody should know when it is travelling. Is he suggesting that that is why the amendment is needed? Clearly it is nonsense. The amendment also says that there should be a "level of fares". That cannot apply because the bus would not have any people on it because nobody would know where it was going and where it stopped. Therefore, one would not need to know the level of fares because nobody would be paying anything.

Therefore, the amendment is clearly completely inappropriate. It is not needed because no private enterprise operator could run a service without explaining the very things that the amendment is designed to do. I, and I am sure, my hon. Friends, believe that it is complete poppycock. It is Alice in Wonderland. The hon. Member for Crewe and Nantwich is now laughing with her hon. Friend the Member for Glasgow, Maryhill (Mr. Craigen) because she realises what a ridiculous amendment it is. It adds nothing to the Bill. I am sorry that the hon. Member for Wrexham has associated himself with it, because it does not do him the credit that we have come to expect after listening to him for 150 hours in Committee.

11.15 pm

Mr. Ridley: We have had a most amusing debate on amendment No. 159. I feel much like the man on the bus in Cambridgeshire, to whom my hon. Friend the Under-Secretary referred. I feel as if I have been sitting on a hard leather seat, as I often do when I listen to the hon. Member for Wrexham (Dr. Marek), who takes one rather slowly through the countryside, stopping at every available bus stop and not hastening to his destination.

If I were to pontificate about the bus services in Wrexham as freely as the hon. Gentleman does about those in the constituency of my hon. Friend the Member for Hereford (Mr. Shepherd), it might rouse the hon. Gentleman to a higher level of activity and a higher tempo. The way in which he freely tells the House what is happening in Hereford—when he later admits that he has not been there for a year and never on a bus, but has read some Labour party propaganda that tells him that the whole thing is rather a bad egg, without the faintest apology to my hon. Friend who lives there, holds surgeries there, receives letters from his constituents and knows what is happening in Hereford with a degree of detail and technical knowledge—makes him look like a man from the moon.

We have heard enough from the hon. Gentleman about Hereford, and not enough from my hon. Friend who knows the position there. I should be grateful if the hon. Gentleman would stop that nonsense. Tomorrow I shall take pleasure in telling him what I think about the bus service in Wrexham on whatever amendment he likes. Although I have never been to Wrexham, or on a bus there, and know nothing about it, I am as willing as he is to pontificate.

Mr. David Marshall: Will the Secretary of State tell the House when he has been on a bus?

Mr. Ridley: I have been on a bus, but I confess with great candour never in Wrexham. However, that will not stop me from emulating the hon. Gentleman and commenting at great length on the nature of bus services in Wrexham, although I have never been there, or in a bus.

Mrs. Dunwoody: The right hon. Gentleman has never been on a bus.

Mr. Ridley: In Wrexham.

Many requirements are needed to register services. There are two points of difference between the two sides of the House. The first is whether the requirements of what must be registered should be in the statute, or whether they should be spelt out in regulations under the statute. The hon. Lady would like them spelt out in the statute, whereas the Government think that it might be more sensible and flexible to spell them out in regulations.

The second difference between the two sides relates to the details that it is necessary to register when an operator registers a service with a traffic commissioner. We do not differ much about what should be the details of registration and, on reflection, the hon. Lady may agree that it is better to have some flexibility. Regarding the details of what should be registered, we shall gain experience of what is and is not necessary to be registered, what could be inimical to commercial confidentiality if it were registered, and what should be changed from time to time. There is not much difference between us about the substance.

The Government's policy of seeking to make regulations which set out the things which should be registered may be more flexible than the hon. Lady's more rigid policy of spelling them out in the statute.

What details should be registered? The hon. Lady's amendment specifies the size and type of vehicle, the proposed route, the stopping places, the terminal points and the fares. The purpose of registration is to inform local authorities which services will run in their areas in terms of geography—where they will run—and in terms of time and frequency—when they will run. That is the essential information that must be known before a local authority can augment bus services by going out to tender for some routes.

It is not entirely obvious that the size and type of vehicle should be registered, because a competitor, having discovered that someone had registered a large vehicle, might decide to register to run a smaller vehicle because he believed that there was less trade. Furthermore, he could then hold the first operator to the condition that he run a larger vehicle, because that was the vehicle that he registered. Therefore, the first operator might lose the flexibility to change to a smaller vehicle if he discovered that the trade would support only a vehicle smaller than the one he registered. We should not be too firm about this. We are happy to consult the industry and the local authorities to try to determine exactly what to specify in the regulations as to size and type of vehicle.

My hon. Friend the Member for South Hams (Mr. Steen) was right to say that it is unnecessary to be specific about the proposed route. However, it is necessary to be specific about where the route starts and ends. If I wished to go from Kingsbridge to Totnes, I should be extremely keen to arrive in Totnes. I would not mind which route the bus took. A service which was radio-controlled might hear that there were some people in a village off the main route who wished to be picked up. Therefore, the bus would go off the main route and pick up the four or five people there, because the driver would know that they wished to go to Totnes. Should it be a breach of registration if the operator shows the flexibility that is in the interests of the passengers?

Mrs. Dunwoody: Will the Secretary of State give way?

Mr. Ridley: Yes, always. Perhaps not always, but I will give way now.

Mrs. Dunwoody: I am deeply grateful to the Secretary of State for this newly found — [HON. MEMBERS: "Why?"] I am deeply grateful for the great courtesy that he always displays. I am not clear whether he is seriously telling the House that he cannot envisage the necessity for people who live along the route between two small towns to know the route that the bus will take. We could be talking about anywhere in South Hams, where there are even fewer people, more lanes and higher hedges, but in this case we are talking about two towns. Is he saying that, if it suited another group of passengers, the bus could be diverted here, there and everywhere? Does he seriously imagine that no one will get off the bus in between the two towns about which we are talking?

Mr. Ridley: I feared that the hon. Lady did not understand the amendment, but I was sufficiently courteous and generous not to accuse her of that. But it is now clear that I should have done so, because she does not understand the amendment.

We are not talking about the information given to passengers in timetables or fare tables, which can be posted anywhere. We are talking about the service that must be registered with the traffic commissioners. My point is that an operator who registers the service, and then decides that it would be better to take a different route, advertises it in his timetable and gets customers interested, would be accused of breaking the registration conditions simply because he had not registered the alternative route. They are two different things. One is what the operator says to his passengers and the other is what he registers.

Mr. Fry: Earlier in his reply my right hon. Friend said that information had to be registered to enable a local authority to see where it would need to augment the service. If the route is not predetermined, how on earth can the local authority decide whether that service needs to be augmented? In my constituency, there might be a bus service from Wellingborough to Kettering but if the people in Little Harrowden, for example, did not know whether the service was to go through the village, they would not know what to expect. There might be a supplementary service from Little Harrowden to serve either Kettering or

[Mr. Fry]

Wellingborough, or there might be a bus service through it. Surely it is important for the local authority to know, so that it may decide whether it needs to augment that service.

Mr. Ridley: I do not dissent from what my hon. Friend says, but there is a balance between saying that the slightest alteration in the route registered to be run by an operator 42 days before he starts will involve him in a possible breach of the registration, and the other side of the argument, which is that of course the local authority has to have a very clear idea of where routes will be. To achieve a balance between those two laudable objectives, all I am asking for is a certain flexibility after consultation in drawing up the regulations, rather than having the matter specified in statute.

Mr. Steen: I can speak only of my own constituency. I am advised that over the years bus services have declined. Instead of having regular bus services between Totnes and Kingsbridge, there are fewer and fewer buses. Surely my right hon. Friend would agree that all rural constituents want more buses. If there are new services because of the Bill and because private enterprise produces more buses, people will be delighted, even if the buses deviate a little from the proposed route. Surely the purpose of the Bill is to increase the number of buses and to create more services between rural towns and villages. That is what people want and should get.

Mr. Ridley: I agree with my right hon. Friend. On Second Reading, when we were discussing buses and taxis, the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) intervened to describe the two as totally separate. She said that buses were for the poor and taxis were for the rich, and she wanted to know why I was worried about taxis. When one thinks about it, there is not all that much difference between a bus and a taxi.

Mrs. Dunwoody: Just the price.

Mr. Ridley: No. Again, I do not think the hon. Lady is up to date. I think she will find that shared taxis under the Bill will be cheaper for the individual than many municipal bus services. When we consider the small number of people in hamlets in South Hams and other such places who do not have cars, we find that it is almost a taxi service that is required in many cases. Therefore, we should not be too disparaging about taxis.

In regard to the list of items in the amendment, terminal points are vital. Stopping places are important, but we want a little flexibility about where they are to be. Again the timetable is important, but we do not want to make it so rigid that half a minute's deviation could amount to a breach of registration.

In regard to the level of fares, there is an exception in my agreement. I am not convinced that fares need to be registered and that the failure to charge the precise fares in the registration should render an operator liable for sanctions against his operator's licence. I agree that many local authorities, and especially those that run concessionary fares schemes, may need to have details of the fares charged, but if they do, they can obtain them as part of the concessionary fares arrangements themselves. I do not want to make registration more of a burden than it need be, and experience of fares notification under the present licensing system suggests that the information is not, in practice, used. I am not convinced on the point of fares.

The difference between the two sides is small. The question is whether it should be done through statute or regulation. Regulation is more flexible and takes account of the points that have been made by hon. Members, and I hope that the hon. Member for Crewe and Nantwich will not press her amendment to a Division.

Amendment agreed to.

Amendments made: No. 9, in page 5, line 20 at end insert—

'(3A) In subsection (2) above "the period of notice", in relation to any registration, means, subject to regulations under this section—

(a) the period prescribed for the purposes of this subsection; or

(b) if longer, the period beginning with the registration and ending with the date given to the traffic commissioner by the operator as the date on which the service will begin.'

No. 11, in page 5, line 29, leave out from 'particulars' to end of line 34 and insert 'are registered under this section'.

No. 12, in page 5, line 37, leave out from 'section' to 'the', in line 38.

No. 13, in page 5, line 39, leave out from 'shall' to first 'the' in line 42 and insert

'become effective—

(a) on the expiry of the period beginning with the date on which the traffic commissioner is notified of the variation or, as the case may be, cancellation and ending with the date determined in accordance with regulations under this section; or

(b) if later, on'.

No. 14, in page 5, line 42, after 'given', insert 'to the traffic commissioner'.

No. 15, in page 5, line 43, leave out 'commencement'.

No. 16, in page 5, line 44, leave out 'discontinuance of the service' and insert 'cancellation'.

No. 17, in page 6, line 7, after 'subsection', insert '(3A) or'.

No. 18, in page 6, line 10, leave out paragraph *(c)* and insert—

(c) that in such cases or classes of case as may be prescribed—

(i) subsection (2) above shall have effect as if for the reference in paragraph *(aa)* to the period of notice there were substituted a reference to such period as the traffic commissioner may determine;

(ii) subsection (6) above shall have effect as if for the reference in paragraph *(a)* to the date on which the period mentioned in that paragraph is to expire there were substituted a reference to such date as he may determine:'. — *[Mr. Ridley.]*

Mr. Craigen: I beg to move, amendment No. 177, in page 7, line 12, leave out 'and'.

Mr. Deputy Speaker (Mr. Ernest Armstrong): With this it will be convenient to take amendment No. 178, in page 7, line 13, at end insert

'; and

(d) any Passenger Transport Executive.'.

Mr. Craigen: In the inimitable words of Ministers, this is a drafting amendment. We think that as the PTEs are

to be responsible for the tendering arrangements, they should be notified, and I am sure that the Secretary of State will agree.

Mr. Ridley: Yes, I agree. However, the amendment is not well drafted. I accept the principle of it and will table an amendment in the other place to meet the hon. Gentleman's suggestion.

Mr. Craigen: I thank the Secretary of State, and beg to ask leave to withdraw the amendment.

Amendment, by leave withdrawn.

Clause 7

APPLICATION OF TRAFFIC REGULATION CONDITIONS TO LOCAL SERVICES SUBJECT TO REGISTRATION UNDER SECTION 6

Mr. David Mitchell: I beg to move amendment No. 19, in page 7, line 14, leave out

'at the request of any traffic authority'

and insert

'If a traffic authority asks him to exercise his powers under this section in relation to a particular traffic problem'.

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 22, 29 to 32 and 44 to 46.

Mr. Mitchell: I hope that the House will welcome these amendments, which have been tabled in the light of the lengthy Committee discussions on the traffic regulation provisions of the Bill. I would draw attention particularly to the specific mention now made of road users—which I can assure hon. Members includes the important group of pedestrians—and of the interests of elderly persons and disabled persons. I would point out that this provision is not confined to the interests of elderly and disabled passengers.

The amendments in this group also give new rights to traffic authorities—that is, county councils in England and Wales and regional or islands covered in Scotland — other than the one which requested a traffic regulation condition. Such authorities may of course be very much affected by a condition restricting the use of a road in a neighbouring county which diverts buses across the border. Such an authority affected may, under the amendments, get the traffic commissioner to hold an inquiry at which it can make representations.

The remaining amendments are consequential or for clarification. One, for example, puts it beyond a peradventure that the traffic commissioner has discretion to impose different conditions from those originally requested by the traffic authority, although directed to the same problem. Accordingly, I commend the amendments to the House.

Mr. Wareing: Although I do not believe that Government amendment No. 22 should be opposed, serious reservations ought to be expressed about the Government's failure to do far more to meet the needs of the elderly and the disabled. They are treated as an afterthought. No matter what the Government may say in support of their amendment, the disabled not only should be safeguarded from danger on routes and at predetermined stopping places but should be consulted about their overall needs before routes and stopping places are determined. The amendment is totally inadequate because it fails to meet the needs of the disabled. Competition means that the needs of the disabled will, all too often, be ignored.

During the proceedings in 1984 on the London Regional Transport Bill the Government decided that a separate clause should be included to protect the needs of the disabled in London. I see no reason why the disabled on Merseyside, in Tyne and Wear or in any other part of the country should not be treated in the same way as the disabled in London. The disabled do not expect facilities for wheelchairs to be made available on the buses, but they expect the needs of partially disabled people to be taken into account. The opportunity should not be missed not only to ensure that the disabled are catered for on existing routes but to provide a code of practice which will make appropriate provision for those who are partially disabled.

Mr. Brandon-Bravo: I am sure that all hon. Members were hoping that, just for once, a little graciousness would be shown by the hon. Member for Liverpool, West Derby (Mr. Wareing), who pressed in Committee the cause of the elderly and the disabled. But when something is done there is not one word of congratulation. The Government have paid regard in particular to the needs of the elderly and the disabled. At this late hour there ought, surely, to be one word of enouragement from the hon. Member for West Derby.

Mr. Wareing: I am sorry to disappoint the hon. Member. This amendment refers only to the routes and stopping places of registered services. There should be a similar provision covering the rest of the country as the Government were pressed, even by their own back-benchers, to provide for London. I am not referring to a minority of the population but to an estimated 10 per cent. —5·5 million—of the population, many of whom are disabled or partially disabled. A considerable number of others—for example, people carrying heavy shopping bags and mothers with young children—have difficulty in getting on and off buses.

In terms of easy access, I understand that ordinary buses cater for 74 per cent. of the population. However, using the provisions of the London Regional Transport Act, a double-decker bus is being designed to which 90 per cent. of disabled and partially mobile people will be able to gain access. In other words, London is being dealt with differently from the rest of the country. The Minister should announce his intention to add a provision in another place to improve the Bill because the amendment will not adequately provide for the needs of the disabled.

Mr. David Mitchell: The hon. Gentleman referred to his remarks being directed to non-registered services. What did he have in mind?

Mr. Wareing: The amendment is not concerned with all services. During the passage of what is now the London Regional Transport Act, the Government inserted an amendment which covered all services.

The disabled people's organisations regard this part of the Bill as completely inadequate, and if they have not written to the Minister telling him that, they have certainly written to me. More is required than the amendment permits. The disabled are being threatened with apartheid, as it were, in that they will not be able to enjoy the facilities which the rest of the community enjoy.

No matter what the Minister says, the amendment does not deal with all their problems; it deals only with routes

[Mr. Wareing]

which are predetermined. Indeed, the disabled are included only as an afterthought. May we be assured that all services will be covered? The trouble is that there has not been consultation with the bodies representing the disabled. Because of that, the Bill does not cover their needs.

Mr. Steen: The Under-Secretary has been rather silent about the needs of cyclists. Under this part of the Bill, does he expect the commissioner to have regard to those needs?

Mr. Dixon: Hear, hear.

Mr. Steen: I am grateful for the support of the hon. Member for Jarrow (Mr. Dixon) even on the question of cycling. Any comments by the Minister at this late hour on that point would be well received by the 90,000 commuter cyclists who come into London daily.

11.45 pm

Mr. Gregory: I should like to develop the arguments of the hon. Member for Liverpool, West Derby (Mr. Wareing) who, sadly, was not heard with sympathy by the House. Government amendment No. 22 does little to make adequate provision for the elderly or disabled. Under the provisions of the amendment, their interest will be taken into account with regard to the routes and stopping places of registrable services. They will be accounted for only if the traffic commissioner is satisfied that the laying down of traffic regulation conditions is necessary, first, to prevent damage to road users, and, secondly, to reduce severe traffic congestion. Any reference to the interests of disabled and elderly persons will take place at a late stage and in a restricted manner. It will not affect the provision of transport in the first place, nor will it ensure that the needs of the elderly and disabled are taken into account as a matter of course.

It is important to distinguish between facilities that provide access for wheelchair users and those that provide access for people who are partially mobile. It is not realistic for every mainstream transport service to be fitted for the former—I take on board the point made by my hon. Friend the Member for South Hams (Mr. Steen) in his usual lucid way — but it is realistic for the mainstream transport services to provide facilities to accommodate the latter. I am principally concerned with the latter in relation to this amendment.

As the hon. Member for West Derby revealed, a considerable proportion of the population—10 per cent. —is disabled in one way or another. I am therefore seeking improvements that will be of direct benefit to 5.5 million people. It is estimated that between 30 per cent. and 40 per cent. of people who need to use public passenger transport require the additional facilities making access easier for people who are partially handicapped. The vast majority of elderly people are assisted by improved facilities, but so are people with heavy shopping and mothers with young children and pushchairs. We should not see that group in isolation.

London Regional Transport has recently launched a new design for a double-decker bus, aimed at meeting the needs of disabled people, except wheelchair users. One feature which I have seen is split-front entrances which make the bus accessible to 95 per cent. of the population, compared with 74 per cent. for current vehicles.

I am anxious that provision for people who are partially mobile is not seen as a matter to be dealt with exclusively by the social services. It could become too easy for operators to see disabled and elderly people as the responsibility of local authority services. Facilities can and should be provided on mainstream transport at little cost. Furthermore, such a provision would substantially reduce the number and availability of vehicles open to disabled people. This focus would promote a policy of segregation and not integration. It is not cost-effective to provide separate services for people whose disabilities can be accommodated on mainstream transport services.

A further valid argument for improving transport access is that, in the long run, it can bring financial benefit to the health and social services. It is well documented that people who are house bound, either through age or disability, suffer from depression and other ill-effects. Consequently, they require more medical attention than they might if they were able to lead an independent and more active life. Welfare services need to be taken to people who are house bound. If those people could go to the services themselves the burden on those facilities would be reduced.

A considerable amount has been done by successive Governments to widen opportunities for disabled people. However, full advantage cannot be taken of those opportunities unless disabled people are able to get to them. In recent years various technological advances have been made which could be of great benefit to disabled people wishing to use public transport. It is vital, therefore, to ensure that there is some mechanism whereby operators are made aware, first, of the need to ensure that their buses are accessible and, secondly, of the improvements that can be made to increase accessibility.

In conclusion, this is still a far cry from the general provision for the needs of disabled people to which my hon. Friend the Under-Secretary of State for Scotland referred in his undertaking in Committee on 23 April. I appreciate that my hon. Friend has been busy since then, but I hope that the Government will take note of the spirit of what has been said by hon. Members on both sides today. The assurances have not been forthcoming in time for the Report stage. I trust that the Government in their inestimable wisdom will provide those assurances in the other place.

Mrs. Dunwoody: I wish to support briefly but very warmly the views expressed by the hon. Member for York (Mr. Gregory). I believe that my hon. Friend the Member for Liverpool, West Derby (Mr. Wareing) expressed the views of all who sat through the Committee stage. Time and again amendments about the needs of the disabled were moved and time and again we were told that the Government were sympathetic and that they would consider the points and come forward with proposals either on Report or in another place.

The amendment is simply not good enough. We need more consideration for the disabled long before the point to which the Government's amendment relates. I hope that the Minister will give one simple undertaking today— that if the necessary provisions are not introduced on Report they will be introduced in another place. I believe that hon. Members on both sides would be prepared to accept that undertaking.

Mr. David Mitchell: The hon. Member for Liverpool, West Derby (Mr. Wareing) seemed to be under some

misapprehension as to the scope of the Government amendment. I remind him that all stage fare services outside London have to be registered, so the scope of the amendment is considerably wider than his speech implied. I am glad that he did not seek to oppose the amendment.

I agree entirely with the hon. Gentleman and with my hon. Friend the Member for York (Mr. Gregory) about the importance of the elderly and the disabled, who number some 5·5 million and constitute a very large part of the market. That figure, of course, includes a huge range of people, from the severely disabled who require special chairs and therefore special transport to people with arthritis and the many elderly people who have difficulty walking very far and negotiating steps but who would certainly not refer to themselves as invalids and would indeed take offence if anyone sought so to categorise them.

The elderly form the largest single group of bus users in this country—followed by the lower paid travelling to and from work and students—and no operator will fail to appreciate the importance of that large section of the market. I assure the hon. Member for West Derby and my hon. Friend the Member for York that the Department maintains a very close working relationship with representatives of the disabled and we shall be consulting those representatives about the review of the construction and use regulations to which my right hon. Friend the Secretary of State referred.

Mrs. Dunwoody: That is for the future. We want an undertaking from the Minister that he will do something now, before the Bill goes to another place.

Mr. Mitchell: The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) has mentioned the form in which my right hon. Friend the Secretary of State referred to the changes that he proposed to introduce. I have nothing to add to that, save to say that what my right hon. Friend said stands. He said that something would be done either here or in another place. This stage is not yet completed. The hon. Lady will have to wait, but she can be assured that we shall not renege on any undertakings that have been given.

The hon. Member for West Derby said that the disabled were being threatened with a form of apartheid and that the Bill does not deal with all of the disableds' problems. Of course it does not. No one ever suggested that it would. However, we are doing more for the disabled in the Bill than has been done in the past. It is a useful step forward and one which will be widely welcomed.

My hon. Friend the Member for South Hams (Mr. Steen) talked about cyclists' needs. The amendment refers to road users and apart from the places where there are separate cycle tracks, cyclists are road users. Therefore, my hon. Friend need have no qualms on that score.

I have much sympathy with the aims of my hon. Friend the Member for York. I recognise his deep concern for the disabled. The amendment deals only with traffic regulations and conditions and it is not the place in our consideration of the Bill that my hon. Friend can expect to find the reassurance that he is seeking on the broader front to which he referred, with which, as he knows, I have much sympathy. I commend the amendment to the House.

Amendment agreed to.

Clause 7

APPLICATION OF TRAFFIC REGULATION CONDITIONS TO LOCAL SERVICES SUBJECT TO REGISTRATION UNDER SECTION 6

Amendments made: No. 19, in page 7, line 14, clause 7, leave out 'at the request of any traffic authority' and insert

'If a traffic authority asks him to exercise his powers under this section in relation to a particular traffic problem'.

No. 20, in line 16, after 'provision', insert 'of services'.

No. 21, in line 17, leave out from 'apply' to end of line 19 and insert—

'(1A) In this section "service" has the same meaning as in section 6 of this Act.'.

No. 22, in line 24, leave out from 'considering' to end of line 33 and insert

'the traffic in the area in question, that such conditions are required in order to—

(a) prevent danger to road users; or

(b) reduce severe traffic congestion.

(3A) In considering what traffic regulation conditions to apply to a particular area a traffic commissioner shall have regard in particular to the interests of—

(a) those who have registered under section 6 of this Act services which are or will be operated in the area;

(b) those who are, or are likely to be, users of such services; and

(c) persons who are elderly or disabled.'

No. 23, in line 36, leave out 'registrable'.

No. 24, in line 37, leave out 'such'.

No. 25, in line 38, leave out 'such'.

No. 26, in page 8, line 3, leave out 'registrable'.

No. 27, in line 5, leave out 'registrable'.

No. 28, in line 12, leave out 'registrable'.

No. 29, in line 19, leave out from 'from' to 'or' in line 21 and insert—

'(i) the traffic authority which made the request under subsection (1) above;

(ii) any other traffic authority likely to be affected by traffic regulation conditions determined in response to that request; or

(iii) any person who has registered under section 6 of this Act a service which is or will be operated in the area in question;'.

No. 30, in line 27, leave out from 'if' to end of line 28 and insert

'and person mentioned in subsection (8)*(a)* above'.

No. 31, in line 32, leave out from 'to' to first 'a' in line 33, and insert

'exercise his powers under this section in relation to'.

No. 32, in line 35, leave out 'the conditions in question' and insert

'any conditions determined by the traffic commissioner in response to the request'.

No. 33, in line 44, leave out 'local'.—*[Mr. David Mitchell.]*

Mr. Ancram: I beg to move amendment No. 34, in page 9, line 9, leave out 'regional or islands council' and insert

'council of any region or islands area which lies wholly or in part within that area'.

The amendment brings the definition of "traffic authority" in Scotland into line with that in England and Wales. There is only one Scottish traffic area, which has several regional and island councils in it. The Bill might be read as implying that there are several traffic areas but only one council in each. The amendment will avoid any such reading.

[Mr. Ancram]

Amendment agreed to.

Clause 8

ENFORCEMENT OF TRAFFIC REGULATION CONDITIONS

Mr. Ancram: I beg to move amendment No. 35, in page 9, line 13, leave out 'PSV operator's licence' and insert 'licence or permit'.

Mr. Deputy Speaker: With this we shall take the following amendments: No. 36, in page 9, line 14, at end insert

'or, as the case may be, to that permit.'.

No. 39, in line 21, leave out 'PSV operator's licence' and insert 'licence or permit'.

No. 41, in line 27, leave out 'PSV operator's licence' and insert 'licence or permit'.

No. 59, in page 20, line 27, clause 21, leave out subsection (4).

Mr. Ancram: When a traffic commissioner has determined traffic regulation conditions they are attached to the PSV operator's licence. That applies to any operator who has registered a local service that is affected by the conditions. Holders of community bus permits can also register local services. Under the amendments, traffic regulation conditions will be attached to a permit in the same way as they are to an operator's licence.

Mrs. Dunwoody: I am grateful to the Minister. I take it that the amendment follows the discussion that took place in Committee on this issue.

Mr. Ancram: Indeed.

Amendment agreed to.

Amendments made: No. 36, in page 9, line 14, at end insert

'or, as the case may be, to that permit.'.

No. 38, in line 15, leave out from beginning to 'is' in line 17 and insert—

'(2) In this section

"licence" means a PSV operator's licence;

"permit" means a permit under section 20 of this Act;

and a licence or permit is relevant for the purposes of this section if a local service registered under section 6 of this Act by the holder of the licence or permit'.

No. 39, in line 21, leave out 'PSV operator's licence' and insert 'licence or permit'.

No. 40, in line 25 after third 'the', insert 'particulars of the'.

No. 41, in line 27, leave out 'PSV operator's licence' and insert 'licence or permit'.—*[Mr. David Mitchell.]*

Mr. David Mitchell: I beg to move amendment No. 42, in page 9, line 36, leave out subsection (6) and insert—

'(6) Where the operator of a local service is unable both to operate the service in accordance with the particulars of the service registered under section 6 of this Act and to comply with—

(a) traffic regulation conditions; or

(b) any other provision of a kind mentioned in subsection (5) above;

any failure to operate the service in accordance with those particulars which occurs at any time before the expiry of the prescribed period beginning with the coming into force of the conditions or provision shall be disregarded to the extent to which it is attributable to his having to comply with the conditions or provision.'.

Subsection (6), as drafted, dispenses an operator from the requirement to run as registered if he is prevented from doing so by traffic regulation conditions. The amendment widens the dispensation to cover prevention by provisions under the Road Traffic Regulations Act 1984 or, for instance, a similar local Act. It also narrows the dispensation by limiting it in time. I commend the amendment to the House.

Amendment agreed to.

Clause 9

APPEALS AGAINST TRAFFIC REGULATION CONDITIONS

Amendments made: No. 44, in page 10, line 10, leave out sub-paragraph (ii) and insert—

'(ii) any traffic authority aggrieved by the decision in question; and'.

No. 45, in page 10, line 33, after 'right', insert—

'*(bb)* any traffic authority aggrieved by the decision;'.

No. 46, in page 11, line 5, at end insert—

'(10) In this section "traffic authority" has the same meaning as in section 7 of this Act'.—*[Mr. Ridley.]*

It being Twelve o'clock, MR. DEPUTY SPEAKER *proceeded, pursuant to the order [1 April] and the resolution [21 May], to put forthwith the Questions on amendments moved by a member of the Government to the end of part II of the Bill.*

Clause 10

IMMEDIATE HIRING OF TAXIS AT SEPARATE FARES

Amendments made:

No. 47, in page 11, line 7, leave out from 'In' to 'for' in line 9 and insert

'the circumstances mentioned in subsection (1A) below, a licensed taxi may be hired'.

No. 48, in page 11, line 16, at end insert—

'(1A) The circumstances are that—

(a) the taxi is hired in an area where a scheme made under this section is in operation;

(b) the taxi is licensed by the licensing authority for that area; and

(c) the hiring falls within the terms of the scheme.'

No. 49, in page 11, line 17, leave out 'the appropriate'.

No. 50, in page 11, line 25, leave out from first 'in' to the end and insert

'that area.

(2A) For the purposes of this section, a licensing authority may make a scheme for their area and shall make such a scheme if the holders of at least ten per cent. of the taxi licences issued by the authority request the authority in writing to do so.

(2B) Any scheme made under this section shall—

(a) designate the places in the area from which taxis may be hired under the scheme ("authorised places");

(b) specify the requirements to be met for the purposes of the scheme in relation to the hiring of taxis at separate fares; and

(c) if made otherwise than by the Secretary of State—

(i) include such provision, or provision of such description, as may be prescribed for the purposes of this sub-paragraph;

(ii) not include provision of any such description as may be prescribed for the purposes of this sub-paragraph.'.

No. 51, in page 11, line 26, leave out from 'Any', to 'may' in line 27 and insert

'scheme made under this section'.

No. 52, in page 11, line 36, leave out 'so hired' and insert

'on any such hiring.

(3A) A licensing authority may, subject to subsection (2B) above, vary any scheme made by them under this section.

(3B) Any scheme under this section, other than one made by the Secretary of State, and any variation of such a scheme shall be made in accordance with the prescribed procedure.'.

No. 53, in page 11, line 38, leave out subsection (4).

No. 54, in page 12, line 3, after 'section', insert—

'(a) the hiring of a taxi falls within the terms of a scheme if—

(i) it is hired from an authorised place; and

(ii) the hiring meets the requirements specified by the licensing authority as those to be met for the purposes of the scheme; and

(b)'

No. 55, in page 12, line 6, leave out 'determinations' and insert 'a scheme'.—*[Mr. Ridley.]*

Clause 13

PROVISIONS SUPPLEMENTARY TO SECTIONS 10 TO 12

Amendments made: No. 56, in page 14, line 11, leave out from beginning to end of line 14.

No. 57, in page 15, line 7, leave out 'local'.—*[Mr. Ridley.]*

Clause 21

FURTHER PROVISIONS WITH RESPECT TO COMMUNITY BUS PERMITS

Amendment made: No. 59, in page 20, line 27, leave out subsection (4).—*[Mr. Ridley.]*

Clause 23

CONDITIONS ATTACHED TO PSV OPERATOR'S LICENCE

Amendment made: No. 60, in page 22, line 7, leave out paragraphs *(a)* and *(b)* and insert—

'(a) the operator has failed to operate a local service registered under section 6 of this Act; or

(b) the operator has operated a local service in contravention of that section; or'.—*[Mr. Ridley.]*

Bill, as amended (in the Standing Committee), to be further considered this day.

PETITIONS

Transport Bill

12 midnight

Mr. Peter Pike (Burnley): I should like to present three petitions concerning the Transport Bill, which we have been discussing today.

The first has been signed by 2,786 people of north-east Lancashire who use the Burnley and Pendle, Ribble and other transport undertakings. The petition concludes that the petitioners:

pray that your Honourable House do urge the Secretary of State for Transport to withdraw the Bill immediately.

The second petition is from the Burnley and Pendle Joint Transport Committee and is signed by its clerk, Brian Whittle. It runs transport services in Burnley and Pendle and has an agency agreement with all of the other transport undertakings that operate transport in the area. The petition concludes:

Wherefore your petitioners pray that your honourable House reject any legislation to implement the proposals of the White Paper on buses and the Transport Bill.

The third petition is signed and sealed by the chief executive of Lancashire county council and concludes:

Wherefore your petitioners pray that your honourable House reject any legislation to implement the proposals of the White Paper on buses and the Transport Bill.

Those petitions show the strong feelings of the people of north-east Lancashire and Burnley and their belief that the Bill will mean the end of passenger transport in the area.

To lie upon the Table.

12.3 am

Mr. Tony Lloyd (Stretford): I also would like to present a petition concerning the Transport Bill which the House has considered today. I present it on behalf of the South Advisory Committee for Public Passenger Transport in Greater Manchester—an organisation that represents many local groups. The petition is signed by members of the committee, all of whom have massive expertise in public transport. The petitioners:

pray that your honourable House reject any legislation to implement proposals of the White Paper on buses.

I should like to put on record my firm support for the petition.

To lie upon the Table.

Live Animals (Export)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Archie Hamilton.]*

12.4 am

Mr. Michael Hancock (Portsmouth, South): I feel that I should be speaking from the Opposition Dispatch Box as this is a matter that both major parties have refused to take seriously and to deal with properly. They have been sadly reluctant to get to grips with it and to introduce legislation to solve what many people consider to be a barbaric and inhumane way of treating animals.

I should like to pay tribute to those who have been involved with me in a campaign to ban the export of live animals for further fattening and slaughter—Mrs. Hilda Homes, Mrs. Kay Reid, Mrs. Eillen Bazeet and Mrs. Hunter. They have all worked tirelessly in the past decade on behalf of the animal rights movement to motivate people to support their campaign and that of countless thousands of others who want the Government to act as they suggest.

The history of my involvement in the city of Portsmouth goes back five years when the city council of Portsmouth instigated a Portsmouth City Council Bill to ban the export through its own ferry port of animals for slaughter and further fattening. That got as far as Second Reading when Mr. Speaker intervened and ruled it out of order, and the Bill failed. It was a great disappointment to the thousands of people at that time and, indeed, to the ratepayers of Portsmouth as a whole who put aside about £30,000 to finance the passage of the Bill. There was no blowing in the wind—as it came from Portsmouth, it was very much a real commitment to ensuring that something was done. There was bitter disappointment that the Bill did not succeed in its passage through Parliament and become law.

We come then to what the Government's attitude has been. At that time, the then Secretary of State and, indeed, junior Ministers in his Department, said that there was insufficient and inconclusive evidence that cruelty had taken place or that anything was wrong with the law. I am glad to say that that can no longer be said to be the case.

The Royal Society for the Prevention of Cruelty to Animals, in the recent document which it submitted to the EEC Commission for it to evaluate and act upon, gives ample evidence to support two points. First, as the RSPCA says, it has never tried to prove cruelty, and the Government have tried to hide behind that. The document proves conclusively that there is something wrong with the existing legislation, and that United Kingdom laws do not take account of EEC regulations. They do not cover the export and transportation of poultry, rabbits and, in some instances, dogs, and they do not give sufficient cover for those animals such as pigs and calves which are transported abroad from this country.

There is evidence now that the trading of these vehicles on the continent leads to great abuse and to much cruelty. In my own city, I have witnessed a lorry transporting animals which has lost a two-week-old calf out of the top tier when it has gone round a bend off the motorway at great speed. These animals, when they have come out of the truck, have had to be humanely destroyed at the roadside in the city of Portsmouth. This is a disgrace to any society. We should all be ashamed of these occurrences. That was not a one-off event by any means.

I have correspondence from people who have travelled on ferries from this country to the continent. They all express concern about the way in which animals have been treated during the various journeys that they have undertaken. A Mrs. Deadman of Burgess Hill in Sussex wrote that her distress was such that she could never again experience a Channel crossing from a ferry port if she thought that animals might be travelling in the same boat. She said:

"The distressed nature of the animals was something that had to be seen to be believed."

I have another letter from a Mr. and Mrs. Reynolds of Hull:

"My husband and I recently returned from our holiday in northern Brittany. It was a most enjoyable trip, but was marred by the sight of what greeted us on our way out of Britain at the ferry port in Portsmouth — lorry-loads of young calves crammed tightly into huge two or even three tiered transporters waiting to be loaded on to the ferry. Many of these calves were clearly distressed, some of them climbing on top of others trying to eat the dirty straw that was hanging down from the floor level above. Others were straining to poke their noses through the bars, trying to catch the droplets of rain that were falling outside the wagon on to their tongues. Is this sort of scene really necessary? Are we not, after all, supposed to be a civilised nation?"

So the letter continues. There are hundreds of other letters from people similarly affected by what is a disgrace to this country. None of us should be proud of that.

For present statistics of the numbers of animals exported, again I quote the experience that I know best, in my city. About 42,000 calves were transported from the ferry port last year alone. Many other animals have passed through, many in bizarre situations, to say the least. The way in which some of the animals are transported leaves much to be desired.

I do not know whether the Minister is aware that at present lorries come over from France empty, and tout their services round the country, picking up animals from market town to market town. After they get a full load, they return to France. Some of the animals will have been on the vehicles for the best part of a week. That is not an uncommon occurrence for poultry . The Minister might shake her head, but I am sure that if she were to speak to senior officers in the RSPCA they would readily clarify the matter for her. It is a regular occurrence. The same can be said of rabbits.

Those who want the campaign to come to fruition want a total ban on the export of those animals. I should like to see the trade stopped once and for all. I should like to see the Government take a stand against the EEC. I do not want to hear the argument that we cannot opt out, in a form of UDI. Of course we can. If something so opposed to our nature as cruelty to animals to this extent is going on, of course we have a every right as a nation to act.

The facts about the expense speak for themselves. It is not easy for people who would like to see the trade persist to argue that it is cheaper to export the animals from here alive only to see them further fattened and ultimately slaughtered. There is now substantial evidence that people in this country can rear animals for the veal trade, have them slaughtered here and subsequently transported to the continent, and make substantial profits. There is no legitimate argument on expense. We should not have to try to hide behind such an argument when we know that something is so blatantly wrong. It is not a legitimate point for any Government of any party to suggest that they want to see scenes such as the ones depicted in the recent RSPCA booklet, in which one sees animals straining their

heads, when they have been restrained by bars to prevent physical movement. It is a disgrace to all of us. We should all want something to be done about it.

The Portsmouth City Council Bill was supported by a majority of the city council. I hasten to add that it was a Conservative-controlled city council, which was enlightened enough to see that there was so much public clamour for action to be taken that it responded magnificently by promoting the Bill. It was the council's intention to ban the trade once and for all because it felt that the citizens of Portsmouth did not want it. I believe that the majority of people in the country do not want the trade to continue.

On 3 December last year, I was present with a group of petitioners from south Hampshire who presented over 30,000 signatures to the Prime Minister at Downing street, urging her to step in and take action on their behalf. If we were to poll in other parts of the country, I do not believe that the response would be any different. There is massive and overwhelming support for the view that something needs to be done. What do we get? We get answers such as one recently given to me by the Minister concerning what the Government intend to do about legislation:

"We have no plans to introduce further implementing legislation. I consider that our current legislation fulfils our obligations under these directives, and so protects the welfare of animals in international transit within our jurisdiction."

It is no good to suggest that one can opt out just because the animals have left this country. In the main, they are travelling in British vehicles, with British drivers, and have emanated from British farms and British markets. To suggest that it does not matter what happens when they get off at the other side is sticking one's head in the sand and pretending that nothing is wrong. It is disgraceful for anybody to suggest that it is all right that that should persist. I urge the Minister to take the first steps of many that will lead me to believe that there will be a more enlightened and humane attitude towards the welfare of animals.

I hope that the obvious evidence makes it impossible for the Government to neglect their responsibilities. I plead with them not to argue against the case of the RSPCA, which is conclusive and has been corroborated by people who have followed similar trails to those of the RSPCA and members of the media who have been sufficiently enlightened to show the British public what is happening. Those letters and the response from those who travelled on the ferries are but the pinnacle of the pyramid of disgust that we allow this trade to persist.

I plead with the Government not to suggest that adequate legislation is available outside the United Kingdom to ensure that animals are properly catered for. Those of us who care and have looked into the matter know that that is not true, but is nonsense. We know that animals are not watered or fed at the appropriate times, and that they travel great distances on the Continent when they leave the ships at the ports of entry. We have it in our power to do something. If we do not, it simply means that we are prepared to allow animals to continue to suffer, and that the good name of this country will be dragged down. It also means that we are prepared to ignore the consistent clamour for positive steps to be taken to eradicate the trade.

It is no good suggesting that all those involved in animal rights are middle-class do-gooders, animal lovers and vegetarians. No one is suggesting that animals should not be used to feed people who choose to eat meat, or that we have a bigoted outlook towards others' actions, life style and feeding habits. We merely seek to point out that there is sufficient evidence and enough going for us as a nation who care about animal welfare to start taking positive steps to introduce legislation which will tighten existing rules and abide by the directives laid down.

I hope that the Government will have sufficient courage to say that they are not prepared to let the trade continue. By the end of the Parliament, I hope that the Government will have been courageous and responsive enough to take action and place proposals before the House, which will permanently outlaw from our shores the exportation and transportation of live animals for further fattening and, ultimately, for slaughter. Only then will they be seen to respond to our natural trait to care about fellow creatures on this earth.

Mr. Michael Lord (Suffolk, Central): Why should we?

Mr. Hancock: We should do that because it is wrong to allow the trade to persist. The hon. Gentleman should be ashamed of himself if he does not share that view.

I hope that the Minister will respond in a way which will lead me to believe that I have not wasted a journey tonight, and that this cruelty will not be with us for much longer.

12.18 am

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mrs. Peggy Fenner): I welcome this opportunity to reply on behalf of the Government about our policy on exports of live animals. The hon. Member for Portsmouth, South (Mr. Hancock) made many points, and I shall try to deal with them as briefly and as comprehensively as I can.

All matters relating to the export of live animals from Britain touch an immediate and raw nerve among much welfarist opinion. The House and, indeed, the country are properly interested in a wide range of farm animal welfare topics, ranging from the protection of animals on farms, their welfare at markets and in transit, and measures adopted to safeguard them on export. My diet has been completed by hon. Members' interests in frogs' legs and paté de foie gras.

However, a common thread through all of those topics —welfare protection on export is no different—is the widespread misunderstanding about the legislative controls that apply, the Government's record and interest, and the true—rather than exaggerated—position about animals and their welfare. It is perfectly understandable that emotions run high, but I am troubled that a central core of fact is missing from the debate. In the next few minutes, I wish to outline the present position in law and practice on the export of live animals.

Several hon. Members may have seen the press and television items in recent weeks about the export of calves to France. The hon. Member for Portsmouth, South referred to them. Although I appreciate that he has been worried about this matter for some time, it was obviously those items which sparked hon. Members' interest. Since that first feature on BBC television news, the hon. Member for Portsmouth, South has asked several parliamentary questions, and has now moved this debate.

What the BBC report about calves going from Portsmouth to St. Malo failed to make clear was that the

[Mrs. Peggy Fenner]

calves filmed in that news item—like all food animals exported from Great Britain — travelled under the protection of detailed statutory controls which apply to livestock in international transit. Those measures are laid down in Community legislation in two major council directives of 1977 and 1981. Both directives follow and build upon the earlier Council of Europe convention on the welfare protection of animals in international transit, which was signed in 1969. We took an active part in the development of the convention, and pressed for and secured the Community implementing measures.

It is also a pity that the BBC programme failed to explain precisely what Britain does to implement its Community obligations. We apply a series of welfare controls before the animals leave the country. That is why it is difficult to believe what the hon. Gentleman said about lorries coming to Britain and then travelling back with animals that have been on board for a week. First, before they travel abroad, all food animals are rested for a minimum of 10 hours in an export lairage. We approve and license all of those export lairages, and they are all close to the ports of departure. Secondly, when they are in the lairages, animals must be suitably fed and watered. We require certificates to show that that has been done. Next, all animals intended for export must be inspected by one of the veterinary officers in my Department. No animal that is considered unfit for export may form part of any consignment for export. Three-tier lorries are banned.

Mr. Hancock: Is the Minister saying that those directives cover poultry and rabbits, and that international law is implemented in the same way as for calves and horses?

Mrs. Fenner: There are regulations relating to poultry, but I am referring to calves, since they were the subject of the BBC programme.

Mr. Hancock: Does the Minister agree that they do not cover poultry and rabbits, and that lorries touting for poultry pick-ups can carry about 3,000 birds at one time?

Mrs. Fenner: No. We have regulations relating to poultry transit, and perhaps I may send the hon. Gentleman a note so that he is aware of the facts.

In 1984, for example, my veterinary inspectors rejected about 3,200 animals, including more than 2,800 calves, because they concluded that the welfare of those animals could be at risk if they were to travel. The veterinarian then issues a certificate of fitness to accompany those animals which may go. Finally, loading for export is supervised by an official who checks on the transport conditions.

Our veterinary staff and the marine superintendent are active in advising exporters and their hauliers on matters such as the design of lorries and their equipment, and on the accommodation to be provided for animals so that the international requirements of the directive can be met. There is a good deal of detail covering such matters as ventilation, the provision of adequate space and so on. This is important since—as hon. Members will know—nearly all of the exports of live animals from this country go via roll-on/roll-off lorries on ferry boats.

The final stage at this end is the formal recording on the international welfare certificate of the time of loading. The certificate, issued by us in the form of an export licence under the Export of Animals (Protection) Order 1981, accompanies all animals on their journey abroad. In this way, it is possible for the veterinary and other authorities in the countries of transit and destination to enforce the measures laid down in Community law concerning feeding and watering intervals.

Those, then, are the measures that we take at our end to comply with the directives as an exporting country and to enable their provisions to be met abroad by importing countries.

Let me turn now to the measures abroad. I must stress at the outset that it is a matter of legal fact as well as sheer practicality that the responsibility for the animals' welfare abroad is for the country which imports them or through whose territory they are moved. Some hon. Members may wish otherwise, but they would do well to recognise this central fact.

The Community measures, which all member states are bound to apply, set out extensive provisions about transport conditions. These govern a number of key requirements such as feeding and watering intervals. Since there has been a good deal of public interest about the exact provisions on feeding and watering animals in transit. I shall say precisely what these are.

Community law states, first, that during international transport, livestock must be fed and watered at "suitable intervals". Secondly, the same law requires that animals must not be left for more than 24 hours without food and water but this period can be extended if the journey to the point of unloading can be completed within a reasonable period thereafter. This may seem to some hon. Members a fairly flexible provision, but in the view of international veterinary and scientific opinion it is what is needed to protect animal welfare. Some flexibility is clearly sensible because the need to feed and water animals will depend critically upon the individual circumstances of their journeys. The need will vary according to the age, species and sex of the animals, the prevailing temperature and humidity, the stocking density and the length of journey onward to the final destination.

The working of the directives, as I say, reflects what international veterinary opinion considers is necessary to protect the animals' welfare. It is intended to ensure that animals are not caused suffering either by unduly lengthy deprivations of food and water or from the disruption and undoubted stress that they could suffer from being unloaded in circumstances where it would be better from the welfare viewpoint for them to be taken straight on to their final destination.

The hon. Member for Portsmouth, South has made several suggestions. I understand his concern on these points. But—as is evident from what I have just said—the variety of different factors involved rules out, in my view, the possibility of, for example, establishing limits for suitable intervals for feeding and watering that could suitably be enshrined in legislation for universal application. However, I believe that the member states of the Community should collaborate to observe transport conditions and to compile the best possible advice, based on experience, on what is needed for the various species in particular. Co-operation of this kind is indeed envisaged in the directives in any cases where there appear to be welfare problems in transit.

A number of the recent press and TV items have given the impression that we are indifferent to the reports produced by welfare bodies such as the RSPCA, which I

have studied at some length. The society has sent us over the years copies of some 140 of its "trails" of consignments of animals exported to the continent, the majority of them dealing with exports which pre-dated the introduction of the 1981 directive. We have given copies of the society's reports, as and when we have received them, to the veterinary authorities in the countries concerned. My officials have had meetings in Paris with the French veterinary authorities and with their counterparts in Rome. All sides remain in close and constant contact. The French authorities, in particular, have carried out extensive inquiries on aspects of the society's claims about our shipments of calves to France. But its analyses and reports to us bear no relation to some of the recent headlines.

First, the French authorities concluded that the directives have not been contravened in any of the cases reported. They were perfectly satisfied that the animals reached their destinations without welfare problems, that they were in excellent shape and that they developed well on French farms. These conclusions do not bear out the extreme inferences about animal suffering that some have drawn from the RSPCA trails. However, this is not surprising when one considers that the RSPCA trails—despite some claims that are made—do not contain observations about the physical condition of animals that might suggest that their welfare suffered through lack of feeding at "suitable intervals". Nor does the RSPCA's information on journey times in itself point to contraventions of the feeding and watering requirements of Directive 77/489/EEC.

That is the general picture that emerges. Many more specific points have been raised, particularly in relation to the trail that was followed by the BBC. I must say, having studied that film in some detail, that I would very much doubt whether there were welfare problems with the consignment concerned. It involved an onward journey of about 70 miles from the French port of St. Malo, to the final farm of destination. I think it very doubtful that the welfare interest of the calves would have been served by their being unloaded en route for feeding. I am not sure whether the RSPCA has submitted a report to the French veterinary authorities. As yet, we have not received representations from the society on the particular export consignment portrayed in the programme.

The television report also carried reference to calves going to Italy without feeding and watering. Indeed, at one stage the reporter said that the calves that he was following, off the Portsmouth to St. Malo ferry, were lucky not to be going on to Italy without nourishment—again, more confusion. Calves going to Italy—and we have exported about 7,500 since the policy change in January 1984—would be going through Le Havre or Calais not St. Malo.

As regard the trade to Italy, we shall continue to maintain extensive contact with all the companies and hauliers taking calves overland to Italy. As I have previously explained to the House, we have set up monitoring arrangements so as to gather information on the welfare conditions of animals sent to Italy overland. This has involved the fullest co-operation of the French and Italian authorities, who have been most helpful. On selected consignments, with minimal pre-notification, we arrange for our veterinarians to accompany shipments of calves and other animals from ports here all the way to foreign farms. Again, the results that we have been obtaining show that there are no significant welfare problems, the animals travel perfectly satisfactorily with appropriate food and rest at approved lairages in France en route, and that they develop and fatten well.

I should perhaps now mention the RSPCA's complaint to the European Commission. This has been given some media coverage——

The Question having been proposed after Ten o'clock and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned accordingly at twenty-six minutes to One o'clock.

House of Commons

Wednesday 22 May 1985

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

Strategic Defence Initiative

1. **Mr. Evans** asked the Secretary of State for Foreign and Commonwealth Affairs if he has made any further representations to the United States of America about the strategic defence initiative.

The Secretary of State for Foreign and Commonwealth Affairs (Sir Geoffrey Howe): We remain in extremely close touch with the United States and our other allies about the strategic defence initiative research programme. We have made clear our support for United States research, which is necessary to balance Soviet efforts in this area.

Mr. Evans: Will the Foreign Secretary take the next opportunity available to him to impress on the Americans that he has some sympathy with Mr. Gorbachev's recently expressed view that the star wars programme increases the risk of nuclear war and sharply reduces the chances of reaching any accord on disarmament issues?

Sir Geoffrey Howe: I shall not take the opportunity to put the point that the hon. Gentleman raises. I shall emphasise that the purpose of the United States in this respect is to achieve not superiority but balance, and in doing so to take account of the substantial Soviet programme for research of this kind. The Soviet Union has extensive ballistic missile defence programmes, has deployed the only anti-satellite system, has the only active anti-ballistic missile system in the world and has been undertaking research of this kind for a long time. For that reason we understand the United States' research programme.

Mr. Bill Walker: Does my right hon. and learned Friend agree that since the beginning of time man has looked for ways of preventing weapons systems being delivered, that it is normal to research this programme, that there is nothing unusual about it, and that it is simply a continuation of what has gone on since wars began?

Sir Geoffrey Howe: I agree with the general analysis offered by my hon. Friend. Against that background I stress the points that I made about the scale and nature of Soviet research into such matters. It is equally important to bear in mind that all aspects of arms deployment need to be considered in the context of the search for an arms control agreement that can be sustained.

Mr. Strang: Will the Foreign Secretary acknowledge that the development of these weapons is destabilising, as seen from the Soviet perspective, especially in the so-called transitional phase? Is there not a genuine danger that pressing ahead with the SDI could lead to the failure of the Geneva talks?

Sir Geoffrey Howe: I cannot emphasise too strongly and too often the fundamental fact, with which I answered the first supplementary question, that research into defensive space systems of this kind has been undertaken for many years on a large scale by the Soviet Union. For that reason we support the research being undertaken by the United States. We also welcome the attempts by the United States to discuss these matters with the Soviet Union, and its clear statement that any SDI-related deployment must be a matter for negotiations. That is the right way to approach these matters.

Mr. Chapman: Does my right hon. and learned Friend agree that the research programme holds out the prospect of a non-nuclear antidote being found against the firing of a nuclear weapon? If that prospect is realised, surely it will be to the eternal benefit of all mankind?

Sir Geoffrey Howe: It has been made clear that the research programme is bound to take many years before one can reach any conclusions about what it is likely to produce. Obviously, one factor to be taken into account is that it may offer prospects of enhanced defence. It is important to bear in mind that the United States' research is consistent with treaty obligations. We regard the treaty obligations as an important element in preserving peace and stability. In that framework, the whole matter should be considered.

Mr. Healey: In view of the Secretary of State's reply to an earlier question, what representations has he made to the American Administration about the repeated statement of the American Defence Secretary to the effect that the United States will not negotiate the deployment of the space defence system if it proves feasible? Is that not a clear breach of the understanding reached between the Prime Minister and President Reagan in December?

As to the research programme, since the Americans have made it clear that they are monitoring Soviet research and have published a list of experiments which they plan to carry out in this area, would it not be sensible to kill the thing at birth by seeking a ban by both sides on all space defence-related experiments, which could be verified, and already have been?

Sir Geoffrey Howe: The right hon. Gentleman must refrain from over-simplifying the matter. Although some research has been identified as taking place, including the nature of the deployment undertaken by the Soviet Union, both sides believe that a system for the monitoring of research would, in practice, be unattainable. The important feature to notice is that the United States has repeated many times that any SDI-related deployment must be a matter for negotiation. The Americans emphasised that not just in the Camp David points, but during the Prime Minister's visit to Washington in February and on several other occasions.

Honduras

2. **Mr. Cohen** asked the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to seek to visit Honduras.

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Tim Renton): My right hon. and learned Friend has at present no plans to do so.

Mr. Cohen: Will the Minister welcome the reported pact in Honduras whereby the head of the Supreme Court will be released from gaol and the President will not be allowed to interfere in the forthcoming elections? Will he communicate his support to those in Honduras who wish to disarm the Contras, maintain their national security by not allowing the United States to use their country as a centre of counter-insurgency against Nicaragua, and wish to establish normal, peaceful relations with the Government of Nicaragua? Will he support them, or will he follow President Reagan obediently?

Mr. Renton: As the hon. Gentleman will know, there were conflicting reports last week about border incidents between Honduras and Nicaragua. The best way to promote peace in the area is to follow the aims of the Contadora group, which we firmly support. As the hon. Gentleman will also know, a settlement between trade unionists and the constitutional groups in Honduras was announced yesterday. President Suazo has gone to Washington for discussions with President Reagan.

Mr. Flannery: Is it not true that the border between Nicaragua and Honduras is now a serious flashpoint? No matter what we say about supporting the Contadora group, the reality is that the United States is losing its head and trying to push troops so near to the border that the Nicaraguans may do something in self-defence and we may have the beginning of another Vietnam. Could we not use our immense influence to cool the President's ardour in this direction and try to get a peaceful settlement?

Mr. Renton: If the hon. Gentleman reads carefully the reports of yesterday's meeting between President Suazo and President Reagan, he will see that there was a balanced approach on both sides to the problems that he described. The hon. Gentleman and I would agree that the best means of settling the matter is through the Contadora group's attempts to achieve peace throughout the area.

India

3. **Mr. Janner** asked the Secretary of State for Foreign and Commonwealth Affairs whether he is satisfied with the current state of relations with India.

Sir Geoffrey Howe: We attach great importance to maintaining the very close relations we enjoy with India. My right hon. Friend the Prime Minister visited India in April, and we hope to welcome Mr. Gandhi here soon.

Mr. Janner: Does the Foreign Secretary realise that the problems with the Westland helicopters are symptomatic of the worst relations between the United Kingdom and India for many years? If we are to retain the good will of Prime Minister Gandhi and most of his Government, should we not make a generous gesture in the form of aid, together with a review of our law, which manifestly failed to deal with the supporters of terrorism after the tragic assassination of Mrs. Indira Gandhi?

Sir Geoffrey Howe: The hon. and learned Gentleman takes a close interest in these matters. I ask him not to conclude that the Westland helicopter matter had an effect, or flows from an effect, on bilateral relations. Mr. Gandhi expressed some technical reservations about those helicopters, and further information on them was supplied to the Indian Government. We have not yet received a formal response.

The hon. and learned Gentleman is right to draw attention to the behaviour of a small and unrepresentative group of Sikh extremists in Britain. We utterly condemn their behaviour, which did much undeserved harm to the reputation of their community, the great majority of whom are law-abiding. It should be understood that those who break the law will, like any other citizens, suffer the consequences.

Mr. Dickens: Should we not be thanking our Prime Minister, who, in spite of a tiring and exerting visit to the far east, still found time to visit Mr. Gandhi? It is her usual practice. When touring abroad, she likes to call in on Delhi to keep up our very good relationships. Is it not a fact that the Indian nation is now interested in purchasing many other types of British goods?

Sir Geoffrey Howe: I gladly endorse the tribute paid by my hon. Friend to my right hon. Friend the Prime Minister. He is right to draw our attention to our exports to India, which last year totalled no less than £780 million. I should like to remind the House that Mr. Gandhi is expected to visit the United Kingdom this year. He has accepted an invitation in principle, and I am sure that he will be warmly welcomed by the British people.

Mr. Meadowcroft: Is the Foreign Secretary aware that many British citizens belonging to the Sikh religion, who are law-abiding, are desperately concerned at the continued violence against Sikhs in India, and are anxious that that should not spill over into this country? Will the right hon. and learned Gentleman make representations to the representatives of the Indian Government, to express our concern at the continued problems being faced by members of the Sikh community in India?

Sir Geoffrey Howe: I understand the concern expressed by the hon. Gentleman on that matter. It is right to acknowledge that the Indian Prime Minister has made several statesmanlike moves in relation to the problems in India. He has released the Akali Dal leadership, legalised the All-India Sikh Students Federation, and organised a judicial inquiry into the riots after Mrs. Gandhi's assassination. Those moves deserve to be acknowledged.

Sir John Farr: Will my right hon. and learned Friend confirm that he is not entirely happy with the state of affairs in India? Apart from the helicopter deal that fell through, the Indian Prime Minister is at present on his first official visit abroad to Russia, where he is now, and will be for the next week, and his next official visit abroad is to Washington, where he will be for another week. As India is the biggest democracy in the free world, will my right hon. and learned Friend assure the House that he is a little concerned about the situation? We want to get the Indian Prime Minister into Britain as soon as we can.

Sir Geoffrey Howe: Of course, I am anxious to ensure that the close relations to which I referred in my original answer are maintained and strengthened, but it is worth reminding the House that both the Prime Minister and

myself met the Indian Prime Minister in Moscow. As has been said, the Prime Minister herself visited New Delhi not many weeks ago. So, too, have my right hon. Friend the Secretary of State for Transport and my right hon. Friend the Minister for Overseas Development. Several other ministerial visits to India are planned in the fairly near future. As I have said, Mr. Gandhi has accepted an invitiation in principle to vist the United Kingdom this year. What my hon. Friend says underlines the point that he will be warmly welcomed by the British people when he comes.

South Africa (Detentions)

4. **Mr. Sedgemore** asked the Secretary of State for Foreign and Commonwealth Affairs what representations he is making to the South African authorities over the detention order under section 29 of the Internal Security Act of officials of the United Democratic Front.

The Minister of State, Foreign and Commonwealth Office (Mr. Malcolm Rifkind): We have consistently condemned the practice of detention without trial and have made our position clear to the South African authorities on many occasions. We have expressed our concern about the recent detention of the United Democratic Front officials to the South African Government.

Mr. Sedgemore: Does the Minister agree that it is ludicrous for the South African ambassador to seek to argue that the judiciary for this issue in that country is acting independently of the wishes of the Government?

Mr. Rifkind: The South African judiciary has, on several occasions, acquitted people who have been charged with treason or other politically related offences. Therefore, it would be wrong to suggest that the South African judiciary does not have considerable independence. We hope that anyone who is brought before the South African courts will be considered by the South African judiciary on the basis of the evidence that is presented.

Mr. Winnick: Is the Minister aware of the renewed concern in this country and elsewhere at the number of people held in detention in South Africa and the deaths of some of them in very suspicious circumstances? How long will it be before the Prime Minister and the Foreign Secretary speak out in forthright terms against the racial tyranny in South Africa and make people there recognise that this country is no ally of that regime and that the community in this country condemns the practices which take place in South Africa?

Mr. Rifkind: As my right hon. Friend the Prime Minister and my right hon. and learned Friend the Foreign Secretary have both made clear their abhorrence of the apartheid system on many occasions, I see no need for any change of policy of the kind suggested by the hon. Gentleman.

Mr. Bill Walker: Does my hon. Friend agree that the judiciary in South Africa has to operate, as all judiciaries should, within the law of the land and that that is exactly what is happening?

Mr. Rifkind: My hon. Friend is correct, but at the same time we must make clear our own view that a system of detention without trial precludes those so detained from appearing in court and establishing whether they are rightly in custody.

Mr. Foulkes: Is this not yet another example of the South African Government's legal tyranny persecuting leaders of black opinion who are committed to non-violence? Does the hon. Gentleman agree that that underlines the failure of the so-called constructive engagement and how little has really changed in that appalling country? Will the Government now start to isolate South Africa economically before we have to do so, following lamely after the Americans?

Mr. Rifkind: There have been a number of important reforms in South Africa which we have welcomed and which have been rightly welcomed by the international community, including the hon. Member for Swansea, East (Mr. Anderson) when he wound up the last foreign affairs debate for the Opposition. Nevertheless, if the South African Government are serious about wanting a policy of dialogue with genuine representatives of black opinion in that country, it is difficult to understand why they continue to charge and to detain without trial leading members of the United Democratic Front. I entirely reject the suggestion that a policy of economic sanctions would make any helpful contribution to achieving the objectives that the hon. Gentleman seeks.

Hong Kong (Refugees)

5. **Mr. Ashdown** asked the Secretary of State for Foreign and Commonwealth Affairs how many refugees are currently being held in the closed camps in Hong Kong; how many were moved out of the camps in the last month for which figures are available; and if he will make a statement.

The Minister of State, Foreign and Commonwealth Office (Mr. Richard Luce): At 9 May there were 5,646 Vietnamese refugees in closed centres in Hong Kong. During April 277 refugees were resettled from Hong Kong, of whom 142 were from closed centres and 135 from open centres.

The closed camps are a matter of great concern to the British Government and to the Government of Hong Kong and neither Government wish to maintain them longer than is absolutely necessary. We are urgently considering the recommendations of the Sub-Committee on Race Relations and Immigration and will give our response to the House as soon as possible.

Mr. Ashdown: Does the Minister agree that those figures show that the population of the camps has remained substantially the same for six consecutive years and that at the present level of take-up the camps will still exist in 10 years' time? Is he aware that many of us regard conditions in those camps as a disgrace for which he and the Government are responsible? Will he explain why in 1984 Britain took fewer refugees than any other participating nation—one twentieth of the number taken by the United States, one twelfth of the number taken by Australia and a quarter of the number taken by Canada? Does he agree that that is utterly inadequate?

Mr. Luce: To describe conditions in the closed camps or, indeed, the camps generally as a disgrace is absolutely unwarranted and unfair. Mr. Hartling, who has recently in Hong Kong, stated publicly that in his view the Hong Kong Government were treating the refugees well. That should be stated clearly in this House, too. Of course we do not wish closed camps to be retained any longer than necessary, but the House should note that in the past 10

years Hong Kong has taken no fewer than 100,000 refugees in transit. Hong Kong has absorbed 14,000 refugees and Britain has taken nearly 20,000. That, too, should be acknowledged. We are doing our utmost to ease the problem and we shall be responding to the Sub-Committee shortly.

Sir Peter Blaker: Does my hon. Friend agree that the Hong Kong Government have acted most commendably in their acceptance of refugees from Vietnam? Will he confirm that the only reason for having closed camps is the fear that their abolition would lead to an even greater influx of Vietnamese refugees? In responding to the Sub-Committee, will my hon. Friend bear in mind that if this country accepted a small number of Vietnamese refugees other countries could probably be persuaded to take many more?

Mr. Luce: I note my right hon. Friend's last point, and we are considering urgently our reply to the Select Committee. The Hong Kong Government should be praised for looking after the refugees for over 10 years. It is very important to note that since the introduction of the closed camps in Hong Kong in July 1982 there has been a substantial decline, compared with the rest of the region, in the rate of arrivals of Vietnamese refugees.

Mr. Tom Clarke: Does the Minister of State agree that it is somewhat indulgent for those involved to congratulate themselves upon the 1997 agreement when this great humanitarian problem, which is a challenge both to this country and to other civilised nations, remains unresolved?

Mr. Luce: I must tell the hon. Gentleman, if he did not hear me say it in a recent Adjournment debate, that we are treating this matter with the utmost urgency. We wish this problem to be resolved and the closed camps to be ended as soon as possible, but this has to be balanced against the very real problems with which the Hong Kong Government have to grapple in terms of numbers of arrivals.

Mr. Sims: Will my hon. Friend accept that the free world as a whole has an obligation both to the Hong Kong Government, which is carrying the burden in the way that he described, and to the refugees—not only to those in the closed camps but to some of those who are in what are described as transit centres where they have been living for several years? Is there not a very real obligation upon us to try to help, and is it not true that other nations are looking to Britain to take a lead in order to solve this international problem?

Mr. Luce: I acknowledge my hon. Friend's point, and I commented on these matters in my evidence to the Select Committee. But the House should not lose sight of the cause of this problem. Because of the gross abuse of human rights in Vietnam there have been more than 1 million refugees from there during the last 10 years. If only Vietnam would start to respect human rights, we might not have this problem.

Mr. George Robertson: Is the Minister of State aware that the Hong Kong Government deserve great credit for their humanitarian attitude towards the very large numbers of Vietnamese refugees with whom they have had to deal, but that it is intolerable that thousands of people who are partly our responsibility should still be incarcerated in what are effectively prison camps? Since very few of the refugeess who are now in those camps will be relocated unless the British Government take a lead, urgent action should be taken by the Government that will encourage other Governments to follow our lead. The Government have been warned during the past 18 months — long before the Select Committee took evidence—about this problem.

Mr. Luce: We have been generous to the Vietnamese. During the last five or six years nearly 20,000 Vietnamese refugees, which is a quite substantial number, have been taken into this country. Of course, the hon. Gentleman is right when he says that this country, in addition to Hong Kong, has a responsibility towards these people, and we are treating it as a matter of urgency.

Lebanon (Christian Community)

6. **Mr. Foster** asked the Secretary of State for Foreign and Commonwealth Affairs what contact he has had with the Syrian and Lebanese Governments concerning the plight of the Christian community in the Lebanon.

Mr. Richard Luce: We deplore the continuing violence in different areas of Lebanon. Her Majesty's embassies have been in touch with leaders of the Lebanese communities and the Lebanese, Syrian and Israeli Governments to express our concern about the recent fighting in the Sidon-Jezzine area between Moslem and Christian groups.

Mr. Foster: Will the Minister of State confirm that it is the Syrian-backed Druze, Shi'ite and Palestinian militias who have been responsible for the attacks upon Christian communities in the Lebanon? What is being done to aid the 50,000 Christian refugees?

Mr. Luce: It is a matter of the greatest urgency that the various communities in the Lebanon — both Christians and Moslems of all confessions—should find a way to live with each other again, otherwise, there will be continuing casualties and abuses of human rights.

Mr. Temple-Morris: Does my hon. Friend agree that the Christian community in the Lebanon is, sadly, as responsible as any other for the situation in the Lebanon today? Does he further agree that if the Lebanese factions do not think very soon about the Lebanon they will have no country to think about?

Mr. Luce: I do not think that it would be proper for me to apportion blame between communities for the present condition in the Lebanon, save to say that it is extremely serious and that if the Lebanon is to survive, which is in both the national interest and the interests of this country, it is essential for those communities to reconcile their differences.

Papua New Guinea

7. **Sir William van Straubenzee** asked the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement on his talks with the Foreign Minister of Papua New Guinea on 24 to 25 April.

Sir Geoffrey Howe: On 24 April I held talks with the Foreign Minister on Papua New Guinea. Mr. Giheno and I were also present at the meeting between my right hon. Friend the Prime Minister and the Prime Minister of Papua New Guinea. The subjects covered included matters of concern in the south Pacific and East-West relations.

Sir William van Straubenzee: Apart from the pleasure given to this country by the visit of the Foreign Secretary and the Prime Minister of Papua New Guinea, did my right hon. and learned Friend have the opportunity to consider the remarkable economic development of that country, much of it with British participation, both private and official, and does he envisage further opportunities for participation in that laudable objective?

Sir Geoffrey Howe: I agree with my hon. Friend about the success of economic development in Papua New Guinea and its importance, because total British investment now approaches £250 million. We are also backing, through the Export Credits Guarantee Department, the finance for the first stage of a new project at OK Tedi Mining Ltd. and have also made a renewed offer of aid and trade provision funds to cover a feasibility study for the further development of Jackson airport. All those represent opportunities for Papua New Guinea and for ourselves, of which both sides are taking advantage.

Mr. Tom Clarke: During these discussions, did the Foreign Minister of Papua New Guinea express his concern about Indonesia's external policies—those that involve East Timor that might have consequences for Papua New Guinea?

Sir Geoffrey Howe: There was no specific discussion about that. We welcome the steps taken by Papua New Guinea and the Indonesian Government to resolve their border problems.

Middle East

8. **Mr. Walters** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress towards a middle east peace settlement.

Mr. Luce: We and our European partners have welcomed recent moves in the search for a peaceful, negotiated solution to the Arab-Israeli conflict. It is up to the parties concerned to take the lead in working for a just and lasting solution. For our part, we are in regular contact with the United States Administration and with King Hussein, and look forward to discussing the next steps during the visit to Britain of the Israeli Foreign Minister.

Mr. Walters: Mr. Murphy and Mr. Shultz have recently visited the middle east. Does my hon. Friend feel that the visits have brought a relaunching of the Reagan initiative any nearer? In the context of progress towards peace, will he comment on the reported testing of Israeli nuclear weapons?

Mr. Luce: We welcome the fact that Mr. Shultz has recently undertaken a tour of the area and that Mr. Murphy is keeping up a regular contact with the middle eastern countries. As my hon. Friend knows, we believe that the agreement between the Jordanians and the Palestinians of 11 February is a basis for making progress. We are keeping in close touch with the parties. My right hon. and learned Friend and I will be seeing King Hussein tomorrow morning, and he will be coming through this country again following his visit to the United States.

Mr. Jim Spicer: Does my hon. Friend accept that the courageous initiative of King Hussein has made the prospect of peace on the west bank and between Jordan and Israel very much closer? Will he give an undertaking to use his best endeavours not only on behalf of the United Kingdom Government but within the Council of Ministers meeting in political co-operation to bring a European element into this discussion, which is vital?

Mr. Luce: I agree entirely with my hon. Friend, who has recently undertaken a tour of the middle east and met many leaders. King Hussein is showing great courage in his efforts to try to make progress on this intractable problem—one on which there is an urgent need to make progress. That is why it is important for us, as we wish to give King Hussein every encouragement and support, to keep in the closest touch and to see him this week.

On the European Community, the Prime Minister recently issued a strong statement in support of the Jordanian-Palestinian proposals of 11 February.

Mr. Faulds: Would it not, perhaps, be advantageous if the Government had less frequent contact with the United States Government, as it is quite clear that that Government are not prepared to put pressure on Israel—which has been the aggressor and which is not prepared to enter meaningful talks towards a resolution of these problems?

Mr. Luce: I do not agree with that. I think that it is important that we should keep in regular touch. Indeed, my right hon. Friend the Prime Minister has had two discussions with President Reagan recently and my right hon. and learned Friend the Foreign Secretary has regular discussions with Mr. Shultz. The Americans have an extremely important role to play in the middle east if there is to be progress, and I think it is right that we should keep in close touch with them.

Mr. Sumberg: In the light of the deplorable events in the Lebanon to which we referred earlier, are not the Government of Israel entirely right in being concerned about the security and safety of Israel's northern border, and will my hon. Friend reaffirm the commitment of the Government that that must be an integral part of any eventual peace settlement?

Mr. Luce: I certainly agree with my hon. Friend that in the withdrawal of the Israeli forces which is taking place now, and which we welcome, it is very important that there should be security arrangements between Israel and the Lebanon. That is why I think it is regrettable that the two Governments are not at the moment prepared to talk about these arrangements.

Mr. Meadowcroft: Will the Minister commend the increasing signs of realism in Israel in respect of the need to involve the PLO in discussions, even within the columns of the *Jerusalem Post*, and urge on the Israeli Government the need to deal with the PLO before the PLO is undermined by the failure to achieve progress in the middle east?

Mr. Luce: We shall be able to discuss these matters with the Israeli Foreign Minister when he comes to London the week after next, and we welcome the fact that Prime Minister Pares has made some positive remarks about a direct dialogue between the Arabs, the Palestinians and the Israelis.

Mr. Latham: Has my hon. Friend managed to establish whether it really is the PLO's view, as expressed by Hani Al-Hassan on 26 April, that it is prepared to agree to a deputation with the Jordanians which does not include prominent members of the PLO?

Mr. Luce: If my hon. Friend is talking about the delegation that is being proposed to visit the United States, these are matters for the United States and for the parties concerned to work out. We are concerned with focusing our attention upon supporting the proposals that have been produced by King Hussein and the Palestinians, which we think are a basis for progress.

Mr. Campbell-Savours: Will the Minister answer the question asked by his hon. Friend the Member for Westbury (Mr. Walters) about the testing of a nuclear device by the Israelis?

Mr. Luce: Yes, Sir. I must apologise to my hon. Friend the Member for Westbury (Mr. Walters) that I lost sight of the question. I think that it concerned trigger weapons, on which we have seen reports of their export from the United States to Israel. We have seen these reports, we are concerned by them, but we have no knowledge about this. The House will be aware that Israel is not a signatory to or a member of the non-proliferation treaty. We believe that it would be in her interests and in international interests if she were now to sign the treaty.

Mr. Healey: I think that the issue concerning us mostly now is the report from the United States that the American Navy Department, after examining the results of an explosion in the south Atlantic, came to the conclusion that it was the explosion of a nuclear weapon and might well have been an Israeli weapon tested by the South Africans. Have the British Government any information of this?

Mr. Speaker: Order. The question is about the middle east, with great respect.

Mr. Healey: Israel is in the middle east, Mr. Speaker.

Mr. Speaker: The Minister may answer, but I thought that the south Atlantic was not in the middle east. [HON. MEMBERS: "Israeli weapons".]

Mr. Luce: I do not know that it is for the right hon. Member for Leeds, East (Mr. Healey) to interpret the question put by my hon. Friend the Member for Westbury, but I understood him to be talking about the trigger mechanism. With regard to Israel, all I would say is that it would be very much in the international interest if Israel were to sign the non-proliferation treaty. I think that that is the most important thing.

Spinelli Report

9. **Mr. Proctor** asked the Secretary of State for Foreign and Commonwealth Affairs what consultations he proposes to have with other EEC Foreign Ministers concerning the Spinelli report; and if he will make a statement.

Mr. Rifkind: We are in regular consultation with our Community partners in preparation for the European Council in June at which the question of possible institutional reforms of the European Community will be discussed. We do not believe that the Spinelli report, which would radically change the balance between Community institutions, is the right way to make progress.

Mr. Proctor: Will my hon. Friend give the House an assurance that Her Majesty's Government will not bring forward proposals to the House based on the Spinelli report and also that we will not countenance any transfer of any more sovereignty from the House to the EEC?

Mr. Rifkind: I can say to my hon. Friend that not only will Her Majesty's Government not commend proposals based on the Spinelli report to the House, but it is very unlikely that any other Government will wish to do so either, so far as we can tell. Most of the discussion taking place within the Community takes into account the report of Mr. Spinelli and his colleagues, but is essentially based on other proposals that have been discussed in the Dooge report and in other fora.

Mr. Deakins: How can the European Assembly be given a greater role in Community affairs without, in effect, giving it greater power?

Mr. Rifkind: The question whether the European Parliament should have greater powers is an issue that will be discussed. Her Majesty's Government take the view that the existing powers of the European Parliament are already considerable and substantial, and we are not convinced that there is a satisfactory argument for increasing the powers of the European Parliament. We would, however, wish to see the European Parliament more intimately involved in the early consideration of proposals that will subsequently go to the Council of Ministers, so that the Parliament's views can be more fully taken into account by the Council of Ministers when it deliberates on these matters.

Mr. Forth: What advice will my hon. Friend be giving to the Prime Minister when the subject of the recommendations of the Dooge report come before the meeting in Milan? Will he, in particular, be warning the Prime Minister not to accept the terms of reference suggested in the Dooge report, which would pre-commit any conference to the concept of further European unity and the principles of Spinelli?

Mr. Rifkind: I fear that my hon. Friend has not properly read the Dooge report to which he refers—*[Interruption.]*—because there is no commitment in it, either by the majority or minority, to incorporate the proposals of the Spinelli report. There is one passing reference to that report, but no commitment or support for the fundamental recommendations of Mr. Spinelli and his colleagues. Her Majesty's Government believe that there is a good prospect of reaching agreement at the European Council on a package of proposals that will help decision-making in the Community and will help to make progress on the internal market, on political co-operation and on other matters which the vast majority of hon. Members believe are important and desirable in the interests of this country and the Community.

Mr. Maclennan: Is it true that the Prime Minister welcomed the use by the German Agriculture Minister of the veto and encouraged Chancellor Kohl in the continuation of that policy?

Mr. Rifkind: We were happy to support the proposals of the Commission on cereal prices. We attach importance also to the right of any member state to indicate when it believes that its important national interests are at stake, and therefore we abstained when the essential question was considered by the Council, to show that we believed that the Federal Republic was entitled to use that procedure if it thought it appropriate.

Mr. John Mark Taylor: Will my hon. Friend reassure the House that Altiero Spinelli is neither more nor less than the Father Christmas of Italian politics and that his report

is neither more nor less than the futuristic fancy of a man old enough to have been imprisoned by Mussolini but not, it seems, too old to daydream?

Mr. Rifkind: The report to which his name has been given covers a wide range of issues. The basic institutional reforms proposed by the report are not seen by Her Majesty's Government as providing an acceptable basis for the future of the Community.

Mr. George Robertson: During the discussions, will the Minister raise the crucial issue of the veto and highlight the cloud of hypocritical humbug that is now being raised on this issue? When we note the actions of the two Governments most in favour of abolishing the veto—first, France vetoes the idea of trade talks and then the Federal Republic of Germany vetoes the farm price review—we have amply illustrated the gap between rhetoric and reality on this issue.

Mr. Rifkind: While I do not believe that the example of the trade talks is relevant to this question, I agree that the French Foreign Minister has made it clear that France believes in the continued indispensability of the right of veto, and the recent action by the Federal German Republic demonstrated the position of that country in the matter. The vast majority of Governments in the Community accept that it is unthinkable that on any vitally important matter any country should be overruled. Therefore, the consideration of the Heads of Government will not concentrate on replacing or removing the right of veto, but rather on ways of ensuring that it should be used only when important national interests are at stake and not to hold up progress on other matters.

Mr. Heathcoat-Amory: Is it not our task to enforce the existing treaty obligations of the Community rather than take a leap into the unknown with Mr. Spinelli and his report? In particular, will my hon. Friend insist on a freer market in financial services, where Britain is comparatively strong? Will this be top of the agenda at the Milan summit?

Mr. Rifkind: My hon. Friend is right to comment on the fact that the completion of the internal market is required under the original treaty and is not yet fully implemented. It has not only been a unanimous recommendation of the Dooge report but features in the list of priorities of the President of the Commission. The completion of the internal market should be the first priority of the Community. It will be the policy of Her Majesty's Government to emphasise the essential importance of the subject at the European Council.

Stockholm Conference

10. **Mr. Waller** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on recent developments at the Stockholm conference on confidence-building measures.

Mr. Luce: We are working with our allies to get more discussion on the details of our proposals for confidence-building measures. We will work hard for progress during the current, sixth, session which began last week.

Mr. Waller: While it is very welcome that discussions are taking place, must we not judge the talks by their practical results? Can my hon. Friend confirm that confidence depends ultimately on carrying out a number of commitments that have political and humanitarian aspects, as well as military ones?

Mr. Luce: I agree entirely with what my hon. Friend has said. Of course, we must remember that this conference is not, strictly speeaking, an arms control conference but stems, as he suggests, from the CSCE process, which goes wider than arms control. The objective of Britain and our allies, on which we put forward proposals, is to get practical confidence-building measures that will lead to greater harmony between both sides and might lead to a better climate for arms control negotiations.

Mr. James Lamond: What is the Minister doing to try to increase public interest in these talks which have been going on for a long time and which are to continue for some time yet? Should not the Government increase the amount of information that is available to the public instead of relying on an occasional question at Question Time in the House, with very little information in the newspapers, so that the public can support — or otherwise—the policies which we are pursuing at these important talks?

Mr. Luce: I note what the hon. Gentleman has said. Certainly the British Government are most anxious to get across information about what is taking place in various arms control and other talks. The Foreign and Commonwealth Office and the Ministry of Defence produce a great deal of information about arms control talks. That information is available to the public, and is made available.

Mr. Soames: Does my hon. Friend agree that, with the whole mechanics of arms control creaking dangerously at the seams, the talks need to be given added and more important impetus?

Mr. Luce: If my hon. Friend is referring to the Stockholm talks, he must be assured that we are giving them the greatest possible support. That is why it is good that the procedure for the new session has been improved so that there will be two working committees and we can focus attention on the practical proposals which the British Government and our allies in the Western world have produced, so as to get down to the nuts and bolts of confidence-building.

Federal Republic of Germany

11. **Mr. Redmond** asked the Secretary of State for Foreign and Commonwealth Affairs when he next expects to meet the Chancellor of the Federal Republic of Germany.

Sir Geoffrey Howe: I met Chancellor Kohl at Chequers on 18 May. I next expect to meet him at the Milan European Council on 28 June.

Mr. Redmond: Will the Foreign Secretary give an assurance that, when he next meets Chancellor Kohl, he will discuss with him the serious position between America and Nicaragua? Will he consider a joint approach to bring sanity to American policy on that country?

Sir Geoffrey Howe: There are questions on Nicaragua further down on the Order Paper. I can only confirm that

at the meeting that took place between the Heads of State and Foreign Ministers at the Bonn economic summit Nicaragua was one of the questions that was discussed.

Sir Anthony Meyer: When my right hon. and learned Friend next meets Chancellor Kohl, will he explain to him how sad it would be if Germany, which has as much interest as the United Kingdom in making a success of the European Community, were, by wanton resort to the use of the veto, to make the process of necessary reform quite impossible?

Sir Geoffrey Howe: My hon. Friend raises an important matter about which I know he has thought a great deal. The recourse by the Federal German Republic at this month's Agriculture Council to the Luxembourg compromise confirms a political reality, which is that no member state is ready to be voted down when an important national interest is at stake. It is our view that, to prevent that right being abused, a member of the Council insisting upon the veto should, through a special procedure of the Council, explain fully and more formally why his Government consider that a vital interest is at stake. It is important to reach a practical balance which recognises national interests while enabling the Community to proceed apace.

Dr. Owen: If the German Chancellor is, rightly, to continue championing the cause of European unity and more majority voting, would it not be better if he stated unequivocally that he believes that the Luxembourg compromise is necessary for the development of the Community and that, if there is to be a treaty amendment to allow majority voting, the new treaty must incorporate the Luxembourg compromise?

Sir Geoffrey Howe: The important feature is that the Federal German Government have practically exercised and recognised the Luxembourg compromise. The other important feature is to ensure that we are capable of achieving majority voting more effectively and more frequently, as that will enable us to make progress.

Mr. Budgen: Will my right hon. and learned Friend tell Chancellor Kohl that it is now clear from Germany's attitude towards the price of cereals that there will be no fundamental reform of the common agricultural policy until national parliaments say that they will give no more money to the EEC? Further, does he agree that it would be a good thing if the British Parliament started the process?

Sir Geoffrey Howe: No. I shall leave my hon. Friend to transmit his own message for himself. The result of decisions taken in 1984 and subsequently is that substantial steps are being taken towards reform of the CAP. Price cuts and freezes have been applied in a number of areas. The milk quota has been established and reinforced. It is important that the same discipline should apply to cereal prices.

El Salvador

12. **Mr. Terry Lewis** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current human rights situation in El Salvador and the implications for relations with the United Kingdom.

Mr. Renton: We support the Salvadorean Government's efforts to improve the human rights situation in El Salvador. On 13 March the United Nations Human Rights Commission passed, with our support, a resolution which took account of the improvements in this field.

Mr. Lewis: Are resolutions sufficient? Since January, 501 civilians have met their death at the hands of the death squads. Bombings in the north of El Salvador are increasing apace and bombing by helicopter in the west has been introduced. Is the Foreign Office doing all that it can to exert British influence in this sensitive area?

Mr. Renton: I have listened with care to the hon. Gentleman's supplementary question. He should take cognisance of the fact that the United Nations resolution on human rights, to which I have referred, shows an awareness of the need for further improvement in human rights in El Salvador. It takes account of the dramatic fall in the number of murders by death squads in recent months. It is clear that further improvements are necessary, but, as the resolution has recognised, there have been substantial improvements.

Mr. Foulkes: The Government have offered to train officers from El Salvador. As it is highly likely that any such officers will have been involved in the death squads, will the Government reconsider their unfortunate decision?

Mr. Renton: No, Sir. We have offered the Government of El Salvador the provision of one or two places for suitably qualified El Salvadorean officers to attend staff college courses in the United Kingdom. The offer is compatible with similar offers that we have made to a wide range of developing countries. The hon. Gentleman likes to see the issue in a black light, but when the officers return to El Salvador they will have the opportunity to consolidate democratic rule in El Salvador in the face of, should it occur, a destructive insurgent war.

Gulf War

14. **Mr. Torney** asked the Secretary of State for Foreign and Commonwealth Affairs what initiatives he is considering to assist the United Nations in bringing an end to the fighting in the Gulf war.

Mr. Luce: We wish to see the earliest possible end to the conflict between Iran and Iraq. We shall, therefore, continue to support any realistic initiatives, especially through the good offices of the United Nations Secretary General. My right hon. Friend the Prime Minister and my right hon. and learned Friend and I were glad to be able to discuss these questions with the Arab League delegation which visited London last week.

Mr. Torney: Why do the Government not press the United Nations to institute a ban on the supply of all arms, including chemical weapons, to both sides in this horrific dispute?

Mr. Luce: As the hon. Gentleman knows, we, along with other Governments, have strongly condemned the evidence of the use of chemical weapons. The Secretary General of the United Nations has produced eight points, which are the best basis for making progress towards a comprehensive solution to the Iran-Iraq war, as opposed to other initiatives. We shall give all our support to them.

Mr. Cyril D. Townsend: Will my hon. Friend confirm that Britain recently gave permission for the dispatch of

two logistic ships to Iran? Is he aware of the allegations that one of them was instantly equipped with anti-aircraft machine guns? Can he confirm that it is still the British Government's position to maintain neutrality in this?

Mr. Luce: I can confirm that it remains firmly our position that we shall not sell defence equipment that can in any way prolong or exacerbate that war. It is true that two ships from Yarrow have been released. They cannot be used in the war between Iran and Iraq, and are principally for disaster relief. I have seen the reports to which my hon. Friend refers, but there is no evidence available to me to support them.

Anglo-Zairean Relations

15. **Mr. Sayeed** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Anglo-Zairean relations.

Mr. Rifkind: Anglo-Zairean relations are good. I visited Zaire during 6 to 8 May, and had discussions with Zairean Ministers on matters of mutual interest.

Mr. Sayeed: When my hon. Friend met the Prime Minister of Zaire, did he raise the issues of human rights there and the expropriation of the assets of British people in the 1960s and 1970s?

Mr. Rifkind: I can confirm that the expropriation of British assets was raised with the Zairean authorities. We emphasised the importance that we attach to this matter, and the Zairean authorities implied their willingness to introduce an investment promotion and protection agreement for all future British investment. As to human rights in Zaire, this was considered at the last session of the United Nations commission on human rights under the confidential procedure, and our views on this matter are well known to the Zairean Government.

Departmental Staff

17. **Mr. Thurnham** asked the Secretary of State for Foreign and Commonwealth Affairs what are the latest estimates for numbers employed in his Department during 1985-86.

Sir Geoffrey Howe: The average estimated provision for staff employed by the Foreign and Commonwealth Office, including the Overseas Development Administration, in 1985-86 is 9,885.

Mr. Thurnham: Does my right hon. and learned Friend expect to make any further reductions beyond those projected in the Government's expenditure plans for the next three years?

Sir Geoffrey Howe: No, Sir. Staffing levels in my Department have already been substantially cut. Since 1969, the diplomatic staff has been cut by more than 17 per cent., and the overall reduction since 1979 is over 14 per cent. We are working towards the manpower targets for 1988 that are set out in the Command Paper to which my hon. Friend refers.

Mr. Dalyell: Is the right hon. and learned Gentleman satisfied with the human and industrial relations between his Department and the staff of GCHQ Cheltenham? Specifically, will he look in detail at the case of the distinguished cryptoanalyst, Mr. Hamilton, who is no longer working in Cheltenham?

Sir Geoffrey Howe: If I am asked a question about that specifically, I shall try to answer it.

Sir Anthony Kershaw: Is my right hon. and learned Friend aware that there are already too few diplomats, especially diplomats of the second grade—implying that the posts are too small—and that ambassadors have to spend most of their time cleaning cars and doing washing up, which is not efficacious for diplomacy?

Sir Geoffrey Howe: I am grateful for my hon. Friend's graphic illustration of the effectiveness of our economy campaigns, which need to be maintained, but within the bounds of reason.

Geneva Disarmament Talks

20. **Mr. Michael Marshall** asked the Secretary of State for Foreign and Commonwealth Affairs what consultations he has held with his North Atlantic Treaty Organisation opposite numbers about arms control following the end of the opening round of the latest Geneva disarmament negotiations.

Mr. Luce: My right hon. and learned Friend has had the opportunity to discuss arms control issues with North Atlantic Treaty Organisation colleagues on a number of recent occasions; at the ministerial meeting of the Council of Western European Union in April; during the economic summit in Bonn; during the celebration of the 30th anniversary of the Austrian state treaty in Vienna; and at a number of bilateral meetings.

Mr. Marshall: Does my hon. Friend agree that, given the Russian propensity to seek to drive a wedge between th United States and its NATO allies, such consultations should continue as a matter of urgency? Does my hon. Friend accept that the strategic defence initiative is one area within NATO where we should seek to find common ground?

Mr. Luce: I agree entirely with my hon. Friend that it is of the utmost importance that we continue this intensive consultation—not only with the United States but within the NATO Alliance — on these important issues, including SDI. This is something to which we attach the highest importance, and we shall certainly continue in that direction. There is no doubt that the Soviet Union is still indulging in wedge-driving between Europe and the United States.

Mr. Healey: Is it not the case that the real wedge was driven by the unilateral decision, within the Alliance, of the United States to pursue SDI and then to revise its position on SDI repeatedly since the meeting last December with the Prime Minister? In view of the serious deadlock during the first series of meetings in Geneva, has not the time come — the Foreign Secretary having expressed some wise reservations about SDI in a recent well-known speech to which we have all given our assent —for the Government to take the initiative in organising European action to break the deadlock by combining action to prevent experiments in space-related weapons with a massive reduction in offensive weapons? This is the only way forward. Only Britain can lead an initiative within NATO in this direction.

Mr. Luce: The right hon. Gentleman knows that the objective agreed for these talks between the United States and the Soviet Union was to prevent unconstrained

military competition in space and to limit and reduce nuclear arms on earth. The two surely complement each other, as, indeed, the United States Administration made plain. My right hon. and learned Friend said earlier that we stick rigidly, as does the United States, to the four-point agreement reached between President Reagan and my right hon. Friend the Prime Minister. This includes the fact that there must be negotiation before there is any deployment of weapons.

Bates Colliery (Closure)

Mr. Speaker: Before I call the hon. Member for Blyth Valley (Mr. Ryman) to ask leave to move the Adjournment of the House under Standing Order No. 10, I draw his attention to the fact that he sought similar leave on 8 May for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the peremptory announcement of the closure of Bates colliery in Blyth yesterday by the National Coal Board."

Today, the hon. Member will have to make out a different case. It would be an abuse to raise the same subject twice.

3.33 pm

Mr. John Ryman (Blyth Valley): This is a different case, Sir, because there has been a fundamental change of circumstances since 8 May.

I beg to ask leave to move the Adjournment of the House, under Standing Order No. 10, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the unlawful action and the breach of the colliery review procedure by the National Coal Board on 21 May 1985 in the purported formal closure of Bates colliery in Blyth, thereby making 1,400 men redundant."

There has been a change since 8 May. On 8 May, the NCB discussed the matter, but the formal closure did not occur until yesterday afternoon. I ask you, Mr. Speaker, to consider seriously the urgency of the matter and to recognise that the criterion which I must satisfy is that the matter is so urgent that it should take priority over the business that is already arranged.

I address you, Mr. Speaker, with such a degree of urgency because, if this pit is closed, as purported yesterday, 29 million tonnes of coal, which engineers representing the NCB and the NUM acknowledge to be workable reserves, will be lost for ever.

The NCB area director in the north-east — Mr. Archibald—has been thoroughly dishonest in revoking guarantees made to the work force as recently as January 1984. The Secretary of State for Energy and his junior Minster have completely shirked their responsibilities. The Minister visited the north-east last Friday and pretended that he would consider proposals for the pit, yet yesterday, when there had not been time to consider those proposals in any detail, it emerged that they had been rejected outright.

I do not want to exaggerate anything associated with these matters, because this is a highly emotional issue, but it is no exaggeration to say that the Secretary of State and his junior Minister have acted thoroughly dishonestly in misleading the work force at that pit, and me, into believing that they would consider alternative proposals for the viability of that pit. The document was handed to the Minister only last Friday. He has not had time to read it yet, even less to consider it. Nevertheless, yesterday afternoon, after pretending that the matter had been considered, a peremptory order for closure was made.

I am asking you for a debate on this subject, Mr. Speaker, because 1,400 of my constituents will lose their jobs for ever and 29 million tonnes of workable coal reserves will be lost for ever. The coal is of high quality and the pit has a record of good productivity and industrial relations. This is a most serious matter and I ask you to consider it earnestly. This is not a token application, as sometimes happens, and it is not a matter that can be considered lightly.

Although today's business is important, it should not be allowed to jeopardise the jobs of 1,400 of my constituents who have been thoroughly misled by the dishonest behaviour of the Government—[HON. MEMBERS: "Oh!"] —the National Coal Board and the area director. I ask for an opportunity to make this application without interruptions or catcalls from a party which is not interested in employment in the north-east or anywhere else in the country.

Mr. Speaker: Order. I think that the reason for the interruption was the hon. Gentleman's allegation that Ministers had been dishonest. I did not hear the hon. Gentleman very clearly, but, if he said that, I hope that he will withdraw the allegation.

Mr. Ryman: To say something which is known to be not true must on any reasonable interpretation of the English language, if the language means anything, be considered dishonest. The junior Minister was at Ellington colliery in the north-east when he said that he would seriously consider the proposals submitted for the viability of Bates colliery. He has not done that. He has not had time to do that, because the closure was announced yesterday afternoon. [HON. MEMBERS: "Withdraw."] That is why I am suggesting that the Government have been thoroughly dishonest—[HON. MEMBERS: "No."]—so has Mr. MacGregor, the chairman of the NCB — [HON. MEMBERS: "Withdraw."]—and so has the area director. It is no use Conservative Members protesting, throwing up their hands in horror and shrieking. I am not insulting the NCB or the Government, I am describing them. Their conduct has been thoroughly dishonest. Because of that dishonesty, 1,400 of my constituents are to lose their jobs.

Sir Kenneth Lewis (Stamford and Spalding): On a point of order, Mr. Speaker——

Mr. Ryman: I ask you, Mr. Speaker, in fairness to me as a representative of those people and in fairness to the coal industry in the north-east of England, to give us an opportunity to discuss these matters today. They are extremely urgent. Before you peremptorily refuse my application, I ask you to consider the matter most carefully.

Sir Kenneth Lewis: On a point of order, Mr. Speaker.

Mr. Speaker: Yes, what is the point of order?

Sir Kenneth Lewis: As, under Standing Order No. 10, the Minister has no right of reply, should not the hon. Member for Blyth Valley (Mr. Ryman) be asked to withdraw the charge of dishonesty or give the Minister a chance to answer?

Mr. Speaker: The Minister cannot, under Standing Order No. 10, have the right of reply. I listened carefully to what the hon. Member said. If he was implying that the Minister was dishonest, that is a personal accusation and I ask him to withdraw it. I do not think that he was saying that as such.

Mr. Ryman: May I reply to that? It is difficult for me to decide whether Ministers are being dishonest, incompetent or both.

Mr. Speaker: Order. Whether Ministers have been incompetent is another matter, but the Minister himself is not dishonest, and that is the word that I want the hon. Gentleman to withdraw.

Hon. Members: Withdraw.

Mr. Ryman: The conduct of the Government——

Mr. Speaker: Order. The hon. Gentleman is not helping his case.

Mr. Ryman: May I have an opportunity to explain what I have just said? [HON. MEMBERS: "No."] In fairness, perhaps I can be given an opportunity to explain. The Government act through Ministers, and have acted dishonestly, and the Ministers were carrying out the wishes of the Government.

Mr. Speaker: I take that as a withdrawal.

The hon. Gentleman asks leave to move the Adjournment of the House for the purpose of discussing a specific and important matter, which should have urgent consideration, namely,

"the unlawful action and the breach of the colliery review procedure by the National Coal Board on 21 May 1985 in the purported formal closure of Bates colliery in Blyth, thereby making 1,400 men redundant."

I in no way underestimate the hon. Gentleman's anxiety for his constituents in this matter, but he has stated the criteria that I must follow. I have listened to what he has said, but regret that I do not consider that the matter which he raised is appropriate for discussion under Standing Order No. 10. I cannot, therefore, submit his application to the House. I am sure that he will find other ways of drawing attention to it.

BALLOT FOR NOTICES OF MOTIONS FOR FRIDAY 7 JUNE

Members successful in the ballot were:

Mr. Andrew Bowden
Mr. Martin Stevens
Ms. Jo Richardson

Law Reform (Parent and Child) (Scotland)

3.42 pm

Lord James Douglas-Hamilton (Edinburgh, West): I beg to move,

That leave be given to bring in a Bill to make fresh provision in the law of Scotland with respect to the consequences of birth out of wedlock, the rights and duties of parents, the determination of parentage and the taking of blood samples in relation to the determination of parentage; to amend the law as to guardianship; and for connected purposes.

In moving the motion this afternoon I should mention a potential interest as a Scots advocate. Last year, with the support of colleagues I put through the Law Reform (Husband and Wife) (Scotland) Bill, which is now an Act. The Law Reform (Parent and Child) (Scotland) Bill involves a bigger issue. If I may rephrase that, the issue of the liaison may start small, but the implications are considerable.

The Bill relates to children of unmarried parents and is based on the recommendations of the Scottish Law Committee, after widespread consultations. It has the support of both the Scottish Council for Single Parents and the National Council for One Parent Families. There are now an increasing number of people for whom this Bill is relevant. In 1965 in Scotland the average percentage of live births of children whose parents were not married was 5·84 per cent. Last year, the average percentage had increased to 16·34 per cent. That is a considerable increase.

The Bill's main aim is to remove legal differences between children of married parents and children of unmarried parents without conferring parental rights automatically on the unmarried father of children. In extreme circumstances, for example, when a man rapes a woman and she has a baby, it would be unsuitable for the father to become a guardian. Apart from limited acceptance, the Bill replaces existing guardianship legislation with provisions based on the principle of legal equality for all children. There are four principal reforms in the Bill.

First, full parental rights of custody and guardianship are conferred on the mother of a child of unmarried parents. The father may acquire parental rights by court order, and in determining an application for parental rights, the court is correctly directed to regard the child's welfare as the paramount consideration.

Secondly, and most importantly, the Bill introduces further rights for inheritance. The rights to inheritance will no longer depend upon whether a child's parents were married. In 1968, the Law Reform (Miscellaneous Provisions) (Scotland) Act gave the child of unmarried parents full rights of succession to his or her father's estate. There have been almost no problems since then. The anomaly in the present law is that, although children or unmarried parents and their fathers can succeed to each other's property, the rule does not apply to more remote relatives. The provisions in this Bill will mean that a child of unmarried parents will be considered on an equal footing to children whose parents are married, when their relatives die without a will. It will involve considerable benefits to many.

Thirdly, the Bill improves and clarifies court proceedings for determining the paternity of a child.

Provision is made to facilitate the use of blood-test evidence to determine paternity in civil proceedings, and the court is empowered in limited circumstances to consent to the taking of a blood sample from a child for that purpose.

Fourthly, provision is made in the Bill to facilitate the registration of the birth of a child of unmarried parents and the recording of the father's name after registration of birth. A man registered as the father of a child of unmarried parents will be presumed to be the father.

However, there is a further dimension to the Bill. The Scottish Law Commission stated:

"We have no doubt from comments received on our consultation memorandum, that the word 'illegitimate' is found offensive by many of those to whom or to whose children it is applied."

The commission suggests that the implication is that the person is unlawful. The report also stated:

"We would endorse the view of the Law Commission for England and Wales that the terms 'legitimate' and 'illegitimate' should, wherever possible, cease to be used as legal terms."

The English Law Commission suggested that those words should be replaced by "marital" and "non-marital". The Scottish Law Commission believes that the Bill, which it prepared, would pave the way for the gradual disappearance from the statute book of adjectives such as "legitimate" and "illegitimate".

In many European and Commonwealth countries, the legal position of children whose parents are unmarried has been improved. The preamble to the European convention on the legal status of children born out of wedlock states:

"In a great number of Member states of the Council of Europe, efforts have been made to improve the legal status of children whose parents are unmarried."

I have tried to discover the roots of prejudice, and I came across a revealing comment in a 1984 report from the South African Law Commission. It stated:

"The illegitimate child's legal position is historically ascribable . . . to the fact that parents were punished for their immoral behaviour by penalising the child in an attempt to persuade the parents to marry."

What could be more monstrously unfair to any child than that? Apart from the fact that it is cowardly and contemptible to try to pressurise parents by penalising the child, as the South African Law Commission admitted, such a policy does not succeed.

Some years ago I was instructed as an advocate to take a case of affiliation and aliment through the sheriff court in Glasgow. The circumstances were straightforward. The father of the child had not paid a penny towards the child's keep. Not only that, but he refused to acknowledge that he was the father. It was my job to establish the facts, which I did. But when I left the sheriff court I could not help feeling sympathy for a child in those circumstances, and I was left with the conviction that the law should not be unsympathetic to such a child.

In my view, no child should be referred to as unlawful, directly or indirectly, because of a lack of marital status of the parents. A child of unmarried parents is a person in his or her own right, and what matters most is the child. The Bill strengthens the position of the child whose parents are not married. I commend it to the House.

Question put and agreed to.

Bill ordered to be brought in by Lord James Douglas-Hamilton, Mr. Hugh Brown, Mr. Alexander Eadie, Mr. Nicholas Fairbairn, Mr. Michael Forsyth, Mr. Michael Hirst, Mr. Gerald Malone, Mr. John Maxton, Mrs. Anna McCurley, Mr. Albert McQuarrie, Sir Hector Monro and Mr. Bill Walker.

LAW REFORM (PARENT AND CHILD) (SCOTLAND):

Lord James Douglas-Hamilton accordingly presented a Bill to make fresh provision in the law of Scotland with respect to the consequences of birth out of wedlock, the rights and duties of parents, the determination of parentage and the taking of blood samples in relation to the determination of parentage; to amend the law as to guardianship; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 7 June and to be printed. [Bill 150.]

Orders of the Day

Transport Bill

[2ND ALLOTTED DAY]

As amended (in the Standing Committee), further considered.

Clause 45

TRANSFER OF OPERATIONS OF THE BUS COMPANY TO THE PRIVATE SECTOR

3.50 pm

Mr. Matthew Parris (Derbyshire, West): I beg to move amendment No. 62, in page 39, line 38 after 'undertaking', insert

'with not more than 49 per cent. thereof being transferred to any party'.

If one has a complaint about the Standing Committee procedure that we adopt in the House, it is that we tend to alternate between questions of the broadest principle and legal questions of the minutest detail without sometimes giving proper attention to the middle ground —those important aspects of the Bill where it may be made to work better or not to work at all. For reasons of the striking of political attitudes, questions of broad principle tend to be dwelt upon, and for reasons of delaying the progress of the Bill, questions of the minutest detail tend to be dwelt upon. Sometimes both sides of the Committee do not look at the Bill itself and how it might best be made to work.

The motivating force behind the Bill is competition policy. Central to that policy is the proposition that the Government should divest themselves of the National Bus Company. The form in which the NBC is privatised and the timing of that privatisation could be absolutely essential to whether competition policy is effectively stimulated or inhibited by the Bill.

My amendment, if taken literally—it is not intended to be—would oblige my right hon. Friend the Secretary of State to divest the state of the NBC in at least three separate companies. I have discussed the matter with the National Consumer Council, and the purpose of my amendment is to introduce a short debate on the form of privatisation. I invite the House to recommend my right hon. Friend, when deciding how many companies to break the NBC up into, to favour a large number of small companies rather than a small number of large companies.

My hon. Friend the Member for Hereford (Mr. Shepherd) knows better than I, but I know too, that it was the monopoly, the monolithic power, of the Midland Red West Company, that all but jeopardised the experiment undertaken in Hereford and Worcester, although in the end competition won through. Should we divest ourselves of the NBC as one large monopoly organisation, the competitive threat that that would present to other bus companies, existing and putative, throughout the country, would be so great that the conditions of free competition for the customer-passengers that we hope to establish through the introduction of the Bill might never be successfully set up.

In deciding how to privatise NBC, my right hon. Friend the Secretary of State will have taken and will take advice from many different sources. He will have spoken to representatives of the NBC itself. Naturally, they will have told him that the more closely that the form in which the company is privatised resembles its present form, the more that will suit them and the easier it will be. I imagine that the last thing the present management wants is that the company should be fragmented before sale into many small and unfamiliar companies.

My right hon. Friend the Secretary of State will also have spoken to the trade unions involved. I am sure that they too would prefer to deal with one large organisation or a small number of large organisations than with a large number of small organisations.

My right hon. Friend will also have spoken to the local authorities. No doubt they too would prefer to carry on working with companies of more or less the same size and type of management as those with which they are familiar, so I imagine that they would also not wish the NBC to be broken up into a large number of small, unfamiliar units.

Mr. Martin M. Brandon-Bravo (Nottingham, South): Does my hon. Friend agree that breaking the NBC up into companies of similar size to the present main constituent companies — for instance, Trent Motor Traction in my area—would allow the possibility of management buy-out and employees having a stake in the company employing them, thus providing the same opportunities to advance as in the case of the National Freight Consortium? Does my hon. Friend agree that it might be better to proceed in that way rather than by having very large companies which could not possibly offer opportunities for managment buy-out?

Mr. Parris: Yes, I entirely agree with my hon. Friend. If my right hon. Friend the Secretary of State were minded to break up the NBC into something approximating to the current pattern of constituent sub-companies I believe that that would be the right decision. I am familiar with the operations of Trent Motor Traction and I believe that a company of that size and form could operate effectively and properly, but it is not for me to say that every one of the constituent companies now under the NBC umbrella is in the same position. Certainly, anything larger than that would be too large, although anything very much smaller might be too small provide the management structure, the number of buses or the facilities to stand alone in the market place. Nevertheless, in my view it stands to reason that the NBC should be broken up into a number of much smaller companies. That is the purpose of my amendment, and I commend it to the House.

Finally, my right hon. Friend the Secretary of State has no doubt also spoken to my right hon. Friend the Chancellor of the Exchequer, who, I imagine, will have concluded that, the larger the company to be sold, the better the immediate proceeds to the Treasury. In the short term, that is true. In the long term, however, I believe that the establishment of a proper competition policy will benefit future Chancellors, as it will be possible to reduce subsidy because the companies will be able to provide a good service without it. I am sure, too, that the draftsmen and accountants at the Department of Transport will have told my right hon. Friend the Secretary of State that it is much easier to sell one large company or a small number of large companies than to sell a large number of small companies.

All those considerations are important, concrete aspects which bear heavily in the immediate term. Competition

policy is an abstract, long-term matter which does not bear heavily in the immediate term, but it is the motive behind the entire Bill and I hope that my right hon. Friend and the House will not lose sight of it in considering the form in which the NBC should be privatised.

Mr. Malcolm Bruce (Gordon): As we are now reaching the stage when the Bill is likely to become law whether we like it or not, although its shape may be changed in another place, the amendment moved by the hon. Member for Derbyshire, West (Mr. Parris) is clearly worthy of consideration. I was somewhat concerned at the outset in case he was encouraging fragmentation down to totally anarchic proportions, and I was glad to hear that that was not his intention. If the companies are too small, that is clearly undesirable, but if privatisation is to take place as proposed it seems sensible that the operating companies should be the main constituent components. To the extent that the amendment seeks to achieve that, it has something to commend it.

There is considerable concern that, if the NBC is to be broken up, in view of the experience in Hereford it should not be broken up in such a way as to create a series of local monopolies instead of one national monopoly. The Minister, I know, would agree with that. However, we have to secure circumstances in which competition is fair and equal.

If I may make an oblique reference to circumstances north of the border, what causes me concern is that the Scottish Bus Group, which is to be retained as 100 per cent. Government-owned, will seek to gobble up the services of the passenger transport executive and create, effectively, a national monopoly in Scotland. I regret that the Government tend to regard Scotland as a region of the United Kingdom, whereas it is a distinct national entity. If a monopoly is created, there will be less competition in Scotland. If the consequence of what is likely to happen in England is a series of regional monopolies, real competition will not be improved. I should like the Minister to consider that point.

4 pm

There is genuine and serious concern that the National Bus Company may be broken up in such a way as to create a series of regional monpolies instead of the competition that the Secretary of State for Transport seeks. My hon. Friends and I have expressed reservations about the thrust of the Bill, but I intervene at this point in a spirit of realism, recognising that the Bill will be passed. I urge the Secretary of State for Transport to take account of the genuine concern about the implications of breaking up the National Bus Company. The amendment takes some account of the need to implement the Bill's provisions in a balanced and sensible manner.

Mr. Brandon-Bravo: Before the hon. Member sits down, will he explain what kind of size, if the National Bus Company is broken up, the Liberal party thinks it is reasonable for these companies to be, bearing in mind that the smallest of the NBC companies operates 134 vehicles and the largest 1,105? Will he also say a few words about management buy-outs and employee participation?

Mr. Bruce: I am surprised that the hon. Gentleman does not realise that the Liberal party believes that local authorities and local passenger transport authorities should be making the decisions. That is why we oppose the Bill. They would be able to determine what is the right balance. Given that the Secretary of State for Transport intends to implement the Bill, I am suggesting that he should ensure that local circumstances in each region should be taken properly into account. That is the point of the amendment, and that is why it deserves consideration.

Mr. Ted Leadbitter (Hartlepool): Although this amendment appeals to hon. Members, one has to remember that clause 45(8) makes it abundantly clear that the Secretary of State has reserve powers. Therefore, if he discovers that defective proposals are put to him, or if he does not approve them, he will be empowered to draw up his own. In Committee, it became clear to me that the attitude of the Government borders upon obduracy and that hon. Members have therefore formed the view that the only salvation, minor though it may be, will be found in the House of Lords. Therefore, the hon. Member for Derbyshire, West (Mr. Parris), whose amendment appeals to the House, should consider the attitude of the Secretary of State for Transport. Even if the House agrees to the amendment, the Secretary of State will quickly find a means by which to have his own way.

Mr. Colin Shepherd (Hereford): I wish to underline the point made by my hon. Friend the Member for Derbyshire, West (Mr. Parris). The National Bus Company has learned from the Herefordshire trial area that the effectiveness of Midland Red West as an operating company was immensely improved by direct communication between management and garages and drivers. The management of Midland Red West would, I believe, endorse that point, because it has made it to me.

It leads me to believe that more and smaller operating companies, with no more than 200 buses at most, would be most responsive to the market. It would also meet the point made by my hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo). Management or worker buy-outs would become even more possible, which could only be to the good. When those who are employed in the great state monoliths have a direct interest in their companies, their attitude changes. I want the attitude of these workers to change. I want them to be responsive.

In particular, I wish the label "the friendly bus service" to be returned to Midland Red. It used to be a friendly bus service before it was nationalised in 1968. Since then, the friendly bus service has been lost sight of. Those of my constituents who have spoken to me believe that Midland Red has become a distinctly unfriendly bus service.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): It must have been a very selective cross-section of the hon. Gentleman's constituents.

Mr. Shepherd: The hon. Lady, as ever, makes a derogatory remark. My constituents have volunteered this information when I have asked for comments. That view has been expressed too often to be ignored. I want the label "the friendly bus service" restored. It will be restored by means of short lines of communication and small units with the maximum direct employee participation.

Mr. Richard Caborn (Sheffield, Central): The timetable for the disposal of the assets of the National Bus Company could create great difficulties for the passenger transport executives when they are broken up. If the PTEs were to be broken up before the NBC and if tendering were to commence after the PTEs were broken up but before the

[Mr. Richard Caborn]

NBC was broken up, the NBC assets could be over-valued and the NBC would be in a very good position over tendering. What will the timetable be? Also, how do the Government intend to deal with the problem of the PTE agreements with the NBC?

The Parliamentary Under-Secretary of State for Transport (Mr. David Mitchell): I shall deal first with the point raised by the hon. Member for Sheffield, Central (Mr. Caborn), although it is somewhat outwith the rest of the debate. The National Bus Company will, by D-day, be broken up into operating companies. There is no such pressure upon the PTE. He need not, therefore, be concerned about the PTE. If there is any cause for concern, it is that the PTE is not to be broken up so quickly as the National Bus Company.

My hon. Friend the Member for Derbyshire, West (Mr. Parris) has done a service to the House in moving this amendment and I am glad to have the opportunity to reassure him. I can well understand his concern. He does not want the National Bus Company to be transferred to the private sector in a form which will enable it to dominate the competition and thereby undermine our policy. It is for that reason that clause 46(1) says that the main objective of the NBC in preparing its disposal programme and in running its business until the programme is completed shall be to promote sustained and fair competition. That will be competition between the NBC subsidiaries and former subsidiaries and other operators. The NBC will have to dispose of its operations into a number of units. The objective of promoting competition clearly could not be met if the NBC was privatised as a whole.

My hon. Friend the Member for Derbyshire, West referred to the central purpose of the Bill, which is to introduce competition. Many of our debates have, wrongly, been overshadowed by the failure to recognise that the key point of the Bill is competition, which brings with it the opportunity for efficiency of management, more businesslike organisation and a position in which the consumer comes first.

Mr. Leadbitter: We are trying to obtain some notion of the Government's thinking, if there is any. The Minister referred to competition and said that if we privatised the NBC as a whole, we would not have competition. Yet only a week or so ago, the Government decided to privatise the gas industry as a whole to promote competition. Where is the logic in the Government's thinking?

Mr. Mitchell: The hon. Gentleman knows that one can relatively inexpensively promote a competitive bus service alongside another bus service, but cannot, for the same relatively low cost, provide a gas pipeline into each household alongside the established pipeline. The hon. Gentleman's point has no validity.

I am delighted that my hon. Friend the Member for Hereford (Mr. Shepherd) is present because the Hereford experiment was enlightening. We made it clear that it was a trial and that we had many lessons to learn from it. One lesson we learned was the way in which Midland Red used its clout in the form of predatory pricing that was anti-competitive——

Mrs. Dunwoody: Should we therefore conclude that the Minister believes that, if two or three companies compete in the same area for the same routes, there will be no attempt at predatory pricing? Has he not heard of one company seeking to use its economic muscle to drive out other companies? It does not need to be Midland Red; it will be typical practice throughout the country.

Mr. Mitchell: The hon. Lady knows that Midland Red, which has a large operating area, was faced with competition on a narrow front. It concentrated its resources on seeking to smash that competition. When the Bill is on the statute book and there is competition throughout the country, such companies will face competition on every flank and will not be able to concentrate their resources in that way. I hope that the Liberal party will now return to its traditional belief in opposition to monopoly and support what I am saying.

Mr. Bruce: I am concerned that the Bill may inadvertently create local monopolies. Is the Minister aware that the former manager of Grampian Passenger Transport has recently transferred to become the general manager of Alexander's Northern and the Scottish Bus Group on the clear indication that he sees the expansion of the Scottish Bus Group to replace existing local authority services and, therefore, create a monopoly that will provide him with his career prospects?

Mr. Mitchell: I shall come to that point in a moment.

4.15 pm

Mr. Eric Forth (Mid-Worcestershire): Is my hon. Friend aware of the significance of the local election results? For example, in Lancashire the local Labour group spent more than £130,000 to scare people with a misinterpretation of our bus policy, but lost control of the county, while there was a magnificent result in Hereford and Worcester—the Conservatives retained control—where the experiment took place that has been much maligned by the Opposition? Does my hon. Friend draw the obvious conclusion from that?

Mr. Mitchell: I am sure that the whole House will draw the obvious conclusion from that. If the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) fears that she will lose the company of my hon. Friend the Member for Mid-Worcestershire (Mr. Forth) in the next election, I assure her that, once the Bill is in operation and there are improved bus services in his area, he will be re-elected with an even larger majority.

My hon. Friend the Member for Derbyshire, West referred to competition as being more important than the maximum short-term yield to the Treasury, and I carefully noted his point. He also said that the units should not be so small that they were unviable or inadequate in management structure. An important point was made by my hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo) who said that the size was such that a management buy-out would be possible. We have good reason for studying some of the other places where management buy-outs are taking place. Huge advantages have flowed from that, especially in the change in worker attitude — for example, in the National Freight Corporation.

Mr. Peter Fry (Wellingborough): If companies are split into too small units, there is a danger that some of them will not be subject to management buy-outs. Why should anyone bid money for weaker companies? Why not

wait until they go out of business and buy their buses at cheap, second-hand values and refuse to do anything about future pension requirements? Is there not a need to retain a balance to ensure that the scenario I have outlined—which in some areas is as likely to happen as the scenario outlined by my hon. Friend—does not happen? Should not the Government be aware of that danger when considering the amendment?

Mr. Mitchell: My hon. Friend is well known for his interest in this area, but he may not have been in the Chamber when I spoke about the purpose entrenched in the Bill—the promotion of sustained and fair competition. Sustained and fair competition will not be promoted, with units of the size that my hon. Friend says nobody will want—units which would therefore go bust. That is not the promotion of sustained competition. Therefore, my hon. Friend's point is fully met.

Mr. Fry: Will my hon. Friend bear in mind the danger that large municipal operators — for example, Manchester, with more than 3,000 vehicles—can make mincemeat of any private operator unless the Government are careful to ensure that they are scaled down at the same time?

Mr. Mitchell: I take my hon. Friend's point, which has some substance. However, in the bus industry there are diseconomies of scale above a certain level and there is no reason to believe that some of the PTEs will not want to break down into smaller units to make management more economic and efficient.

The hon. Member for Gordon (Mr. Bruce) said that he feared an inadvertent creation of monopolies. I am delighted to welcome him back to the traditional Liberal view that a monopoly is not desirable. I only hope that he will address his remarks to his hon. Friend the Member for Isle of Wight (Mr. Ross) and look at the way in which the Liberal party has approached this Bill throughout its passage. It has sustained the view that local authorities should have the right to decide, which—in the pattern of the knowledge of what many local authorities will do—is to create local monopolies. We believe that that is against the interests of the customer and of the industry as a whole.

It is too early, however, to say exactly what will follow in connection with the break-up of the National Bus Company. We have asked the board to draw up options for privatisation of the company. The company has appointed a merchant bank to advise it, and my Department last week appointed consultant accountants. Until we have seen later in the year the options for privatisation and discussed them in detail with the company, I cannot say in how many units the National Bus Company will be transferred to the private sector. However, I can give my hon. Friend an assurance that I would not agree to any programme for the disposal of the National Bus Company's operations unless I was clear that it would indeed promote the competition which is the cornerstone of our policy.

Mrs. Dunwoody: The Minister will accept that the formula that he has proposed is very complicated. He is saying that the units on the one hand must be large enough to be viable but on the other hand must be small enough for anybody considering a management buy-out to take them over. Will he give an undertaking that he will come back to Parliament when he finally reaches some decisions about the matter, which is fundamental to the future of the transport system, so that we may have the opportunity to discuss the decisions that he takes? If not, will he accept that we are having to take his word that he has no idea at present what he intends to do, but that at some time we can rely upon him to do the best possible thing for the best of all worlds? He will accept that that is a trifle vague, even for him.

Mr. Mitchell: The hon. Lady produces, as if it is some strange new idea which suddenly worries her, the fact that at this stage the negotiations between the representatives of the merchant bank on the side of the National Bus Company and the Department's representatives have not reached a stage at which any conclusion can be brought forward. That is correct. The hon. Lady knows that, and she has known it all along.

We have said that we are setting down the broad criterion upon which those decisions will be taken. That criterion is promoting sustained and fair competition. That does not mean that the patterns will be the same size in every part of the country. Indeed, as some of my hon. Friends have argued, in some areas, larger units may be appropriate because larger units will be opposing them. In other parts of the country there may be more demand for a management buy-out, and the resources available for the management buy-out and the amount that management and workers want to take over may themselves have a profound effect upon the decisions taken. It would be wrong for us to set down now, before advice has been taken on these matters, the precise pattern in the way that the hon. Lady has requested.

She now asks me—it is an unusual concept—that we should come back to Parliament and give it the opportunity to discuss the proposals when the negotiations between the two parties have been completed. There will be nothing hole-in-the-corner about this. The hon. Lady will have public knowledge of what is being done and, if she does not like it, the opportunity of a Supply day will of course be available to her.

Mr. Leadbitter: The Minister is as much seized of the issue as any other hon. Member, but in fact he is asking the House to give him a blank cheque. After many weeks considering the Transport Bill, he cannot yet tell Parliament what the apportionment shall be. All he says is that he can assure Parliament that, whatever the apportionment and whatever the break-up, it will comply with the central point of Government policy, competition. The words sound very inviting, but in practical terms I ask the Minister to try to respond to my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) and say whether at some point he will let Parliament know what will arise from the blank cheque for which he now asks.

Mr. Mitchell: It is not a blank cheque. If the hon. Gentleman had been in business, he would know that a decision is often taken that an expenditure between X and Y will be permitted. We have set down parameters within which such decisions will be taken. The parameters are that we seek a break-up of the National Bus Company which will promote sustained and fair competition. The criterion is established, and we shall do our best to ensure that it is fairly and properly carried out. On that, the hon. Gentleman can have my assurance.

[Mr. Mitchell]

It is impossible to go further at present, when we do not know which group of management and workers will come forward, what its resources are and how much it wants to take over. Nor do we know the advice of the National Bus Company and its merchant bankers or the advice of our own consultant accountants. I have given the hon. Gentleman a reasonable criterion against which he can judge the success or otherwise of our policies in this matter, and I hope that he will accept that.

I hope, therefore, that my hon. Friend the Member for Derbyshire, West, having drawn attention to a useful point and having had the advantage of a useful debate, will find it appropriate to withdraw the amendment.

Dr. John Marek (Wrexham): I apologise to the hon. Member for Derbyshire, West (Mr. Parris) for not having heard the beginning of his opening remarks.

I wish to speak briefly against the amendment and to bring to the attention of the House the example of Mid-Wales. The company that operates in Mid-Wales is Crosville. Indeed, it operates in the whole of north and Mid-Wales with buses going down as far as Cardigan and Carmarthen in the south and covering the Aberystwyth, Newtown and Dolgellau area of Mid-Wales. I am told that only one bus service in that area makes a profit. If the Bill is enacted, severe problems will arise in the area. Nobody will wish to undertake a management buy-out or to compete because it is not possible to make a profit in the area. Any buses that are run in the area will be run only because the county councils are providing the necessary funds and subsidies. I do not believe that any company wants to run a service that will be wholly dependent upon subsidies.

The area of Mid-Wales has to be tied to a much larger company such as Crosville. It could be contrary to the intention of the Bill to require Crosville to produce plans for the break-up of the company. If a break-up of the company is to be produced, the units must be as large as possible. This means that it is unlikely that any management buy-out would be undertaken in the area. I think that the Minister needs to have as much freedom as possible in order to be able to provide for services in such an area.

With regard to selling off any part of the company, the provision

"with not more than 49 per cent. thereof being transferred to any party"

puts additional restrictions on the Minister. In my view, the Minister will have enough trouble trying to privatise the bus service in Mid-Wales. I do not wish him to be hampered further. For that reason, I am not happy with the amendment.

Mr. Parris: It is not for us to dictate what should or should not happen in Mid-Wales. The House is at its least effective when it attempts to dictate the detailed structure into which companies such as NBC should be broken up.

4.30 pm

Mr. David Mitchell: Before my hon. Friend proceeds, may I draw his attention to the nonsense spoken by the hon. Member for Wrexham (Dr. Marek)? He claimed that nobody wanted to run a service that was dependent on subsidy. There are thousands of businesses in Britain which run on the basis of contracting, and a contractor is delighted to contract to a public body, such as a local authority because he knows that in the end he will get his money. It is, therefore, nonsense to suggest that what we propose is unattractive.

Mr. Parris: I am sure that many bus companies will have to depend to a greater or lesser extent on subsidy, and what happens with Crosville and in Mid-Wales will have to be for determination outside this Chamber. It is for us to lay down the broad guidelines according to which executive decisions will be taken. It was with that in mind that I initiated this short debate. The Minister, in responding, has gone further even than my amendment sought to go and, in the light of that, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mrs. Dunwoody: I beg to move amendment No. 176, in page 41, line 8, at end insert—

'(5A) The Company's disposal programme shall also—

(a) specify the parts of their undertaking the provision of which has been financed wholly or partly by any one or more Passenger Transport Executives or local authorities and in respect of which sums are repayable to the Executives or local authorities; and

(b) describe the manner in which such sums are to be assessed.'.

Mr. Deputy Speaker (Mr. Ernest Armstrong): It will be convenient for the House to discuss at the same time amendment No. 175, in clause 47, page 43, line 2, at end insert

'and on the disposal of any part of their undertaking shall make repayment of such sums as are repayable, as mentioned in section 45(5A) of this Act, in respect of that part of the undertaking.'.

Mrs. Dunwoody: We are here attempting to achieve an orderly disposal of assets. Over the years, PTEs have been contributing not just to revenue costs but have put considerable sums — remember, we are talking about ratepayers' money — into the creation of assets for a number of companies. That expenditure has covered, for example, vehicles, garages, bus stations and interchanges.

As the Minister admitted when replying to the last amendment, he is not certain how the companies will be broken up or even about the size of the units that will then be created. It seems wrong, therefore, that the ratepayers, who have contributed for years, should not be told clearly what will happen to those assets. We are, therefore, asking in the amendment that

"The Company's disposal programme shall also—

(a) specify the parts of their undertaking the provision of which has been financed wholly or partly by any one or more Passenger Transport Executives or local authorities and in respect of which sums are repayable".

We debated this matter at length in Committee. It remains an important and outstanding issue because we are talking of large sums of money. The report on transport aspects of the 1984 public expenditure White Paper said:

"the fact that the NBC was able . . . to reduce its capital liabilities to the Secretary of State by £17·7 million in 1983 indicates that the Company is generating substantial cash surpluses after taking account of both interest charges and capital investment requirements. The revenue support payments made by local authorities to the NBC are, therefore, in effect, being used to repay the Company's long-term loans rather than to improve service standards, a situation that we find rather surprising."

The Minister will also be aware that the Grieveson Grant report pointed out that a further £23 million of NBC debt had been repaid and had not been replaced by further

loans. We are considering extremely large sums. That money has been paid to NBC and we have no idea of what attempts will be made to repay it and what will happen about the disposal of the assets in relation to PTEs.

Mr. David Mitchell: I am not certain what the hon. Lady is after. She said that the NBC made a profit. Any successful, well-run business is likely to make a profit. In this case, out of its profit it has repaid part of its debt to the Government. That has been a proper course for it to take and many businesses do that to their bankers in the course of successful trading periods. She went on to refer to revenue support being given by local authorities to the NBC. That is support to provide services which would otherwise operate at a loss and it is likely to include an element of the cost of depreciation on NBC's vehicles. Over and above that, she may have in mind contributions from ratepayers towards major capital assets such as depots and bus stations. If the hon. Lady will spell out the precise area of her misgivings, I will explain the position.

Mrs. Dunwoody: I am endeavouring not to delay the House unduly. I specified the items which I had in mind and mentioned garages, bus stations and interchanges—property of various kinds—on some of which large investments have been made. I pointed out to the Minister more than once in Committee the size of the sums involved.

The Minister says that businesses are in business to make profit. That is not the point at issue in debating this amendment. Local authorities are contributing ratepayers' money to the NBC, not to enable the NBC to repay much larger sums but to enable good services to be provided in their areas.

In its report on the privatisation of NBC, Grieveson Grant said:

> "Since the December 1983 year end, a further £23 million (of the NBC debt) has been repaid and not replaced by further loans."

In other words, there is no question of money continuing to be spent on the replacement or building of assets of the type to which I referred. Indeed, the Minister pointed out that Midland Red used its older buses, in the Hereford trial area, to run the competition into the ground. The report continued:

> "The repayment of these liabilities in 1983, while maintaining a strong balance sheet, emphasises the company's ability to generate cash . . . a consistent feature."

That cash has come largely from the considerable sums that have been contributed over the years by local authorities. It is not true to say that revenue support grant has recently been given in respect of those contributions. In many instances, the money has been used to create capital assets of the type I mentioned, and in Committee I gave the Minister the figures.

Because it is important for us to deal with other aspects of the Bill today, I will not detain the House on this issue, even though it is important. But answers are required. Local authorities have contributed large sums of money, yet no attempt will be made to repay them for creating those assets when they are sold, and we have no idea who will take over those assets or what will be the profits that such companies make in the future.

Why should local authorities, many of which will be rate-capped, be expected to find large sums of money to make up the difference, for example, on concessionary fares, from contributions from their ratepayers? They should be told in clear terms what will happen to NBC's assets that have been created by their money.

Mr. David Mitchell: The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) has made the position clearer, and it may be helpful if I divide the issues that she raised. There is, first, the issue of revenue support and the repayment of money to the Government. Secondly, there is the issue of the grants that have been made for capital expenditure on garages, bus stations and other property.

As for the profits that have been made and the use to which the board has put those in repaying debt to the Government, that is a normal procedure for a successful business, and the NBC is successful. In other words, it is proper for a successful business to use the profits from its operations to repay debt. There is nothing strange about that.

The hon. Lady went on to raise the different question of substantial grants — she was right to say that sometimes a great deal of money has been involved—in garages, bus stations, property and so on. Some of my hon. Friends will be interested if the hon. Lady is saying to the House that the representatives of the ratepayers, in the form of the metropolitan county councils, have parted with public money to the National Bus Company without any contractual arrangements about what is to happen—*[Interruption.]* The hon. Lady knows perfectly well that the National Bus Company has always had power to sell subsidiaries if it wished. Is she suggesting that ratepayers' money has been put into companies that could be sold without contractual arrangements to cover what was to happen to that money if the subsidiaries were sold?

Mrs. Dunwoody: Is the Minister of State not aware that he is telling the company—not asking it—to sell its subsidiaries? Does he seriously think that local authorities would have entered into an agreement to put up money over many years if they had thought that at the end of the time all of the assets were to be disposed of with no consultation with the people who had put up the cash? He must think that local authorities are more stupid than anyone else.

Mr. Mitchell: The astonishing thing that the hon. Lady is trying to reveal to the House is just that. She is trying to say that local authorities have parted with large sums of money to the subsidiaries of the National Bus Company, although she knows that the National Bus company has always had the right — not the compulsion of Government — to sell any subsidiaries it wanted. *[Interruption.]* No. It has always had that power under existing law. At any time the NBC could have put any one of its subsidiary companies on the market if it judged that to be a profitable and viable way of using its resources. Is the hon. Lady saying seriously to the House that ratepayers have been looked after so badly that their representatives have parted with large sums of public money without any contractual arrangements about what was to happen if the subsidiary company was sold?

It would be a different matter if the National Bus Company was being made to dispose of assets. The hon. Lady and I are talking about money that has already been paid over under existing legislation. The National Bus Company has an absolute right to sell those subsidiaries. Is she saying to the House that the representatives of the ratepayers have been so incompetent and so unable to

[Mr. Mitchell]

protect the interests of the ratepayers that no contractual arrangements were made about what was to happen in the case of the disposal of a National Bus Company subsidiary into which the local authority has put money? If there are contractual arrangements, they will be carried out. If there are no contractual arrangements, it is a disgrace.

Mrs. Dunwoody: The Minister is not concerning himself seriously with the problem. He is so naive that he cannot see the difference between the National Bus Company coming to some kind of agreement with the people from whom it is to get its funding and being forced to flog off any saleable asset, including all of its buses and other assets, because the Government have insisted. If he cannot see the difference, he must be more naive than I believed. He and his Secretary of State are forcing the National Bus Company to sell off its assets and to divide itself into tiny units. He is not even sure what size the units should be. He should accept the amendment so that an attempt can be made to protect the investment of many ratepayers over many years.

Mr. Mitchell: I do not think we need detain the House much longer on this amendment. The point I have made is clear and simple. Revenue support has been for the operating expenses of the National Bus Company, including depreciation; profits on its operations have enabled it to repay the debt to the Government. In regard to grants of large sums of money for garages, bus stations and the like, I doubt very much whether the representatives of the local ratepayers have been so remiss as to part with that money without contractual arrangements about what was to happen in the event of the National Bus Company deciding to sell the subsidiary company into which the money was put. If that were the case, as I said, it would be a disgrace. Therefore, I hope that the House will feel it right to reject the amendment.

Mr. Leadbitter: The issue has become unnecessarily heated. To come back to the amendment, what does it seek? It does not matter a tinker's cuss whether the Minister is right. Money has been put into the National Bus Company for certain capital projects. Whether the contractual arrangement did not foresee what the company would be forced to do as a result of the Bill or whether the possibility was foreseen is of no consequence. The amendment does not argue the point. It says that the disposal programme under clause 45 shall

"specify the parts of their undertaking the provision of which has been financed wholly or partly by any one or more Passenger Transport Executives or local authorities".

Why does the Minister not accept the amendment?

4.45 pm

Mr. Mitchell: In the cold light of tomorrow the hon. Member should consider the debate carefully against the background that the Audit Commission will be examining the accounts of local authorities to see whether they have disposed of money without making contractual arrangements as to its repayment. Either there is a contractual arrangement for what is to happen in the event of a subsidiary of the National Bus Company being wound up or being sold, or there should be. I have no doubt that the Audit Commission will consider with great interest what the hon. Gentleman has said.

Mr. Leadbitter: I agree with the Minister thus far——

Mr. Deputy Speaker: Order. I remind the hon. Gentleman that this is Report stage. He must not keep making speeches.

Mr. Leadbitter: I want just to tidy up one point, Mr. Deputy Speaker. I think the House would agree that it would be better to clear it up. I agree with the Minister thus far. I agree also with my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody). What we are asking for is an account in the disposal programme. That is what the amendment seeks. It does not argue the point.

Mr. Caborn: Two questions were raised time and time again in Committee. We brought clearly to the Minister's attention the agreement in the Transport Act 1968 on the financial arrangements between passenger transport executives and the National Bus Company. What the Under-Secretary has said in the House this afternoon is misleading. He knows that there is a clear relationship between PTEs and the NBC and that there are financial agreements between them.

No one in the United Kingdom would think that we could have such a stupid Secretary of State for Transport who would bring in such a stupid Bill to take us back 50 years. It is like asking people to make financial agreements to put men on the moon. That is how the Secretary of State is seen in the transport industry.

May we have an answer to the question about the relationship between the NBC and the PTEs under the 1968 Act? Can we be told what the Secretary of State will do about the £40 to £45 million of ratepayers' money that has gone to the NBC? If he is shedding crocodile tears about ratepayers' money, will he return that £45 million to the ratepayers, where it rightly belongs?

Mr. David Mitchell: I refer the hon. Member for Sheffield, Central (Mr. Caborn) to clause 57(3) under which termination arrangements for section 24 agreements can be made by order.

In regard to the point made by the hon. Member for Hartlepool (Mr. Leadbitter), it is not for the Government or for the House to interfere in the contractual arrangements that have been entered into between the National Bus Company and local authorities. The parties to the agreements should have drawn them up properly to provide for what is to happen.

Mr. Leadbitter: The hon. Gentleman is misleading the House now.

Mr. Mitchell: I am not.

Mr. Leadbitter: I did not say that it was for the Government to interfere. We have had too much of that already. I am saying as a matter of record that the amounts are known. We are asking in the amendment for them to be included in the disposal programme for information —not to interfere.

Mr. Mitchell: The National Bus Company will have entered into hundreds of contracts and agreements in varying forms in the course of running its business. Included in those arrangements will be the financial memoranda and financial terms of agreements under which money has been put into NBC subsidiaries. Even before the company had power to dispose of its subsidiaries, which was long before the Bill was

introduced, it has had the power to sell assets that were not required for the purposes of its business. Having acquired money from a local authority, there could well come a time when the company would dispose of the asset that had been bought with the money so provided. Unless the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) is right, local authorities will have made proper contractual arrangements for the money arising from such a disposal and I see no reason why we should seek to interfere. If the hon. Lady is right in the rumour that she has started this afternoon and there are no contractual arrangements, the Audit Commission should take a close interest.

Mrs. Dunwoody: The Minister has treated the House with his normal contempt. He knows what is behind the amendment and he understands its importance. He has chosen not to answer any of our questions and the appropriate responsibility will be his.

Amendment negatived.

Clause 46

GENERAL DUTIES OF THE BUS COMPANY

Mrs. Dunwoody: I beg to move amendment No. 63, in page 42, line 26, after 'shall' insert—

'*(a)* take such steps as may be necessary fully to secure the payment of the benefits that, but for the operation of this Part, would have been payable under any pension scheme or in accordance with customary practice in respect of the employment, before the coming into operation of this section, of persons employed or formerly employed by the Bus Company or in any undertaking or part of an undertaking which is to be the subject of a disposal under the programme, and to secure the due performance of the employer's obligations in respect of those benefits; and *(b)*.'.

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 64, in page 42, line 27, leave out from 'any' to 'are' in line 29 and insert 'such undertaking or part'.

No. 65, in line 37, after '(4)', insert '(*a*) or (*b*)'.

No. 66, clause 48, in page 43, line 38, at end insert 'and where the scheme contains provision for the transfer of anything which constitutes an undertaking within the meaning of the Transfer of Undertakings (Protection of Employment) Regulations 1981, as having effect on the day on which the scheme comes into force, the said regulations shall have effect as if regulation 7 (exclusive of occupational pension schemes) were omitted'.

No. 67, clause 52, in page 47, line 10, at end insert ', including the payment of such sums as he may, with the approval of the Treasury, determine to the trustees of the Bus Employees Superannuation Trust and the trustees of the National Bus Pension Fund or either of them for the purpose of meeting the whole or part of any shortfall in the assets of the funds referable to the benefits and gratuities payable in respect of persons employed or formerly employed by the Bus Company or in any undertaking or part of an undertaking which is subject to a disposal under this Part.'.

Mrs. Dunwoody: In a long working life, one of the most important investments that anyone can make is in his or her pension entitlement. Those who have been working for the NBC or passenger transport authorities have not been among the highest paid and they have not been the best protected members of our society. They have not enjoyed the brilliantly framed contracts of the company director with the sharp lawyer who insists that, no matter why his services are dispensed with, he will leave with a large golden handshake. They have not received any overpayment for working long hours in a dirty and increasingly dangerous job. They have worked for authorities in the belief that their time as busmen and women would be rewarded at the end of their service with a proper retirement pension.

The Secretary of State has decided in the most arbitrary and insensitive way that the transport system shall be thrown into chaos and disaster. Those who have been least considered during the Bill's passage are those who are employed in the transport industry. Since the Bill was presented to us, we have been talking about the disposal of state assets and the destruction of a transport system that has operated since the early 1930s. At best it will be replaced by a number of smaller companies. It is probable that transport systems in many areas will decline—with, undoubtedly, the loss of many jobs.

Against that background, one would have expected to find somewhere in the Bill a pension entitlement guarantee. That would have reflected the recognition of a moral duty towards those who have worked for many years in the transport industry. Clause 50 refers to the NBC's staff pensions. Unlike other privatisation measures, the Bill ends the "no worsening" principle for staff pensions. Up to 65,000 employees could be affected, and it is clear that the Treasury is demanding that money should be raised in every possible way so that it can be given in tax concessions to those at the top end of the income scale. It is more interested in doing that than in making suitable provisions for those who are employed in the transport system.

Clause 50 sets out the transfer of pensions after the break-up of the NBC. It mentions briefly the involvement of its employees but it does not mention what will happen to the employees of the passenger transport executives. Their future has not been referred to by the Under-Secretary of State or by the Secretary of State. There is no reference to the pension rights of those who are most at risk.

There are a number of ways in which the Bill could have provided for transferred employees to retain their present entitlement to benefits, and we endeavoured to discuss them in Committee. We asked for simple guarantees to be written into the Bill. We observed that state assets had never been disposed of without a guarantee being written into the relevant Bill to cover the pension entitlement of those who had worked in the industry. We were told that employees' interests would be protected at the point of transfer and that we need not worry about the future as it would be in the interests of the companies taking over the assets to look after the employees that they took on. If that is genuinely the opinion of the Secretary of State and his ministerial colleagues, it is indescribably naive. If they have taken a cynical approach and do not believe that there is any guarantee for employees after the dissolution of the NBC, that is outrageous.

Whenever we endeavoured to extract answers from Ministers in Committee, we were told that they did not consider it necessary to insert a guarantee covering the NBC's pension funds. It is clear that there must be a proper arrangement. Surely Ministers understand that smaller companies will not be able to meet current pension commitments and may find themselves unable even to cover existing payments to pensioners.

We have been told that the NBC pension scheme is well funded and can meet all its liabilities. Ministers sought to stress that there will be no risks, but under this Government no one can foretell what will happen. It is

[Mrs. Dunwoody]

relevant to observe that we have a higher rate of bankruptcy under the Government than we have had for many a long year. If there is no risk, a guarantee would cost the Government nothing and would be at least a demonstration of their good will.

We were told in Committee that we were raising unnecessary scares and that the problems we were outlining would not occur. I can assure the Secretary of State that many employees are deeply concerned about their future pensions. The very least that Ministers can do is treat those fears seriously. Subsection (3) contains a guarantee that individual companies will not be put in a worse position by Government order. That implies that, if there is a cash shortfall, pensioners will suffer. The only protection against that is to be found in section 74 of the Transport Act 1962, which provides a "no worsening" guarantee. However, if the money is not there to meet the pension entitlement, pensioners will suffer.

The two approaches which could have been taken to pension funds following privatisation would both have maintained some version of the "no worsening" undertaking. When British Telecom was taken over, the entire pension fund was transferred in one block. When Sealink was sold off—a section of a state organisation —the staff remained in the British Rail pension scheme. When the NBC is privatised, we shall not be left with a large company. The company is to be broken into small companies, in line with the Government's competition theory. There will be no large company with the resources to underwrite pension funds.

What was the Government's answer when we raised the issue time and again? It was that, as long as the Government predictions of inflation and investment are exactly correct for the next 40 years, the Government are convinced that there will not be a problem. However, if there is any shortfall, pensions will have to be topped up from some other source. One would be new NBC staff paying into the fund. However, that will end when the NBC is dissolved, which will make closed funds of both the National Bus pension fund and the Bus Employees Superannuation Trust.

5 pm

The other guarantee would be a straight payment from the NBC. We have been told today that companies must be small enough to ensure that there is no unfair competition. The Secretary of State appeared to be saying that there might be instances of some municipal companies with 3,000 buses, which he presumably thinks is fair competition. If there are only small companies and there is a shortfall, who will find the money to pay these people who, in good faith, entered into superannuation payments that will now not come to fruition? Is it seriously suggested that what is in effect a contract with the people working in the bus industry, a contract that they have honoured through their working lives, is to be discontinued without any undertakings or any attempt to give them a guarantee that the Government will underwrite any future problems?

If that is the case, I have to point out one or two things to the Secretary of State. The people who are to have their pension funds put at risk, and the existing pensioners who are wholly reliant on the arrangements into which they have entered, are not suddenly seeking to dissolve the arrangements in their superannuation fund. They are being told that the arrangements into which they have entered over the years are at risk and they have not been consulted. This has happened because the Secretary of State, in a great blaze of light, wants to throw us all back to the Victorian ages and recreate the horse bus system.

What kind of responsible Government is that? What kind of commitment to ordinary working men and women does that show? Where are the Government who care so much for the individual? If an individual earns more than £40,000 a year, the Government care for him, but if he is working in the bus industry and has made the grave mistake of trusting those with whom he has been in a contract for all his working life, the Government's answer is, "Hard luck." That is the answer of a Government who are uninterested in carrying out their responsibilities to the people working in the bus industry.

In the Committee on the Transport Act 1982, the hon. Member for Wallasey (Mrs. Chalker), the Minister of State, Department of Transport, claimed that staff pensions would not be worsened by that Act, and that it would be wrong if they were. True, pensions were not worsened by that Act — it took the Government two more years to come up with a brilliant bit of planning to destroy the base on which pension schemes had been worked out.

The Minister's pledge that it would be wrong to worsen the conditions of anybody in the staff pension funds is being broken with utter cynicism. Saving money is the basis of this Bill and saving money at the expense of the pensioners and people working in the bus industry is about the lowest way of taking advantage of those least able to fight for themselves.

There is no evidence that the Government intend to carry out their responsibilities. Are we to assume that the argument between the Treasury and the Secretary of State is so important that he regards the sale of the NBC's assets as taking precedence over everything else? It does not matter if, in so doing, he damages the interests of the people working in the industry or the interests of the passengers, or if he destroys the transport industry that has grown up over many years. All that matters to him is flogging off anything that is not actually nailed down to anybody who wants to take whatever assets he wants that used to belong to the state through the NBC.

Let us be clear what is happening to pensioners. They will be told that at the moment of transfer they need have no worries and their pension rights will be the same with the incoming company. That is nonsense, because the companies that will come into being will be much smaller and less viable and will have far fewer assets, by definition. The only people who will benefit from these changes are those who will be able to ignore all the commitments that were entered into by the NBC and the PTEs with their employees. It is a disgrace. It is one of the nastiest, most unacceptable and most rotten parts of the Bill.

I hope that the Secretary of State can sleep at night, because what he is doing both to the pensioners of, and those working in, the bus industry is disgraceful. *[Laughter.]* I am glad that the Secretary of State finds this amusing. Many of those who are now employed will ask one question of him and one question alone: how can he sit there calmly, knowing that his future is protected, while he cheats the bus industry and those who work in it out of their just entitlement? At the very least, the Secretary of State can accept the amendment. If he does not, we shall

know clearly how much commitment he has to the interests of people who are now working in the bus industry.

Mr. Fry: I have added my name to the Opposition's amendment both in sorrow and in anger. I wrote to my right hon. Friend the Secretary of State some months ago expressing concern about the future of pensioners. Following a meeting with my hon. Friend the Under-Secretary of State, who invited me to write to him expressing my concern about the Bill, I wrote to him about my concern about the pension settlements. I am still awaiting a reply from both my right hon. Friend and my hon. Friend. It is a pity that my hon. Friend the Under-Secretary is not here.

I make it clear that I am speaking on behalf of the people who work in the bus industry, in my constituency or any other constituency, and who are worried about their pensions. I speak particularly on behalf of the Association of Management and Professional Staffs, which I know has written and is concerned about this matter.

As we consider these amendments, we might at least try to understand what the Government are up to and what they have done in similar circumstances. Accordingly, I put down for answer last week a question to my right hon. Friend the Chancellor of the Exchequer about certain other pension funds. The first related to the National Freight Consortium, and the figures will come as a shock to many Conservative Members and many in the Conservative party. Although the Government raised £53·5 million in gross proceeds from the sale of the consortium, they had to make up £48·7 million in the deficit under its pension funds. Therefore, the taxpayer did not make an enormous profit out of privatising the National Freight Consortium. We still have to make an annual payment of £5 million to the fund. That is not a good deal for the taxpayer and those figures throw a lot of light on the Treasury's attitude to pension funds in the Bill.

It is clear in agreements that the Government have made with the industrial training boards that the Government set out to give those employees the type of guarantee that is requested in the amendment. The memorandum of agreement of 21 March 1983 between the Secretary of State for Employment, the Minister of Agriculture, Fisheries and Food and others refers to

"the arrangements agreed to be made to fund the whole or part of any deficiency in the 'closed' part of The ITB Combined Pension Fund".

That was a clear commitment by the Government to do exactly what is requested in the amendment.

I mention those two items because they show the danger as it appeared to the Treasury and show that those who want the guarantee are not asking for something that the Government were not prepared to give in another respect.

It is unfortunate that my hon. Friend the Parliamentary Under-Secretary of State — the hon. Member for Hampshire, North-West (Mr. Mitchell) — is not in his place. When this matter was dealt with in the Standing Committee, of which I was not a member, several of my colleagues raised with the Under-Secretary of State a number of questions about pensions. It is interesting to read the details of that debate and note some of my hon. Friend's statements. He reassured my colleagues and, no doubt, persuaded them not to press their amendments. Having been approached about guaranteeing pensions, he said:

"other employees and former employees are already covered by section 74 of the 1962 Act."

That is not so. Other employees and former British Electric Traction employees will not be covered by section 74, since that provides only that appropriate orders may be made. The orders which have been made so far—2,011 in 1958 and 1,824 in 1969—will lapse when the NBC is dissolved because they impose obligations on a company that will have ceased to exist. So much for that first statement.

My hon. Friend the Under-Secretary of State made a further reassuring gesture when referring to what would happen after the NBC had been disposed of. He said:

"Once the Secretary of State had approved the disposal programme the NBC would have a duty to implement it."

How can the NBC implement protection against a future deterioration in funds after it has gone out of existence? That, too, was a misleading comment. My hon. Friend went on to say:

"The National Bus Company itself does not formally guarantee"

the pension funds. I believe that most people would agree that it is accepted that the NBC's covenant to make up contributions to the amounts required to maintain those funds is effectively a guarantee of a continuing employer. My hon. Friend the Under-Secretary of State said:

"a statutory guarantee would provide NBC pensioners and employees with more security than comparable groups."

I have already referred to the pensions given to employees of the industrial training boards. It is clear that the guarantee to which my hon. Friend referred is on all fours with the guarantee given to employees of industrial training boards.

That was not the end of what I can only describe as a most misleading speech. Answering a suggestion by my hon. Friend the Member for Hertfordshire, West (Mr. Jones) about a common pension fund for the bus industry, my hon. Friend the Under-Secretary of State said:

"if the NBC wished to pursue it the Government would be happy to explore the possibility."

In relation to the alternative suggestion that the two existing schemes should be closed to new entrants and that there should be a negotiation with a major insurance company to take over the funds, my hon. Friend said:

"The NBC has not yet put that proposal to us"—[*Official Report, Standing Committee A*, 18 April 1985; c. 1287-90.]

It is puzzling that my hon. Friend implied that the idea of a common fund and using an insurance company had not been considered. Both possibilities were discussed by the NBC with the Department of Transport well before that speech. In fact, the particular point about creating a separate fund with a new insurance company was discussed in the December 1984 paper which was submitted to the Department of Transport. In the light of that speech, three or four of my colleagues decided to withdraw their objections. They were right to be concerned. If I had listened to that speech, I might have been encouraged to withdraw my objection.

5.15 pm

If I had discovered that I had been misled—I use that word advisedly—by the Minister, either intentionally or unintentionally, I would have been very angry. I do not accuse him of making an intentionally misleading speech. I would have said, "I believe that the pensioners are entitled to some type of guarantee."

The real issue is whether the Government will follow up the type of obligation that any right-thinking Government should and would undertake — obligations

[Mr. Fry]

towards employees when a concern is nationalised or denationalised. We are talking about people who were in a private fund, were brought into the public sector and will now be taken out of the public sector again. It is clear from earlier debates this afternoon that there can be no guarantee whatsoever for the future for many people. Even if there is a management buy-out, many of these companies will not be able to retain the same number of staff. They are asking only that the work which they have done and their pension entitlements should be given some form of guarantee.

I shall not join in the personal strictures of the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), but I believe that the credibility of my hon. Friend the Under-Secretary of State and of the Government depends upon the answer my hon. Friend gives to these amendments. This is a Government who, whatever their failings, try to stick to their word and obligations. I sincerely hope that my hon. Friend the Under-Secretary of State will reconsider the decision which has already been made. I make this point on purely practical grounds: if my hon. Friend the Under-Secretary of State was correct and a guarantee is not needed because the fund will be adequate, what on earth are we arguing about? By giving that guarantee my hon. Friend will be showing an earnest of faith with the many thousands of workers who have given loyal service in the private and public sectors. I could never vote for the Third Reading of this Bill if my hon. Friend cannot give a satisfactory reply to the points made in the amendment.

Mr. Bruce: The hon. Member for Wellingborough (Mr. Fry) has made a powerful case to which the Under-Secretary of State must seriously address himself. The risk to which the Minister referred has been created, or not created, as a direct result of Government action. As the hon. Member for Wellingborough correctly pointed out, it seems reasonable that the people who have been in and out of the public sector should be given an assurance—first, that those who already benefit from the pension funds may securely expect that benefit to continue and, secondly, that all accrued benefits at the point of privatisation will be met by the funds.

I am fascinated by the somewhat distracting private conversation between the Parliamentary Under-Secretary of State and the hon. Member for Wellingborough, but if it produces the right result, it will have been worth while. Employees of NBC had every reason to expect that they would be treated similarly to others who have been subjected to developments such as this as a result of Government action. It is clear from correspondence that hon. Members have received that employees are shocked that the Government could proceed with a Bill with such a strong ideological thrust in which they are the pawns and not be prepared to guarantee them a fundamental right.

Mr. Leadbitter: Perhaps the hon. Gentleman would like to stress that, whereas the Government are over-anxious to provide future employers with fundamental rights to set up new companies, they are reticent about affording employees equally fundamental rights.

Mr. Bruce: The hon. Member for Wellingborough mentioned the cost that might be involved, which would wipe out a substantial part of the benefit. If there is no potential cost, we may as well have a guarantee and demonstrate good faith.

There are three categories of employee—those who are in receipt of pension and who must be protected, those who have accumulated pension rights up to the point of privatisation whose contributions and benefits should be guaranteed, and those who are employed after privatisation and who will find that the companies for which they work might not be able to sustain previous levels of pension funding. The Government have an absolute obligation to the first two categories and some obligation to the third. It is a disgrace that the Government have got this far with the Bill without giving the first two categories such a guarantee.

Mr. Dafydd Wigley (Caernarfon): Does the hon. Gentleman agree that, irrespective of what might have been said in Committee or off the record, there is much dismay and uncertainty among employees, their widows and people who depend on such pensions about the future? To end that uncertainty, clear provision must be made in the Bill. More than anything else, that has been the burden of the letters that we have received in the past few weeks.

Mr. Bruce: The hon. Gentleman is absolutely right. The Bill creates uncertainty in the transport system. Nobody denies that — the Secretary of State merely claims that it will be beneficial. If he wants to ensure that employees in the industry will make a go of the Bill, but he is not prepared to guarantee their fundamental rights, he is creating anarchy and will find that there are many disgruntled employees. He must also address himself to the fact that, as a result of the Bill, there are likely to be many redundancies because the new companies will take on new people to avoid the obligations that the Bill puts on them.

The Government's conduct on the Bill has been nothing less than disgraceful. If a guarantee about pensions is not given here, it must be included in another place. The right hon. Gentleman has an opportunity today to show that he recognises the obligations that he must accept if he is to give any credence to the commitment behind the Bill. If he does not do that, he will show himself to be no man of honour. I leave it to him to decide whether he wants that stigma.

Several Hon. Members *rose*——

Mr. Deputy Speaker (Mr. Harold Walker): Order. Many hon. Members wish to speak, but there is little time.

Mr. Richard Alexander (Newark): If this group of amendments is accepted, much anxiety among employees of the NBC in my constituency will be relieved. They are worried by what they regard as inadequate provisions in the Bill for their pension rights. I speak on their behalf. They do not feel that the assurance given by my hon. Friend the Minister on 15 April, that their pensions would be protected, is enough. If there is nothing for them to worry about, there was no need to reject in Committee the amendments that afforded such protection.

My constituents want the Government to know that their proper concern is for their future. It is a simple, natural and fundamental worry of all who pay into a pension fund to know that it is protected. The anxieties go deeper than that, however. These people were obliged by the terms of their employment to pay into the National Bus

pension fund or the Bus Employees Superannuation Trust, and many of them have made large contributions. They are now asking my right hon. Friend for the full protection of the law for their investment.

The Government Actuary has estimated that the assets of the post-privatisation fund will be quite sufficient to cover the outstanding liability for pensions and accrued rights. But just suppose he is incorrect. What guarantee will the pensioners have then? They will have been wronged and will have no concrete assurance that the wrong will be rectified. Correcting injustice is a slow business. It is all very well for my hon. Friend the Member for Wallasey (Mrs. Chalker), the Minister of State, to say in Committee that it is not the Government's policy to affect any existing pension rights, but the pensioners want their rights to be protected, not just not affected.

We should establish a scheme to replace the obligations to pay the balance of the cost of accrued pension rights. That was dealt with in previous legislation, in 1962, 1968 and 1969, when pensions were protected fully for past and future service. Why cannot the same be done now? The Bill has few enough frieds. A lot is taken on trust about bus services improving, but employees should not be asked to take their pension entitlement on trust too. Concern has been expressed by people in NBC, by members of the pension fund's management trustees and by their beneficiaries. Their worry is real and will be alleviated by the Government accepting the safeguards in the amendments or by greater reassurance than we have had so far.

Mr. John Home Robertson (East Lothian): I am one of those unfortunates who was not a member of the Standing Committee, so I have not had an opportunity to say as much as I should like, on behalf of my Scottish rural constituents, about this ill-considered Bill.

I should like to express the strong support of the Transport Salaried Staffs Association, which sponsors me, for this group of amendments. The TSSA has members and retired members with pension rights in NBC pension schemes. I am not sure how many of its members are involved, but I understand that the total is about 65,000. They have every right to be anxious about the fact that the abolition of the NBC will leave their pension fund in limbo.

It is by no means impossible that in future the NBC pension fund will run into a temporary deficit. There will be no NBC to help it overcome such temporary difficulties, and problems could arise. Inflation will always be a factor, and no one will contribute to the scheme when the NBC has been scrapped. For that reason, such problems could continue for some time into the future. The beneficiaries are likely to be left with a lame duck residual pension organisation, with no NBC to guarantee it in times of need.

5.30 pm

I have read the report of the debate in Committee and am less than impressed by the Government's insensitive attitude towards the anxieties of NBC pension beneficiaries. I read the bland assurances that the NBC pension schemes will be able to meet their commitments. As the hon. Member for Wellingborough (Mr. Fry) said, if there is no risk, why are the Government so reluctant to give a reasonable guarantee? I read the Government's suggestion that there is technically no guarantee at present, but there is. The NBC covenants through the trustees to make up the total contributions required, and it would continue to do so if it were not to be scrapped. There is therefore an effective guarantee at present.

The Minister suggested that the successor companies could pick up the liability, but many of them will be small and will change hands, and there is no provision to compel them to make up any shortfall. Even the old chestnut that the Government do not want to set a precedent has been dragged up, but there are precedents. The Government guaranteed the finances of the National Freight Corporation pension funds to the extent of ensuring that a payment for historic liabilities was made to the trustees of the fund. When subsidiaries of British Rail were privatised, such as British Transport Hotels and Sealink, specific commitments on maintaining no less favourable pension arrangements in future were written into the contracts of sale. There is no fear of a precedent being set, because a precedent already exists.

The other technicalities that have been mentioned are irrelevant. The case is overwhelming for a reasonable guarantee for pensioners who could be put at risk by the consequences of this aspect of the ill-considered legislation. I can only repeat that, if the Minister believes his own assurances about the risk of problems arising, he must agree that it will cost him nothing to give the House that guarantee this evening. We must have a positive response to the amendments. The House and people with pension rights under the schemes have a right to demand such assurances now.

Mr. Peter Griffiths (Portsmouth, North): I have not taken part in previous debates because I class myself as a friend of the Bill. I have been able to defend its political implications from the beginning. However, more recently, since the Bill's implications for both the National Bus Company pension fund and the Bus Employees Superannuation Trust became more apparent, it has been extremely difficult to respond to my constituents' letters. I am referring not only to letters directly inspired by the NBC, which invited pensioners to write to me, but to direct approaches from people whose personal, immediate and direct anxiety is that they are pensioners and who see the future as uncertain and possibly bleak. I have also received letters from people who are nearing the end of their service with the NBC and do not see a place for themselves in a new, thrusting and possibly successful company. They want to know exactly what they can expect.

Whatever the past legal position of the NBC's covenant to support the pension scheme, I understand from the Minister's comments in Committee that there is no legal obligation on the NBC at present to make up any potential deficit. If that is so, it would be helpful if my right hon. Friend would reiterate that this evening so that the Opposition cannot suggest that the Government are creating conditions legally less favourable to pensioners.

I do not wish to make the semantic point about whether pensioners are or are not in a narrow sense better off, but I ask the Secretary of State please to give the House a clear assurance that it is his intention and understanding that the conditions of existing pensioners and those who will retire when the NBC ceases to be an entity will not worsen. If he can give us that assurance, I and other hon. Members will be able to respond to our pensioners and potential pensioners more adequately than we have been able to do during the past few weeks.

Mr. Brandon-Bravo: Will my hon. Friend also ask the Secretary of State to explain what is meant by "the ex gratia payments"? The dictionary definition of ex gratia is "in the absence of a legal right",
yet we are being told we must honour ex gratia payments.

Mr. Griffiths: I thank my hon. Friend, but I will not take up the time of the House by repeating the question, which I am sure my right hon. Friend heard.

Mr. Stuart Randall (Kingston upon Hull, West): I shall make a brief contribution because other hon. Members wish to participate. I wish to say a word or two about the impact of the Bill on the bus depot in my constituency, that of the East Yorkshire Motor Services, which is part of the National Bus Company, and about the Bill's indirect effect on my constituents and everyone who lives in the Humberside region.

I feel particularly strongly because many people who worked in the company for many years are worried about the effect of its break-up on their pensions. My hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) said that about 65,000 people would be affected, but if the dependants are included the figure is probably double that. Therefore, a large number of people will be directly affected by these provisions.

We are making only a small request of the Government. We ask that people who have worked in the company for many years and those who at present draw pensions should have a guarantee for the future. It is trivial and would cost peanuts. If the Government do not respond, they will be seen as penny-pinching and mean.

During my surgery on Saturday morning, Mr. Fairless of Priory road, Hull, who is a bus operator, explained to me the great worries experienced by many families. It must be remembered that those people live on an extremely low income. Most of them are almost at benefit level, and they cannot get alternative occupational pension arrangements. To do that, one must earn a higher income than many of them earn, even with overtime rates.

If the Bill is enacted, many of the small companies that will be created after the break-up of the NBC will not provide the contributions that the NBC currently makes to its pension fund. We know that contributions come from the employer and employees. We cannot say what future employers will contribute, because many of them will be small companies running on tight margins. A cut in pensions is bound to ensue. That idea is appalling. It is another example of the Government moving wealth from the less well off to the very rich, as they have done for the past six years. They have failed to support those who worked in the industry and who contributed greatly to it.

The Bill shows the sort of Government we have. It is shameful and disappointing and it causes much worry to bus operators not only in my constituency and in the county of Humberside, but throughout the country.

The Secretary of State for Transport (Mr. Nicholas Ridley): I am sorry that I must speak in the debate now, but since it is a fairly complex matter, I should take some time to reply to the points that have been made. First, I shall deal briefly with what I may call the peripheral points that have been raised, but I shall deal with the main matter soon.

I apologise to my hon. Friend the Member for Wellingborough (Mr. Fry) and to my colleagues who have not received answers to letters that they sent recently. We have received more than 600 letters, and it will take a little time to reply to them. However, my hon. Friend received a full letter from me on 22 February—I have a copy of it here—on this subject, so I hope that he will not accuse me of discourtesy. He asked about British Electric Traction in relation to the speech in Committee by my hon. Friend the Under-Secretary of State. If he discusses that with my hon. Friend the Under-Secretary of State, I am sure that his mind will be set at rest.

The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) asked about the future of the pensions of PTE employees. The matter was set down for debate yesterday, but we did not reach it because the guillotine fell. It is only right that I should say a few words about it now. There are several options for the pensions of PTE employees when they go to the new companies. The Government's preferred option is that they should stay in their local authority schemes. There is no reason why they should not do so, but we are discussing the matter with the local authorities to see whether they are content with that solution or whether they would prefer another opinion.

It would be wise to discuss the amendments later and to come to the point of principle now. The Government and the Opposition believe that the existing pension entitlements of the employees of the National Bus Company, and existing pensioners, are extremely important. They should be in no worse position and, for that matter, in no better position than members of any well managed pension fund. I accept entirely the obligation which my hon. Friend the Member for Wellingborough suggested lies upon the Government to achieve that aim when the NBC's subsidiaries pass into the private sector.

The hon. Member for Gordon (Mr. Bruce) said that we must consider three categories: service until now; service between now and the break-up; and service in the future. Of course, service after privatisation should be the responsibility of the new employers, who will set up a special scheme or will operate other arrangements to comply with their legal obligations in relation to pensions. However, I accept that the obligation about which my hon. Friend talked relates to the first two categories — existing pensioners, and rights earned up to the dissolution of the NBC.

5.45 pm

The difficulty is not whether we should achieve that objective—I agree that it is vitally important—but how we achieve it. A company standing behind its pension fund may be thought to provide extra security, but it does not guarantee the fund. It certainly does not do so legally. The company may meet financial difficulties; it may even go bankrupt. The best that any company can do is to ensure that the money invested in the fund, as a free-standing entity with its own assets and liabilities, is adequate to provide benefits earned to date. I remind the House that NBC employees and the NBC have already made proper provision for pensions on the appropriate actuarial basis. Therefore, substantial assets are already in the funds.

Secondly, it is wrong in principle for the Government to give an open-ended guarantee to a private sector fund. Indeed, there is no such legal guarantee at present. I should tell my hon. Friend the Member for Portsmouth, North (Mr. Griffiths) that the NBC does not legally guarantee its pension fund. Neither the Government nor the NBC guarantee for all time the present NBC pension fund.

Mrs. Dunwoody: Will the Minister give way?

Mr. Ridley: If I complete what I have to say, the hon. Lady may be satisfied and may not need to intervene.

If we are transferring activities to the private sector, we must not perpetuate a link with the Government, let alone a guarantee. My hon. Friend the Member for Wellingborough and several hon. Members cited some instances where they believed that there was a Government guarantee. In relation to the British Rail fund and some parts of the National Freight Consortium fund, a guarantee was given many years ago by a different Government in different circumstances. The present Government accepted that they could not break that guarantee. However, it is not our policy to give any guarantees on privatisation.

My hon. Friend the Member for Wellingborough and other hon. Members mentioned the industrial training boards. They were not nationalised industries and were not privatised; they were dissolved. Therefore, there were no successor companies to them in the private sector. The Government remain the employer of those industrial training boards, although they were dissolved. It is simple for the Government to decide whether to guarantee the funds in its employees' closed pension funds or to make those funds actuarially sound so that they will be adequate. They chose the former. But that is not a parallel, because the boards were not active industrial concerns which passed into the private sector.

The reason for the great worry about this point——

Mr. Randall: Answer.

Mr. Ridley: If the hon. Gentleman allows me to proceed, he will get his answer. I understand that anxiety is heightened on this occasion because there will be no one successor company to the NBC. Instead there will be several different-sized companies. We do not know how many there will be. As hon. Members said, they might merge, reduce in size or change to other activities. Clearly, that raises worries that they might not stand behind the funds. I recognise that concern, and no doubt the NBC will also take account of it when putting forward proposals for future pension funds arrangements — for example, whether the present funds should stay open, be divided or be closed. However, even if the NBC were privatised as one company, it would not be guaranteeing the funds any more than it does at present. No company can guarantee its future trading environment.

Even if the NBC were privatised as an entity, in future it could get into financial difficulties and find itself unable to support the funds of its own pension company. Therefore, the problem does not arise because of privatisation; it arises because of the many small companies — or whatever they will be — that will continue.

The right answer must be to look at the funds themselves, apart from the parent company, recognising that they have their own assets and their own liabilities. We must make sure—absolutely sure—that the assets are adequate to discharge the funds' responsibilities. That is what we have done on all previous privatisations. That is what we have undertaken to do in—*[Interruption.]* If Opposition Members want the answer, they should keep their mouths shut. I am coming to it.

That is what we have undertaken to do in this instance. It is doubly important in this case since, as I have said, the funds may be closed at the time of the dissolution of the NBC. They must be left with assets that are adequate to discharge their responsibilities in relation to all employees' service with the NBC up to that time.

I say this to the hon. Members for Crewe and Nantwich and for Gordon. The funds must be adequate, which is to deny totally that in some way there is a dispute between the Treasury and the Department of Transport because ultimately, if NBC itself were to put more money into the funds, it would be the Treasury that would have to make the funds more adequate through getting less from the sale of the NBC.

That brings me to amendment No. 63. It would be difficult to implement. For example, I can imagine lawyers arguing for weeks, to nobody's benefit but their own, about what would have been paid

"but for the operation of this Part".

In so far as the wording of the amendment is meant to imply a formal guarantee for pension benefits either by the new employers or by the Government, I must remind hon. Members that the NBC itself does not guarantee the funds in that indefinite way. It would not be right to pledge taxpayers' money to put the funds in a specially favourable position.

The intention of the amendments is admirable, but their effect would be to make the present position too rigid and restrict the scope for negotiation. For example, if the trustees of the pension funds, my hon. Friend the Member for Wellingborough or other hon. Members, seek more certainty about the adequacy of their funding—perhaps because the funds are closed—they may want to seek wider backing from somewhere else in the private sector, such as the insurance industry. Indeed, I hope that the trustees will explore that option fully. That would require negotiation with insurance companies, and I repeat that the House should not seek to fetter that negotiation in advance. All that I ask is that we do not close options in the negotiations that must precede the trustees' acceptance that the funds are adequate. The trustees have to accept that the funds are adequate, so it would be wrong to put restrictions upon any discussions that they might wish to have to satisfy themselves.

Amendment No. 66 would amend the Transfer of Undertakings (Protection of Employment) Regulations 1981 to require the new employers taking over the NBC to take over the pension scheme rules as well. I think that the amendment can scarcely be meant seriously. Those regulations are of national application, and it would be quite inappropriate to make a special exemption from such legislation for one single case.

I also recommend the House not to accept amendment No. 67. It would provide for direct payments from the Exchequer to NBC pension funds. There may be payments into the funds. I have already made it clear that we are very ready to countenance that, to give the funds the proper security, but I envisage the payments coming from the NBC's own resources, which I am sure will be adequate for the purpose.

Therefore, I suspect that all hon. Members share the same objectives, although I do not think that any of the amendments would help to achieve them. That must be true, unless hon. Members want to put the NBC pension funds into a privileged position so that other taxpayers carry the risks in those funds while the pension funds of those same taxpayers are not so guaranteed. That would be intolerably unfair.

[Mr. Ridley]

I ask the House to reject the amendments and to trust the Government's assurance that they will see the funds at an adequate level at the time of dissolution of the NBC.

Mrs. Dunwoody: The Secretary of State has given a passable impersonation of Pontius Pilate. In effect, he says that the matter is nothing to do with him. He has refused to answer any of the questions. Indeed, he has positively distorted some of the truth.

Let us be clear. NBC employees, the pensioners and the deferred pensioners presently enjoy security because they have a covenant that the NBC will make up contributions to the amounts required to maintain the funds. On the dissolution of the NBC, that protection is lost. As it stands, clause 50 does not provide any substitute. The Secretary of State knows that. He knows that what he is trying to suggest is not tenable. There is a moral responsibility on the Government to fulfil the undertakings that were given to the pensioners working in the NBC. The very least that the right hon. Gentleman could do would be to say to his hon. Friends, "We shall take away the clauses, redraft them and bring them back in another place." The right hon. Gentleman is not prepared to do that. He has never been prepared to take up the responsibility that is inherent in his legislation.

Let me remind the Secretary of State of a few things. Why are those pensioners now at risk? How can he say that some of the companies might go bankrupt, and, when they are bankrupt, they might not be able to maintain pension rights? It is because of his legislation. Who is changing the structure of the NBC? The Secretary of State for Transport. Who is putting the pension rights of 65,000 people at risk? The Secretary of State for Transport. Who refuses to write in the guarantee or undertake the responsibility? The Secretary of State for Transport. Why is he not prepared to give the same undertakings to people in the bus industry that were given to people concerned in previous denationalisations? It is not good enough to say that in the case of the National Freight Corporation the Government had to honour certain responsibilities, but they were undertaken under another Government. I suppose that we should agree with the right hon. Gentleman about that.

This Conservative Government, unlike probably any previous Conservative Government, have no interest in either their responsibilities or a moral undertaking to protect the interests of the pensioners. This Conservative Government are interested only in asset-stripping. They are not prepared to carry out the undertaking to find the money to make sure that the pensioners of today or of tomorrow will be protected. As far as the Secretary of State is concerned, if they lose their jobs and their pension rights, so be it.

I offer just one challenge to Conservative Members. We have heard a great deal both in Committee and in the Chamber today about the fact that the Labour party has no monopoly of commitment or care.

Mr. Anthony Steen (South Hams): That is right.

Mrs. Dunwoody: If that is right, let all Conservative Members join me in the Lobby. If that is so, let the Conservative party—even the old Conservative party—come forward and show the pensioners and workpeople in the bus industry that Conservatives are not just mouthing empty words. They have their rights and they have their challenge. We shall put this to the vote. How many of them will join us?

Question put, That the amendment be made:—

The House divided: Ayes 178, Noes 241.

Division No. 218] **[6 pm**

AYES

Archer, Rt Hon Peter
Ashdown, Paddy
Ashley, Rt Hon Jack
Ashton, Joe
Atkinson, N. *(Tottenham)*
Bagier, Gordon A. T.
Banks, Tony *(Newham NW)*
Beckett, Mrs Margaret
Beith, A. J.
Bell, Stuart
Benn, Tony
Bennett, A. *(Dent'n & Red'sh)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Anthony
Boyes, Roland
Bray, Dr Jeremy
Brown, Gordon *(D'f'mline E)*
Brown, Hugh D. *(Provan)*
Brown, N. *(N'c'tle-u-Tyne E)*
Brown, Ron *(E'burgh, Leith)*
Bruce, Malcolm
Buchan, Norman
Caborn, Richard
Callaghan, Rt Hon J.
Callaghan, Jim *(Heyw'd & M)*
Campbell, Ian
Campbell-Savours, Dale
Canavan, Dennis
Carter-Jones, Lewis
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Thomas
Clay, Robert
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S.)*
Cohen, Harry
Cook, Frank *(Stockton North)*
Cook, Robin F. *(Livingston)*
Corbett, Robin
Cowans, Harry
Craigen, J. M.
Crowther, Stan
Cunningham, Dr John
Dalyell, Tam
Davies, Rt Hon Denzil *(L'lli)*
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric
Dixon, Donald
Dobson, Frank
Dormand, Jack
Dubs, Alfred
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eadie, Alex
Eastham, Ken
Ellis, Raymond
Evans, John *(St. Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flannery, Martin
Foot, Rt Hon Michael
Forrester, John
Foster, Derek
Foulkes, George
Fraser, J. *(Norwood)*
Freeson, Rt Hon Reginald
Freud, Clement
Fry, Peter
Garrett, W. E.
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman
Gould, Bryan
Gourlay, Harry
Hamilton, W. W. *(Central Fife)*
Hancock, Mr. Michael
Harman, Ms Harriet
Harrison, Rt Hon Walter
Hattersley, Rt Hon Roy
Healey, Rt Hon Denis
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hoyle, Douglas
Hughes, Dr. Mark *(Durham)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Hughes, Sean *(Knowsley S)*
Janner, Hon Greville
John, Brynmor
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lamond, James
Leadbitter, Ted
Leighton, Ronald
Lewis, Ron *(Carlisle)*
Lewis, Terence *(Worsley)*
Litherland, Robert
Lloyd, Tony *(Stretford)*
Loyden, Edward
McCartney, Hugh
McCrea, Rev William
McDonald, Dr Oonagh
McKay, Allen *(Penistone)*
McKelvey, William
McNamara, Kevin
McTaggart, Robert
McWilliam, John
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael
Maynard, Miss Joan
Meacher, Michael
Meadowcroft, Michael
Michie, William
Mikardo, Ian
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Nellist, David
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Park, George
Parris, Matthew
Patchett, Terry
Pavitt, Laurie
Penhaligon, David
Pike, Peter
Prescott, John
Radice, Giles
Randall, Stuart
Redmond, M.

Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Roberts, Ernest *(Hackney N)*
Robertson, George
Ross, Stephen *(Isle of Wight)*
Rowlands, Ted
Ryman, John
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon R.
Shore, Rt Hon Peter
Short, Mrs R.*(W'hampt'n NE)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, C.*(Isl'ton S & F'bury)*
Smith, Rt Hon J. *(M'kl'ds E)*
Soley, Clive
Steel, Rt Hon David
Stewart, Rt Hon D. *(W Isles)*
Stott, Roger
Strang, Gavin
Thorne, Stan *(Preston)*
Tinn, James
Torney, Tom
Wainwright, R.
Wallace, James
Wareing, Robert
Weetch, Ken
Welsh, Michael
White, James
Wigley, Dafydd
Williams, Rt Hon A.
Wilson, Gordon
Winnick, David
Winterton, Nicholas
Wrigglesworth, Ian

Tellers for the Ayes:
Mr. Frank Haynes and
Dr. Roger Thomas.

NOES

Aitken, Jonathan
Alexander, Richard
Amess, David
Ancram, Michael
Atkins, Robert *(South Ribble)*
Baker, Rt Hon K. *(Mole Vall'y)*
Baker, Nicholas *(N Dorset)*
Banks, Robert *(Harrogate)*
Beaumont-Dark, Anthony
Beggs, Roy
Bellingham, Henry
Biggs-Davison, Sir John
Boscawen, Hon Robert
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Brandon-Bravo, Martin
Brinton, Tim
Brooke, Hon Peter
Brown, M. *(Brigg & Cl'thpes)*
Bryan, Sir Paul
Buchanan-Smith, Rt Hon A.
Buck, Sir Antony
Budgen, Nick
Burt, Alistair
Butcher, John
Carlisle, John *(N Luton)*
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Carttiss, Michael
Cash, William
Chapman, Sydney
Clark, Hon A. *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clegg, Sir Walter
Cockeram, Eric
Coombs, Simon
Cope, John
Crouch, David
Currie, Mrs Edwina
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Dunn, Robert
Durant, Tony
Dykes, Hugh
Evennett, David
Eyre, Sir Reginald
Fairbairn, Nicholas
Fallon, Michael
Farr, Sir John
Favell, Anthony
Fenner, Mrs Peggy
Fletcher, Alexander
Fookes, Miss Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Marcus
Franks, Cecil
Freeman, Roger
Gale, Roger
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gorst, John
Gow, Ian
Gower, Sir Raymond
Greenway, Harry
Gregory, Conal
Griffiths, E. *(B'y St Edm'ds)*
Griffiths, Peter *(Portsm'th N)*
Grist, Ian
Hamilton, Hon A. *(Epsom)*
Hamilton, Neil *(Tatton)*
Hannam, John
Harris, David
Harvey, Robert
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hawksley, Warren
Hayes, J.
Hayhoe, Barney
Hayward, Robert
Heathcoat-Amory, David
Henderson, Barry
Hickmet, Richard
Hicks, Robert
Hind, Kenneth
Hirst, Michael
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Hordern, Peter
Howarth, Gerald *(Cannock)*
Howell, Ralph *(N Norfolk)*
Hubbard-Miles, Peter
Hunt, David *(Wirral)*
Irving, Charles
Jackson, Robert
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(W Herts)*
Joseph, Rt Hon Sir Keith
Kellett-Bowman, Mrs Elaine
Kershaw, Sir Anthony
Key, Robert
King, Roger *(B'ham N'field)*
King, Rt Hon Tom
Knight, Gregory *(Derby N)*
Knowles, Michael
Knox, David
Lamont, Norman
Lang, Ian
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim
Lightbown, David
Lilley, Peter
Lloyd, Peter, *(Fareham)*
Lord, Michael
Luce, Richard
Lyell, Nicholas
McCurley, Mrs Anna
MacGregor, John
MacKay, John *(Argyll & Bute)*
Maclean, David John
Madel, David
Major, John
Malins, Humfrey
Malone, Gerald
Marland, Paul
Mates, Michael
Mather, Carol
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Meyer, Sir Anthony
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Mills, Sir Peter *(West Devon)*
Mitchell, David *(NW Hants)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, John
Morrison, Hon P. *(Chester)*
Moynihan, Hon C.
Murphy, Christopher
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Nicholls, Patrick
Norris, Steven
Oppenheim, Phillip
Oppenheim, Rt Hon Mrs S.
Osborn, Sir John
Pattie, Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pollock, Alexander
Porter, Barry
Portillo, Michael
Powell, Rt Hon J. E. *(S Down)*
Powell, William *(Corby)*
Powley, John
Prentice, Rt Hon Reg
Price, Sir David
Proctor, K. Harvey
Rathbone, Tim
Renton, Tim
Rhodes James, Robert
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Robinson, Mark *(N'port W)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Thomas
Sayeed, Jonathan
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Silvester, Fred
Sims, Roger
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Spencer, Derek
Spicer, Jim *(W Dorset)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, John
Steen, Anthony
Stevens, Lewis *(Nuneaton)*
Stevens, Martin *(Fulham)*
Stewart, Allan *(Eastwood)*
Stradling Thomas, J.
Sumberg, David
Taylor, John *(Solihull)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'lch N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Viggers, Peter
Waddington, David
Wakeham, Rt Hon John
Walker, Bill *(T'side N)*
Wall, Sir Patrick
Waller, Gary
Ward, John
Wardle, C. *(Bexhill)*
Watts, John
Wells, Bowen *(Hertford)*
Wheeler, John
Whitfield, John
Whitney, Raymond
Wiggin, Jerry
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. Tristan Garel-Jones and
Mr. Michael Neubert.

Question accordingly negatived.

Clause 55

Passenger Transport Areas, Authorities and Executives

Mr. Kenneth Hind (Lancashire, West): I beg to move amendment No. 190, in page 48, line 22 at end insert—

[Mr. Kenneth Hind]

'*(aa)* such provision to require that the appointment, or any suspension, dismissal or requirement to resign, of any member of the Executive shall be subject to the approval of the Secretary of State; and'.

Although it may at first seem obscure, the purpose of the amendment is to provide a semblance of protection for the directors of the passenger transport executives. My intention is to draw to the attention of the Secretary of State for Transport and his ministerial team the problems that may be faced by the directors of the PTEs.

The passenger transport authority, which in the metropolitan areas will be a board consisting of elected representatives, will form the policy for buses in its area. Both the executive and elected directors of the PTE who are appointed by the local authorities which make up the passenger transport authority will carry out the directive of the authority.

The purpose of the amendment is to highlight the problems that may be caused if there is a direct clash between the passenger transport authority and the passenger transport executive. The hybrid companies in the area of the passenger transport executive will be wholly owned by the passenger transport authority. In other words, they will be public companies that are wholly owned by the municipal authorities and they will be partially subject to the Companies Acts of 1948 and 1967 and to other legislation passed by Parliament. Unfortunately, however, those local authorities which are dominated by the opposition parties are prone to interfere with the democratic running of public organisations and deliberately flout the law of this country.

A typical example of the kind of behaviour to which I refer is reported on the front page of today's edition of *The London Standard* under the headline "Invasion by 'Rent a mob'". At a meeting of Hackney council last night council representatives were effectively prevented by this invasion from carrying out their lawful duty to set a rate. Mr. Hatton and his followers in Liverpool are deliberately flouting the law of England on rate capping. We have seen this in Southwark and we are seeing it in Lambeth. Labour authorities are deliberately breaking the law, and the hooligans whose actions are described in *The London Standard* are unfortunately encouraging this kind of behaviour.

6.15 pm

Mrs. Dunwoody: Will the hon. Gentleman give way?

Mr. Hind: No, not at this stage.

If such an authority decided to break the law and form a policy that was contrary to the law and ordered the directors of the passenger transport executive to pursue that course of action but the directors decided to carry out their duties as prescribed by the law, which totally contravened the policy that had been dictated to them, and in consequence the Labour-controlled passenger transport authority said to them, "Because you have not obeyed us you are sacked", it would bring to an end their participation in the passenger transport executive. These people, many of whom are executive directors, would have no recourse to anybody, apart from the courts. The amendment provides a safeguard for the directors. If they have been lawfully carrying out their duties but nevertheless have been dismissed, they will be able to turn to the Secretary of State for Transport who can act as a court of appeal and reinstate them. It is unfortunate that I am obliged to move the amendment. It is a product of the change in atmosphere in local government.

There is a second reason that must be considered. I cannot disclose my sources because to do so would mean that those who have given me this information would be in danger of losing their jobs. There are Labour-controlled passenger transport authorities which are deliberately telling their employees not to implement the provisions of the Bill when it becomes an Act so as to try to break the timetable, disrupt the plans for bus passenger transport and ensure that the consequent disruption discredits the Conservative party at the next general election. There may, of course, be a general election shortly after the enactment of the Bill. If directors say that they are not prepared to accept a political directive by a passenger transport authority, they can be fired by it for disobeying that political directive, although it has nothing to do with the duty to provide a proper system of bus transport in the area of the passenger transport executive. Those are factors about which the public should be aware, which is why I have tabled the amendment.

I hope that my hon. Friend the Under-Secretary will give an assurance that that will not be allowed, that the PTE directors will have security of tenure and that they will be allowed to carry out their proper duties in running a bus service so that the public will benefit and be assured of a proper bus transport service.

Mrs. Dunwoody: A rather worrying trend in the Government is becoming clearer by the day — their deep-rooted fear of properly elected representatives. With the Secretary of State for the Environment it takes the form of removing from metropolitan counties the right to exist. With some Conservative Members it takes the form of seriously suggesting that those who do not pay rates—presumably they mean those in receipt of rate rebates—should not have the right to vote in local elections.

However, today is probably the first time that a Back-Bench Conservative Member has seriously suggested that we should not trust the locally elected representatives who were elected on a platform that included certain transport policies, but instead should ensure that they are bypassed in any arrangement with their own staff and that the Secretary of State — that well known giver of the judgment of Solomon—should make decisions in such matters as important as the dismissal, suspension or requirement to resign of any member of the executive.

The hon. Member for Lancashire, West (Mr. Hind) is probably not a bad man. He is probably worried because, on the results of the county elections, there is no doubt that he will find himself looking for another job after the next general election. Perhaps his feeling that elected representatives are not to be trusted stems from that. We must understand exactly what he has in mind—not for him the usual guarantees for any employee in his contract of employment. Of course, we know that the Government are carefully trying to lower the terms of employment—for example, they have changed the conditions for unfair dismissal. It is important to the hon. Gentleman that, in future, the PTAs should not be in control of their staff — that there should be not only a distancing of the PTAs from the PTEs, but a positive intervention from the Secretary of State.

Mr. Brandon-Bravo: I do not seriously challenge the hon. Lady's comment that those democratically elected to

deal with transport should have the right to do that. But is she seriously suggesting that there is not a large element of the Labour party in local administrations that denies the right of this place to make the law of the land, that openly flouts it and believes that because it was elected locally it can ignore the law?

Mrs. Dunwoody: Those people were elected on a specific policy, and have the right to carry it out. The Government are denying them that right. The hon. Member for Lancashire, West used the word hooligans. We should look at what happens when Conservative students have what they call a quiet weekend. They have to be dealt with severely by the chairman of the Conservative party who, when he had finished squeaking, tried to remove their funding.

Let us not be mealy-mouthed and hypocritical; it is quite clear what the amendment is about. The hon. Member for Lancashire, West believes that those who are properly elected are not to be trusted to carry out their responsibilities—they should not be allowed to maintain the usual relationship between employer and employee; we must rely on the Secretary of State. After all, when the right hon. Gentleman has finished destroying the bus industry, had a go at the rail industry, mucked up the airports and changed one or two other minor matters, he will not have anything to do, so he will have time to adjudicate between each PTE and its employees.

Mr. Bob Clay (Sunderland, North): It is extraordinary audacity for a Conservative Member to move an amendment implying that elected Labour-controlled PTAs will cause disruption in the bus industry. The metropolitan counties are facing abolition, the formation of joint boards, the abolition of transport supplementary grant, the vying between various heads of expenditure for the financing of public transport, all the measures in this Bill and the break-up of section 24 agreements in the NBC —which is of great importance to PTE areas—and yet are being accused by a Conservative Back Bencher of being likely to cause disruption in the transport industry.

The hon. Member for Lancashire, West (Mr. Hind) should be attacking the Secretary of State. Under legislation passed by this Government, passenger transport authorities should be submitting plans for the next three years to the Secretary of State by 31 July. He should have provided them with advice in February or March, so that they could submit the plans on time. His Department has given them no advice. Yet a Conservative Member has the audacity to move an amendment implying that even more democratic accountability should be taken away from those authorities because they cannot be trusted. He should be moving amendments to stop the Government interfering in public transport.

The Parliamentary Under-Secretary of State for Scotland (Mr. Michael Ancram): Reaction from Opposition Members shows that my hon. Friend the Member for Lancashire, West (Mr. Hind) has struck a sensitive spot. The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) spoke about my hon. Friend's prospects after the next election. She has only a 290 majority, so it would take only a 0·25 per cent. swing for her to have to find something else to do—but I shall not fall into the same trap as the hon. Lady by pressing that point any further.

I share my hon. Friend's concern about the dangers that could arise. Obviously there is a possibility of some PTAs adopting an appointments policy for PTEs that puts more weight on political inclinations than on ability. That would be undesirable. I hope that Opposition Members, when they leave off their swords and shields of political campaigning and consider the best interests of the travelling public, would also feel that that was undesirable.

My hon. Friend mentioned some of the policies that the PTA might try to pursue. I know there are some Labour Members who take a view contrary to that of the hon. Lady. They believe that local councils should obey the law and that those in this House who try to encourage them not to do that should not be supported because they are undermining democracy and the constitutional position of the House. I was surprised to hear the hon. Member for Crewe and Nantwich say it was her view—I take it that this is not the official Labour party position—that, if a council is elected on a policy, it is entitled to carry it out, regardless of whether that policy happens to be in accordance with the law made by Parliament. If the hon. Lady wishes to qualify her remark, I am delighted to give her the opportunity to do so.

Mrs. Dunwoody: That is not what I said.

6.30 pm

Mr. Ancram: The hon. Lady says that she did not say that, but that was the remark that I heard her make and that I noted. I am sure that certain of her hon. Friends, not least the shadow Secretary of State for the Environment, would not agree with her in the view that she expressed today.

I think that it would be unwise to try to counter these dangers by giving the Secretary of State a final say on these matters. The appointing and dismissing will be done by the PTA which—apart from in Scotland—after the abolition of the metropolitan councils will be composed of district councillors nominated by constituent district councils. They will have to account for all their actions, including those of appointment and dismissal, as PTA members both to their nominating councils and to the local electors.

Indeed, in matters such as this where any decisions could have a serious effect—this may well be the view that some Labour councils take in doing things against the interests of the ratepayers—on a majority of electors, I think that that accountability is likely to be more real.

Appointments to the passenger transport executive, as with other passenger transport authority decisions, will be local matters, and I think it is right that the PTA should be accountable for them locally. We would not want to impose central Government upon that framework. Indeed, I think that such a move in itself would dilute local accountability and perhaps even discourage passenger transport authorities from taking a responsible approach. In particular, if things went wrong, under the provisions suggested by my hon. Friend they would undoubtedly say that it was not their fault but the fault of the Secretary of State because he had endorsed the appointments or the dismissals.

In answer to one of the very real fears that my hon. Friend the Member for Lancashire, West expressed, I must say that passenger transport executive members cannot be directed to act contrary to the law. The duties of the PTE are quite clear. They are to secure services to meet the area's requirements and in a financial sense to break even.

[Mr. Ancram]

While I appreciate the concern of my hon. Friend and welcome the fact that he has raised the matter today, I think that there are safeguards against some of the dangers that he has outlined. Equally, in the other areas it is proper that the local passenger transport authorities should be locally accountable and able to take decisions for themselves.

In the light of what I have said, I hope that my hon. Friend, after his valuable contribution to the debate, will withdraw the amendment.

Mr. Hind: I am obliged to my hon. Friend for the clear and precise view that he has expressed. I join him in hoping that the local representatives will make sensible and proper decisions on a local basis. It was not my intention to denigrate local representatives in any way. Indeed, I am a strong supporter of local government.

It must be borne in mind that local authorities are subject to Parliament. Parliament makes the law, and all powers that are passed to local authorities are devolved from Parliament. Accordingly, each local authority must obey the law. I fully accept, as I am sure most of my hon. Friends do, that the majority of elected representatives are conscientious and obey the law in carrying out their functions properly. The rule of law is the most important factor in this matter and I emphasise it today to lay down a marker for the future.

I fully agree that there are those—a minority element — who unfortunately support the view of the Opposition, as they showed when they arrived in their busloads last night at Hackney town hall. They could influence the situation. As a consequence of what has been said by my hon. Friend, I am sure that they will realise that that is not a course of action that they should follow, and accordingly there will be safeguards in the courts to deal with that matter.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Roger Stott (Wigan): I beg to move amendment No 168, in page 49, line 23, after 'area', insert '*(a),*'.

Mr. Speaker: With this it will be convenient to discuss the following amendments:

No. 169, in page 49, line 26, at end insert

'and *(b)* to ensure the co-ordination of public passenger transport services in the area.'.

No. 170, in page 49, line 27, after '(1)', insert '*(a)*'.

No. 171, in page 49, line 29, at end insert—

'(2A) The Passenger Transport Executive for any area shall secure and maintain systems the co-ordination of local services with railway passenger services ferry services provided or secured by the Executive to meet the public transport requirements within the area'.

No. 172, in page 49, line 34, after 'subsection', insert 'and the description of systems which the Executive may secure and maintain under subsection (2A) above'.

No. 173, in page 49, line 36, leave out 'that subsection' and insert 'those subsections'.

No. 174, in page 50, line 23 after '(6)', insert

'Except as required in pursuance of the duty imposed by subsection (1)*(b)* of this section'.

Mr. Stott: I suspect that this will be one of the last chances for us to endeavour to inject some sanity into a Bill that is riddled with lunacy. We have spent four months in Committee trying to show the Government that if they are determined to push through this measure, at the very least there should be some reserve element given to the passenger transport executives so that they can have overall control and responsibility for the co-ordination of the transportation system in their areas. So far, we have not had those guarantees from the Government. They refused to accept the amendments that we tabled, and so we have had to table the amendments again on Report.

The amendments do not seek to undermine the basic thrust of the Bill. The Minister knows full well that Opposition Members are opposed to the whole wretched concept of the Bill. We are endeavouring yet again to draw to the Minister's attention the serious and real damage that will be caused if the PTEs and the joint boards are unable to have control in the way outlined in the amendments.

The fare levels of most, if not all, of the metropolitan counties are charged on buses and are so organised that the fares structure and system is uniform throughout the county. Co-ordination of fares by the PTE and PTA will be possible under clause 55(5), which permits any measure to promote the operation of commercial services to meet public transport requirements and to increase the convenience of the use of public transport. However, this depends on the willingness of all operators to participate. Clause 85 enables the PTA to establish a county-wide travel concession scheme for the elderly, the blind, children and disabled people.

With numerous operators under no obligation to accept county-wide tickets, it is unlikely that the present system, which operates in many metropolitan councils and other places, such as metrocard, day rover, saverstrip and off peak travel concessions applying to bus and to rail services can survive. Operators will probably be unable to reach agreement on revenue sharing because of differences in fluctuating fares scales.

The present fares systems are all based on a county-wide fares scale. For example, when I visited Bradford last Friday I was informed by Mr. Reed of West Yorkshire passenger transport executive that the saverstrip, the 12-ride multiple journey ticket, offers a uniform discount on a small number of bus fares which are in the 10p steps. It is a complicated formula, but that is its objective. With a wide variety of fares scales, this would no longer be possible. Similarly, metrocard, offering unlimited travel across the county, will probably be unworkable if there are large variations in fares between different operators.

The powers in the Bill will enable the continuation of county-wide concessionary fares schemes, particularly as we have been assured by the Secretary of State, following an amendment that we made yesterday, that operators must participate in such schemes. However, there will be considerable problems over determining reimbursement. That will require information being gathered about the level of concessionary scheme patronage, a subject that we debated at length yesterday. The local PTEs and PTAs will also need some control over the way in which operators are given routes and operate them.

As I explained, I visited West Yorkshire PTE on Friday. I went to Bradford and discussed the matter with the busmen and their trade union representatives and members of the professional staff. I was extremely impressed by their presentation of the issues involved. That is an extremely good PTA providing public transport to meet the needs of the people.

I note that the hon. Member for Dewsbury (Mr. Whitfield), who was a member of the Standing

Committee, is not in his place. That is a shame because he was the only Conservative Member on the Committee with a constituency in a metropolitan area. I should have thought that he would be interested enough in our debates to have been present. In his area, county-wide fare systems have been shown to be of substantial benefit both to operators and to passengers.

Under the West Yorkshire system, the tickets available include a saverstrip, which is a bus and rail multi-journey ticket offering 12 rides for 10p each. That type of ticket is used by 40 million passengers per annum and has a peak take-up of 20 per cent. Metrocard is a bus and rail travel card which is used by 23 million passengers per annum and has a peak take-up of 30 per cent. Off-peak maximum fares—that is, 30p for adults and 15p for children—are available at off-peak times and weekends. The system has increased passenger journeys by 19 million annually. I could go on giving details of how the system has created many improvements.

All of that—through ticketing, Travelcard, the ability of people to travel on buses and trains without buying separate tickets, of being able to buy a strip of tickets to cover 12 journeys, with the strip being punched into a machine—will be in jeopardy as a result of the Bill. Only by introducing amendments such as those which we propose shall we safeguard a system of logistical transportation planning that has been built up in the last decade.

My hon. Friend the Member for Sunderland, North (Mr. Clay) will explain what is happening in Tyne and Wear, an area of the country which has developed a metro system and where the transportation system generally is second to none. He, like I, believes that that system will be in jeopardy unless we can enshrine safeguards in the statute. After all, that is our job; we make the law, and we should ensure that there is no dubiety in its interpretation. I trust, therefore, that the amendment will be accepted. PTEs should have power to co-ordinate their transportation systems in their areas in future as they do now.

In our long debates in Committee——

Mr. Dixon: Which were shortened by the guillotine.

Mr. Stott: My hon. Friend is right, and today we shall have to make do with what time is available.

During our debates in Committee the metropolitan counties were often criticised because, it was claimed, they had been content to pay ever-increasing sums by way of revenue support to buy in passengers without seeking reductions in costs and improvements in efficiency. That is not true of most of them.

It is certainly not true of west Yorkshire. I am informed by the PTA there that patronage has increased by 8 per cent., compared with a typical decline nationally of 3 to 4 per cent.; that fares have fallen by 20 per cent. in real terms; that revenue support has dropped by 23 per cent.; that unit costs have gone down by 7 per cent.; and that total costs have gone down by 10 per cent. in real terms. Revenue has risen by 5 per cent. in cash terms and the PTE has reduced its number of operational properties from 36 to 28. That has happened in west Yorkshire under a system of properly co-ordinated transportation planning.

Mr. Brandon-Bravo: I do not question the hon. Gentleman's statement about what is happening in west Yorkshire and about revenue support having declined. I think that he will agree, however, that his hon. Friend the Member for Sunderland, North (Mr. Clay) refused to give way to me earlier because he knew that his halo would become tarnished. In his part of the country it was decided not to increase fares, even in line with inflation, although to have done so would have meant increasing the passenger figures.

Had the fares been increased in line with inflation, Tyne and Wear would have had between £15 million and £20 million in additional revenue with which to improve even further the local system. That is what my hon. Friends and I mean by sensible local management. That is not available in that area because of the colour of the council.

6.45 pm

Mr. Stott: I will leave my hon. Friend the Member for Sunderland, North to deal with that intervention.

Repeatedly, Ministers and Conservative Members claimed in Committee that the Bill was designed to stop planners telling people what services they could have and, instead, to let the people have the services that they wanted. Indeed, the Secretary of State said, referring to franchising:

> "It allows the network to be laid down by the planners but does not permit the customers to say where they want to go and when, and with what frequency, price and standard of service". —[*Official Report, Standing Committee A*, 30 April, 1985; c. 1641.]

Not once have Conservative Members spelt out what transport planners really do. They speak as though an overlord imposes bus times and routes that the public do not want. Have any of them considered what actually happens?

The planning of bus services involves discovering what the people need and then meeting that need. That is the duty and responsibility of the PTEs. The executives have market surveys, ask people what they want and examine the running speeds of buses and the siting of route furniture. They take cognisance of public opinion and try to provide the services that the people want. That is sensible transportation planning.

If we go ahead with deregulation, restructuring and competition, as will occur if the Bill reaches the statute book without some of the amendments that my hon. Friends and I propose, we shall have absolute chaos. Not only are Labour Members convinced of that, but some Conservative Members believe it, too.

To mitigate at least some of the consequences of this awful legislation, we have tabled this series of amendments to ensure that an element of local transportation planning may be maintained. Only by that means shall we have co-ordinated services for the benefit of the customers, about whom we are just as concerned as are Conservative Members.

Dr. Marek: My hon. Friend should be careful. I expect that the reply he will get from the Minister is that the market will respond to what the people want. That is not the case because the market will take on the profitable routes and will not care about the routes that are not profitable. Would my hon. Friend dwell on that point? If planning takes account of what the people want and is done properly, there can be a properly integrated service. The market will not provide that. Can my hon. Friend spell that out?

Mr. Stott: My hon. Friend anticipates me; I was about to conclude my remarks by doing precisely that.

[Mr. Stott]

The Bill will remove the voice of the passengers from the planning of bus services. There will be no more consultation and no more independent surveys but just brand marketing of busy routes. Market forces produce nothing to look after people; they just impose what an operator thinks he can make money on. Market forces remove all sense of caring and, more important, reliability and stability, which are essential ingredients for those passengers whose jobs or way of life are dependent upon them. That is the point that my hon. Friend the Member for Wrexham (Dr. Marek) was making, and I subscribe to that view. *[Interruption.]* Does the Parliamentary Under-Secretary of State for Scotland wish to come to the Dispatch Box to contradict what I have said? No. Then I shall ignore his mutterings.

Mr. Brandon-Bravo: Before the hon. Member finishes, will he address himself to clause 55(2)? It refers to a new section to be inserted in the 1968 Act. Subsection (1) provides:

"it shall be the duty of the Executive for any passenger transport area . . . ."

Subsection (3) of the new section says:

"The Authority for any passenger transport area shall from time to time formulate general policies . . . ."

Why does he think that that does not cover completely the whole of what he is seeking to do in these unnecessary amendments?

Mr. Stott: I apologise to the House for the action replay of what took place in Standing Committee, but this often happens when a Bill is contentious and has been in Standing Committee for a considerable time. We tabled these amendments because we did not get satisfaction from the Minister in Committee. We did not accept the arguments that the Minister used in Committee to counter our arguments. Therefore, we are taking this final opportunity—it is the final opportunity for the House of Commons—to try to write some sanity into a Bill that is riddled with lunacy. That is what we are attempting to do — nothing more, nothing less. Our proposals do not destroy the basic thrust of what the Government intend to do. We are trying to fashion a better Bill. That is the purpose of the amendments. I hope that the Minister will find it possible to accept them.

Mr. Stephen Ross (Isle of Wight): I am pleased to support the hon. Member for Wigan (Mr. Stott). The answer to the hon. Member for Nottingham, South (Mr. Brandon-Bravo) is that only yesterday the House approved, against the wishes of the Opposition, the deletion of certain sections of the Transport Act 1968 which called for co-ordinated and integrated services. It is a tragic shame that those sections have been deleted. We are trying to do something about it now.

We have heard vivid descriptions from the Minister and the Secretary of State about what they expect to happen in Tyne and Wear. They contemplate that if an operator wishes to run a bus service from Whitley Bay to the centre of Newcastle that will be OK. However, they think that he will not do that but will run the service to the nearest railway station because that will be more profitable. I doubt whether that will happen.

I remember the senior Conservative councillor who appeared before the Select Committee on Transport when it was considering the bus legislation. With tears in his eyes he said, "I have worked for the Tyne and Wear metro for 20-odd years. Now my Government are about to destroy what we have achieved." That is on record for the Minister to read, if he wishes.

I am sorry to weary the House with yet more stories of the Sealink saga but I will not miss this opportunity because in amendment No. 171 we are asking for co-ordination not only with railway services but with ferry services. I must give the House a warning. The Government let my constituents down when they sold Sealink because they did not write into the contract of sale a requirement for co-ordination of services.

Only today there arrived on my desk another letter—unfortunately I have not got it with me—complaining about the lack of co-ordination between Sealink and British Rail. A new constituent who has moved from Kent was travelling on 3 May for the bank holiday weekend. He was supposed to connect with the 8 o'clock boat from Lymington. The railway company had even rung up from Brockenhurst to tell Sealink that the train would be late and to ask it it hold the boat. Did it hold the boat? No. The boat went and that man was stranded because there was no later boat. He had to find accommodation for the night. He wants me to take up the matter with the Minister, but what is the point because the Minister will not answer for Sealink which is a private ferry service? If it wants to run the service at 8 o'clock and not wait for passengers who are coming on the train it is entitled to do so. I have already taken up the matter with the local manager.

My mail contains such letters daily. They are increasing all the time. If we do not insist in legislation that services should be co-ordinated and integrated this will continue. There will be services where co-ordination will not happen.

Mr. David Mitchell: So that I may understand clearly what the hon. Gentleman is saying about the ferry that sailed without waiting for the train, does he feel that all the people who were on the ferry, with a timetable that they had been told the ferry would run to, should have arrived late because there was a mishap on a train?

Mr. Ross: I did not say that there was a mishap on the train. I said that the train arrived late. That was the last boat of the night, and it should have waited. It would have waited if it had been under British Rail control. There is a limit — perhaps up to half an hour. That would not have held people up very long. I would expect that. That is co-ordination. With a population of 100,000 people, and many more coming for a holiday weekend, they do not expect to see the boat going without them, particularly if the company has been asked to hold the train.

There always has been co-ordination. If the boat had gone, it would have come back and run a special service, but that did not happen on this occasion because the company would have lost money. When we start privatising some sections of the public transport service this is the sort of thing that will happen. It will happen with bus services and on metros. Even the hon. Member for Nottingham, South may find in years to come that his mail contains examples of services not being co-ordinated.

Mr. Brandon-Bravo: I am sorry to intervene again, but surely the hon. Member is not suggesting that he has never been left on a British Rail platform because the train he was supposed to connect with had already left?

Mr. Ross: Not the last one.

Mr. Brandon-Bravo: Yes, the last one.

Mr. Ross: I can recall a number of instances of being put on a goods train, but one is cut off when there are five miles of sea. There is not the alternative of getting a taxi or even flying. The position is different. I believe the example I have given to be true. That is why I feel so intensely that we are at risk of breaking up what has been a very good system.

We have heard about West Yorkshire and we know about Tyne and Wear. There have been connections of services. For over 80 years it has been the practice for ferries to wait for trains unless they have been too late. In those cases they have run a special service. That is at risk and that is why I support the amendment.

Mr. Clay: I was fascinated by the intervention of the Under-Secretary of State in the speech of the hon. Member for Isle of Wight (Mr. Ross) when he asked sarcastically whether the hon. Member thought that the ferry should have waited for this passenger. We have heard a great deal about Hereford and Worcester all through the debate on the Bill. I have been to Hereford and it is clear that the one remaining operator in the city centre waits for the last passenger. That is why there is no timetable on the bus stand in the town centre. The operator does not run to time; he parks his bus and waits until it is full before he leaves. That is the most profitable way of operating and that is why he does it. That is the only way in which he can operate a service with the ludicrously uncommercial fares that he charges, which have forced the National Bus Company to reduce its fares. Conservative Members have taken great delight in that forced reduction of fares while we have been discussing the Bill.

The Hereford service is unplanned and unco-ordinated. It is a sordid cowboy operation and that is why there is only one private operator left in the area. I suspect that he will not be there for very much longer.

Mr. David Mitchell: In the example given by the hon. Member for Isle of Wight (Mr. Ross) he argued that the boat should have waited. Is the hon. Member for Sunderland, North (Mr. Clay) complaining because in Hereford the private operator's bus waits? Perhaps he will settle the argument with the hon. Member for Isle of Wight. It seems that there is disagreement over which form of service is desirable.

Mr. Clay: I am arguing with the Minister and not with the hon. Member for Isle of Wight. In a sarcastic intervention the Minister implied that vehicles should not wait for late passengers. The success of the cowboy operation in Hereford, such as it is, is based on waiting. There is no timetable. The operator waits until his bus is full before he drives off. The Minister asked the hon. Member for Isle of Wight to consider the position of other passengers. If I go shopping in Hereford and I study a timetable to decide which bus I want to use for my return journey, I do not expect to sit in the bus for 15 or 20 minutes until the bus is full. That is an example of the ludicrous nonsense that is to be found in experimental areas.

My right hon. and hon. Friends are arguing for co-ordination and that is what the amendment is designed to achieve. We wish to ensure that the nonsensical operation in Hereford does not continue. We want proper ticketing systems, for example.

I hope that the hon. Member for Nottingham, South (Mr. Brandon Bravo) is now familiar with the Tyne and Wear system, but against that background his comments on fare increases were somewhat naive. My hon. Friend the Member for Wigan (Mr. Stott) has said that Tyne and Wear and many other metropolitan counties have PTEs that offer many different systems to the public. Single journey tickets are beoming increasingly a minority means of travel. The Tyne and Wear PTE is introducing a carnet system. In addition, there is a full range of travel cards, including day rovers, weekly travel cards, monthly travel cards, annual travel cards, two-zone and three-zone cards, a countrywide zone, off-peak tickets and all-day tickets. When there is a fare increase, some fares increase and some are held at the current level.

The Tyne and Wear PTE system has been trying to move passengers on to travel cards as the system is more efficient. If a passenger steps on a bus and displays his card, the bus can proceed more quickly along its route than if the passenger has to buy a ticket. I presume that that is what we all want to achieve.

Mr. Brandon-Bravo: I accept all the glorious compliments that the hon. Gentleman is paying to the Tyne and Wear system. In an earlier intervention I merely said that if fares had risen since 1982 generally in line with inflation and no more, the Tyne and Wear PTE would have had £15 million to £20 million of extra revenue with which to make the system even better. Will the hon. Gentleman respond now to that argument?

Mr. Clay: Yes, I will. The Tyne and Wear PTE's calculations produced a result different from that which the hon. Gentleman has put before us. It undertakes processes known as planning and market research, which Conservative Members find appalling. Within the county of Tyne and Wear there have been 55,000 redundancies in the past four years, mainly as a result of Government policies. There is a population of 1·2 million and with such a devastatingly high level of redundancies it is clear that the average person's income is not increasing to meet inflation. It is remarkable even to maintain ridership during a redundancy holocaust. The Select Committee on Transport heard evidence that for every redundancy that is created 150 passenger trips a year are lost. As I have said, there have been 55,000 redundancies in Tyne and Wear over the past four years. However, ridership has increased, which is a reversal of the national trend.

The success of the Tyne and Wear PTE has not been achieved by holding fares at the same level and not by reducing them either. The PTE has been selective in increasing fares. Travel cards have been introduced and discounts have been offered to the unemployed. The PTE has examined the market. It has studied how people want to travel and it has produced a system that suits the travelling public.

Whenever my right hon. and hon. Friends have talked about co-ordination and integration there has been abuse from Conservative Members. They suggest that planners are the most evil people under the sun. Such an attitude is extraordinary from a Government who are so committed to capitalism. The very foundation of the capital system is the multinational company. Are the Government saying that multinationals do not plan and do not engage in market research? Do ICI or Marks and Spencer say that they do not know what their next product will be, how many

[Mr. Clay]

examples of it they will produce and where they will sell it? Do they not know where they want their new outlets to be or which outlets they will close? Are they unsure about the number of supermarkets that they want to build and from where they will buy their products? Large companies employ more and more staff on extremely high salaries to plan and engage in market research.

The metropolitan counties have adopted the sophistication of large companies and have introduced their techniques to the provision of public passenger transport. They have adopted market research and innovation. They are producing a new product and co-ordinating it. Apparently Conservative Members find this either laughable or despicable. They fail to understand that the system that they claim to find so worth while in Tyne and Wear will be damaged unless the modest aims of the amendment are added to the Bill.

We have been told repeatedly by the Secretary of State and the Under-Secretary of State that the metro system took a considerable amount of public investment and that if it is as good as we believe the bus services that compete with it will fail. It will not take a great loss of ridership on the metro to put the entire system in danger. The system is dependent on bus services because 60 per cent. of its passengers use a bus before or after their metro journey. It is a system of fixed costs and if the ridership declines slightly the service cannot be reduced slightly. The fact is that the money has been spent. It is not, as the Under-Secretary of State suggested in Committee, a free gift. Interest charges must be paid even if the entire system is sold tomorrow for scrap and closed down. Interest charges will continue and the cost of the rolling stock will have to be met. The system will require the same number of signallers, the same permanent way and the same controllers irrespective of the frequency of the metro cars.

If the metro loses 5 per cent. of its passengers, it is not possible to reduce the service by 5 per cent. It is recognised within public transport that there is a fatal spiral. If an operator loses passengers, he has to increase his fares. When he increases his fares he loses more passengers. If he is left with fewer passengers, he has to increase his fares again. The metro will be liable to that danger. Many people from Tyne and Wear have tried to explain that to the Minister but he has failed constantly to understand their submissions.

I urge the House to try to understand the need for the metropolitan areas, especially those which have pioneered integration, to be allowed the powers that the amendment would give them so that whatever happens to the National Bus Company, the PTEs and the private operators that enter the system and try to compete there will be a network of public transport that is highly planned, co-ordinated and popular with a ticketing system that allows the travelling public conveniently to use the entire system. There has been an enormous amount of investment, both of capital to build the system and of human lives to make it work. There have been years of negotiation between different bus companies, because the system is not a monopoly. It operates between the PTE, the National Bus Company and the private operators. All those private operators support the system and are opposed to the damaging effects that the Bill will have.

The area is completely united, as the hon. Member for Isle of Wight pointed out. Senior Conservative politicians in the area are terribly afraid of the damage that the Bill will do, and are committed to opposing it. For all those reasons, we should at least pass the amendment, which gives the PTA some continuing part in making sure that the co-ordination of services, the through ticketing system and the other benefits of bus-metro integration in Tyne and Wear can continue, and that similar systems in other metropolitan counties can also continue.

Mr. Kenneth Hind (Lancashire, West): As I said in Committee, I have had my worries about the continuation of an integrated transport policy. In Committee, too often subsidy became mixed up with an integrated transport policy, which is basically a concept in transport. It has nothing to do with subsidies but is a method of running a bus and transport system.

I have looked carefully at the Bill and formed the view that there is nothing in it that will prevent a PTA laying down an integrated policy for its area. I should be grateful if my hon. Friend the Minister would comment on this. In particular, I looked at clauses 55 and 59, which relate to the function of local councils in respect of passenger transport in areas other than those covered by their PTAs.

Clause 59(1) says:

"(1) In each non-metropolitan county of England and Wales it shall be the duty of the county council—

(a) to secure the provision of such public passenger transport services as the council consider it appropriate to secure to meet any public transport requirements within the county; and

(b) to formulate from time to time general policies as to the descriptions of services they propose to secure under paragraph *(a)* above."

The councils will apply their common sense to that, and sense means integration. It will be essential, with a system such as that of Tyne and Wear, in which millions of pounds of public investment have been made, to continue that service. That will appear sensible to the passenger transport planners, and to the private operators who will realise that they will not be competing against the PTEs' metro systems in Tyne and Wear and Merseyside. They will see where their business lies, and under the Bill it will be to make money running buses. They will realise that the way to do that is to run the buses to the railway stations. I hope that in Lancashire the NBC successor will run its buses to interchanges and railway stations on the Merseyside metro and railway stations.

There has been much discussion of this matter, but, having looked at it carefully, I feel that we should be considering only one thing in the Bill—can we have an integrated system within the parameters laid down by my hon. Friend the Minister in drawing up the clause? The answer to that must be yes, and the PTEs and the PTAs must take the tools with which they have been provided by the Bill, exercise their common sense and realise that they can run such a system under the Bill. In that case, the amendment is unnecessary.

7.15 pm

Mr. Peter Pike (Burnley): The speech of the hon. Member for Lancashire, West (Mr. Hind) shows clearly that, after some 200 hours of debate on the Bill, both in Committee and in the Chamber, many Conservative Members have failed to understand what the Bill will mean and what deregulation will imply. The county councils will have a duty to provide transport services within their areas. The hon. Gentleman pointed that out, but he failed to recognise that, whether those services can be run on a

commercial or a subsidised basis, any other person who wishes to operate a similar service can register to run one in competition. That may destroy the basis on which the county council has planned.

New operators will be able to register a service for the whole of the day, or part of it, for all the route or part of it. That will cause chaos. Any plans that county councils may have for an integrated and co-ordinated system will not be possible once the Bill has been passed.

Yesterday, we debated an amendment to stop undertakings agreeing a basis on which they may compete. The Minister opposed that because he felt that that would be unfair competition. That shows how the Government are thinking. County councils such as Lancashire have been trying to get more co-ordination. Although the amendment refers to PTAs, the real point with which we are concerned is the principle of running co-ordinated transport.

Over the past few years, the Lancashire county council has made strenuous efforts to co-ordinate transport in, for example, Burnley and Pendle, where we have had an agency agreement for a number of years. The six bus operators within Burnley and Pendle co-ordinate their services to make the best use of the staff and resources. That is sensible planning.

Lancashire county council has encouraged the use of the red rose rambler ticket, and many other different types of tickets. It has co-ordinated the dates on which fare increases will be applied throughout the county and has tried to co-ordinate a countywide basis for concessionary fares. It opened a railway station at Lostock Hall a couple of years ago, and that is a tremendous stride forward. It has encouraged British Rail, and as a result a long discontinued rail service from my constituency to Yorkshire has been reopened. That is a welcome move and we are hoping to see that develop so that we can have a better rail service between the two areas. I should like Lancashire county council to support the idea that British Rail should run a service to Manchester via the Yorkshire side of the county, thereby providing a more direct service. Lancashire county council and I are convinced that such proposals, which will provide a new railway station in my constituency, will not be possible if the Bill is passed.

Deregulation will mean competition at peak hours and destroy the basis of the transport system. It will rob the present transport operators of finance. It will be a disaster. I am sorry if the Government cannot envisage the disaster that will result from the Bill. Labour Members will be proved right, and the Government will see the disaster when it is too late.

Mr. David Mitchell: We have had an interesting, although not wholly new, debate on co-ordination. There are two possible forms of co-ordination — where the service is provided or controlled by a single body, and where the market is allowed to produce the services best tailored to meet public demand but provisions are retained for facilitating proper co-operation between diverse services—through joint timetabling, through ticketing, multi-journey tickets, and so on — with contracts provided at public expense for additional socially necessary services. The Government believe that the first of those choices imposes a dead hand on enterprise. The second is much to be preferred, and that is why it is in the Bill.

I turn from the basic principle to the points made by the hon. Member for Wigan (Mr. Stott). The hon. Gentleman wants "overall control" — his words, not mine. How Socialists love power over other people's lives. The hon. Gentleman went on to say that the PTE provides the service that the public wants. The PTE provides the service that it thinks is good for people: the gentlemen in town hall know best.

Mr. Stott: The hon. Gentleman was not listening.

Mr. Mitchell: I was listening.

Mr. Stott *rose*——

Mr. Mitchell: I have only a few minutes in which to speak and I wish to deal with some of the hon. Gentleman's other points.

The hon. Member for Wigan sounded a paean of praise for the West Yorkshire PTE, which he recently visited. I do not know how much the PTE told him. I accept that, as PTEs go, the West Yorkshire PTE is reasonably efficient. Did the PTE tell him that it has one of the lowest load factors of any PTE? That does not indicate great efficiency. Did the PTE tell him that the planned reduction in mileage in 1984-85 was 3·6 per cent.? If one extrapolates that rate of decline, in 29 years there will be no buses at all. Did the PTE tell him that? Did it tell the hon. Gentleman that 76 per cent. of the buses in that area are on one-man operation, instead of 91 per cent., as with the National Bus Company? Did the PTE give the hon. Gentleman that criterion of efficiency? Did it tell him that the costs per bus mile in west Yorkshire are 10 per cent. above those in the west midlands?

I wonder what sort of picture the hon. Gentleman came away with. Did the PTE tell him that the National Bus Company's costs are, on average, between 20 and 25 per cent. below those of the West Yorkshire PTE? If the PTE told the hon. Gentleman those things, he would not have uttered that paean of praise. If it did not, the PTE did not give him a balanced picture of the position in west Yorkshire.

The hon. Member for Wigan mocked the profit motive. What is wrong with a motivation of finding, pleasing and serving customers? If the hon. Gentleman thinks that the profit motive is so bad, I ask him to look at the magnificent services that Marks and Spencer and Sainsburys provide for the public. If removing the profit motive was the signal to marvellous success, would not the co-operative shops have swept the country and put Marks and Spencer out of business? They have not, because pleasing the customer is an enormous motivator when profit is made. That is what we want in the bus services. We want happy customers who are given a service that they want, and the profit motive will help to ensure that that happens. A profit is not made unless one provides the service that the people want, because if the service is not provided the company does not get the passengers.

The essential argument of the hon. Member for Sunderland, North (Mr. Clay) was that there is a super system on Tyne and Wear which provides the service that the people of the area want. He went on, however, to make an extraordinary, illogical point. He said that the service should therefore be protected. If the system is providing the super services that the people of the area want, it does not need protection. Courage, mon ami: if one is providing

[Mr. Mitchell]

what the public wants, one does not need the crutches and protection from competition for which the hon. Gentleman asked.

I am sorry that my hon. Friend the Member for Hereford (Mr. Shepherd) is momentarily not in the Chamber. The hon. Member for Sunderland, North talked about a bus waiting in Hereford and not running until it was full. We had a trial area in Hereford, and we learnt the lessons of what was wrong. That was one of the lessons. The Bill therefore provides that a service must be registered and that a company must run according to its registered timetable. If it does not, penalties, including a fine of up to 25 per cent. of the company's fuel duty rebate — a severe penalty — are imposed. Eventually, the company might lose its operating licence. That does not happen at present. If the hon. Member for Sunderland, North is in any doubt, let him wait for a No. 11 bus. He will soon find that he will wait 20 minutes and then get three buses. At present, no penalty is imposed on the operators. Under this legislation penalties will be imposed on people in the areas outside London and, as soon as possible, in London who fail to run services as registered.

The hon. Member for Sunderland, North showed that ICI, Marks and Spencer and other private sector companies undertake market research. What leads him to believe that the motivation for profit which drives Marks and Spencer to seek out surveys to ascertain where customers can be found will not also be a motivation for bus operators to undertake the same activities in the metropolitan counties? *[Interruption.]* The hon. Member for Wigan laughs. I suppose that if he ran a bus service, he would not bother to carry out those surveys. Is the hon. Gentleman saying that, or will he admit that, if he ran a bus service, he would be sufficiently shrewd and sensible to conduct surveys to ascertain where potential customers were? If the hon. Gentleman is sufficiently shrewd and sensible to seek to know where his potential customers are, he deserves to be a spokesman for his party. If he is not sufficiently shrewd, he has no right to occupy the seat he now occupies.

Mr. Clay *rose——*

Mr. Mitchell: The House knows perfectly well that the hon. Member for Sunderland, North was talking complete nonsense in suggesting that private operators would not have the necessary shrewdness to do what is done by private operators in a host of businesses, motivated by the profit motive and a desire to find and satisfy customers and use their services again as good will is built up.

Mr. Clay: The Under-Secretary of State knows perfectly well that he is misrepresenting what I said. At the moment, PTEs plan and conduct market research. That has been denigrated by the hon. Gentleman and his colleagues as bureaucracy and undesirable. I simply made the point that the big firms which he supports and admires do the same. The hon. Gentleman implies that bus operators will not need to do that, because the mystical hand of the market will tell them where to go. They will not need to carry out market research. The Under-Secretary of State — not Opposition Members — has totally contradicted himself.

Mr. Mitchell: The hon. Gentleman fails to recognise that what he refers to as the "mystical" power of the market is the motivation to ascertain where one's potential customers are and where the company can build up business. That is exactly what the private sector does.

I hope that the House will reject the amendment and accept that we are providing a system that enables PTEs to facilitate proper co-operation between diverse services through joint timetabling, through ticketing, multi-journey tickets and the like. Facilitation rather than compulsion is the way. We want to enable the customer to be the king.

Question put, That the amendment be made:—

The House divided: Ayes 162, Noes 244.

Division 219] **[7.30 pm**

AYES

Archer, Rt Hon Peter
Ashdown, Paddy
Ashley, Rt Hon Jack
Ashton, Joe
Bagier, Gordon A. T.
Banks, Tony *(Newham NW)*
Beckett, Mrs Margaret
Beith, A. J.
Bell, Stuart
Benn, Tony
Bennett, A. *(Dent'n & Red'sh)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Anthony
Boyes, Roland
Bray, Dr Jeremy
Brown, Gordon *(D'f'mline E)*
Brown, Hugh D. *(Provan)*
Brown, N. *(N'c'tle-u-Tyne E)*
Brown, Ron *(E'burgh, Leith)*
Bruce, Malcolm
Buchan, Norman
Caborn, Richard
Callaghan, Rt Hon J.
Callaghan, Jim *(Heyw'd & M)*
Campbell, Ian
Campbell-Savours, Dale
Canavan, Dennis
Carter-Jones, Lewis
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Thomas
Clay, Robert
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S.)*
Cohen, Harry
Cook, Frank *(Stockton North)*
Cook, Robin F. *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cowans, Harry
Craigen, J. M.
Crowther, Stan
Davies, Rt Hon Denzil *(L'lli)*
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric
Dixon, Donald
Dobson, Frank
Dormand, Jack
Dubs, Alfred
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eadie, Alex
Eastham, Ken
Ellis, Raymond
Evans, John *(St. Helens N)*
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Flannery, Martin
Foot, Rt Hon Michael
Forrester, John
Foster, Derek
Foulkes, George
Fraser, J. *(Norwood)*
Freeson, Rt Hon Reginald
Freud, Clement
Garrett, W. E.
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman
Golding, John
Gourlay, Harry
Hamilton, W. W. *(Central Fife)*
Hancock, Mr. Michael
Harman, Ms Harriet
Harrison, Rt Hon Walter
Hattersley, Rt Hon Roy
Healey, Rt Hon Denis
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Howells, Geraint
Hoyle, Douglas
Hughes, Dr. Mark *(Durham)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Janner, Hon Greville
John, Brynmor
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Kirkwood, Archy
Lamond, James
Leadbitter, Ted
Leighton, Ronald
Lewis, Ron *(Carlisle)*
Lewis, Terence *(Worsley)*
Lloyd, Tony *(Stretford)*
Loyden, Edward
McDonald, Dr Oonagh
McKay, Allen *(Penistone)*
McKelvey, William
McNamara, Kevin
McTaggart, Robert
McWilliam, John
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael
Maynard, Miss Joan
Meadowcroft, Michael
Michie, William
Mikardo, Ian
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Nellist, David
O'Brien, William
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Park, George
Patchett, Terry
Pavitt, Laurie
Penhaligon, David

Pike, Peter
Prescott, John
Radice, Giles
Randall, Stuart
Redmond, M.
Rees, Rt Hon M. *(Leeds S)*
Robertson, George
Rooker, J. W.
Ross, Stephen *(Isle of Wight)*
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Shore, Rt Hon Peter
Short, Ms Clare *(Ladywood)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, C.*(Isl'ton S & F'bury)*
Smith, Rt Hon J. *(M'kl'ds E)*
Soley, Clive
Steel, Rt Hon David
Stewart, Rt Hon D. *(W Isles)*
Stott, Roger
Strang, Gavin
Thorne, Stan *(Preston)*
Tinn, James
Torney, Tom
Wainwright, R.
Wallace, James
Wareing, Robert
Weetch, Ken
Welsh, Michael
White, James
Williams, Rt Hon A.
Wilson, Gordon
Winnick, David
Wrigglesworth, Ian

Tellers for the Ayes:
Mr. Frank Hayes and
Dr. Roger Thomas.

NOES

Aitken, Jonathan
Alexander, Richard
Amess, David
Ancram, Michael
Atkins, Robert *(South Ribble)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Bellingham, Henry
Bendall, Vivian
Best, Keith
Body, Richard
Boscawen, Hon Robert
Bottomley, Peter
Bowden, Gerald *(Dulwich)*
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim
Brooke, Hon Peter
Brown, M. *(Brigg & Cl'thpes)*
Buchanan-Smith, Rt Hon A.
Buck, Sir Antony
Burt, Alistair
Butcher, John
Carlisle, John *(N Luton)*
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Carttiss, Michael
Cash, William
Chapman, Sydney
Chope, Christopher
Clark, Sir W. *(Croydon S)*
Clegg, Sir Walter
Coombs, Simon
Cope, John
Crouch, David
Currie, Mrs Edwina
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Dunn, Robert
Dykes, Hugh
Eyre, Sir Reginald
Fallon, Michael
Farr, Sir John
Favell, Anthony
Fenner, Mrs Peggy
Fookes, Miss Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Marcus
Franks, Cecil
Fraser, Peter *(Angus East)*
Freeman, Roger
Fry, Peter
Gale, Roger
Gardner, Sir Edward *(Fylde)*
Garel-Jones, Tristan
Glyn, Dr Alan
Goodlad, Alastair
Gow, Ian
Gower, Sir Raymond
Greenway, Harry
Gregory, Conal
Griffiths, E. *(B'y St Edm'ds)*
Griffiths, Peter *(Portsm'th N)*
Grist, Ian
Hamilton, Hon A. *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Harris, David
Harvey, Robert
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hawksley, Warren
Hayes, J.
Hayhoe, Barney
Hayward, Robert
Henderson, Barry
Hickmet, Richard
Hicks, Robert
Hind, Kenneth
Hirst, Michael
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Hordern, Peter
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Howell, Ralph *(N Norfolk)*
Hubbard-Miles, Peter
Irving, Charles
Jackson, Robert
Jenkin, Rt Hon Patrick
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(W Herts)*
Joseph, Rt Hon Sir Keith
Kellett-Bowman, Mrs Elaine
Kershaw, Sir Anthony
Key, Robert
King, Roger *(B'ham N'field)*
King, Rt Hon Tom
Knight, Gregory *(Derby N)*
Knowles, Michael
Knox, David
Lamont, Norman
Lang, Ian
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lord, Michael
Luce, Richard
Lyell, Nicholas
McCurley, Mrs Anna
Macfarlane, Neil
MacGregor, John
MacKay, John *(Argyll & Bute)*
Maclean, David John
Madel, David
Major, John
Malins, Humfrey
Malone, Gerald
Marland, Paul
Marshall, Michael *(Arundel)*
Mates, Michael
Mather, Carol
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Meyer, Sir Anthony
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Mills, Sir Peter *(West Devon)*
Mitchell, David *(NW Hants)*
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, John
Morrison, Hon C. *(Devizes)*
Morrison, Hon P. *(Chester)*
Murphy, Christopher
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Norris, Steven
Oppenheim, Phillip
Oppenheim, Rt Hon Mrs S.
Osborn, Sir John
Page, Richard *(Herts SW)*
Parris, Matthew
Pattie, Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pollock, Alexander
Porter, Barry
Powell, Rt Hon J. E. *(S Down)*
Powell, William *(Corby)*
Powley, John
Prentice, Rt Hon Reg
Proctor, K. Harvey
Rathbone, Tim
Renton, Tim
Rhodes James, Robert
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Malcolm
Roe, Mrs Marion
Rossi, Sir Hugh
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Thomas
Sainsbury, Hon Timothy
St. John-Stevas, Rt Hon N.
Sayeed, Jonathan
Shaw, Giles *(Pudsey)*
Shelton, William *(Streatham)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Silvester, Fred
Sims, Roger
Skeet, T. H. H.
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Spencer, Derek
Spicer, Jim *(W Dorset)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Steen, Anthony
Stevens, Lewis *(Nuneaton)*
Stewart, Allan *(Eastwood)*
Stradling Thomas, J.
Sumberg, David
Taylor, John *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Viggers, Peter
Waddington, David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Walker, Bill *(T'side N)*
Wall, Sir Patrick
Waller, Gary
Ward, John
Wardle, C. *(Bexhill)*
Watson, John
Watts, John
Wheeler, John
Whitfield, John
Whitney, Raymond
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. Peter Lloyd and
Mr. Tony Durant.

Question accordingly negatived.

It being after half-past Seven o'clock, MR. DEPUTY SPEAKER *proceeded, pursuant to the order [1 April] and the resolution yesterday, to put forthwith the Questions on amendments moved by a member of the Government to the end of part IV of the Bill.*

Amendments made: No. 68, in page 50, line 40, at end insert—

'*(d)* in Scotland, a partner or (as the case may be) an employee of a partner of such an operator;'.

No. 69, in page 50, line 44, after 'director', insert ', partner'.—[*Mr. Ridley.*]

Schedule 3

AMENDMENTS CONSEQUENTIAL ON SECTION 55

Amendment made: No. 133, in page 119, line 19, leave out from 'from' to 'Schedule' in line 20 and insert '"or with the consent"' to "Act" (which refer to consents under'.—[*Mr. Ridley.*]

Clause 57

ORDERS EXCLUDING POWERS OF EXECUTIVES TO RUN BUS UNDERTAKINGS

Amendments made: No. 70, in page 53, line 29, at beginning insert 'This section applies'.

No. 71, in page 53, line 33, after 'area', insert '("the Executive")'.

No. 72, in page 53, leave out from beginning of line 34 to 'Act' in line 4 on page 54 and insert—

'(2) At any time after the Secretary of State has given to the Executive a direction under subsection (3) of that section the Secretary of State may by order provide that the Executive shall cease, on a day specified in the order, to be under the duty imposed by section 24(2) of the 1968'.

No. 73, in page 54, leave out lines 7 to 20 and insert—

'(3) Where an order is made under subsection (2) above, any duty of the National Bus Company and the Scottish Transport Group under section 24(2) of the 1968 Act to co-operate with the Executive (or with each other) shall cease on the day specified in the order to apply in relation to the Executive's area.

(3A) Any order under subsection (2) above may include provision for the termination of any agreements made under section 24(2) to which the Executive are a party, on such terms and such dates as may be specified in relation to those agreements in the order (and different terms and dates may be so specified in relation to different agreements).

(3B) At any time after the transfer required under section 56(8) of shares in or other securities of the initial company to the Passenger Transport Authority for the Executive's area has taken place the Secretary of State may by order provide that the Executive shall cease, on a day specified in the order, to have the powers under section 10(1)(i) and (viii) of the 1968 Act (powers to carry passengers by road and to let passenger vehicles on hire with or without trailers for the carriage of goods).

(3C) Where an order is made under subsection (3B) above in relation to the Executive, section 16(2) of the 1968 Act (which relates to the provision of special information in the annual report of Authorities and Executives as to certain businesses of providing services for the carriage of passengers by road) shall cease to apply in relation to any accounting period of the Executive beginning on or after the day specified in the order.'.

No. 74, in page 54, line 22, leave out from first 'of' to end of line 27 and insert——

'*(a)* section 24(2) of the 1968 Act; and

(b) section 10(1)(i) and (viii) of that Act;

on the date on which, by virtue of the cumulative effect of orders made under this section, there ceases to be any Passenger Transport Executive in Great Britain who are under the duty imposed by section 24(2) or have the powers under section 10(1)(i) and (viii).'.—[*Mr. Ridley.*]

Clause 58

DIVISION OF UNDERTAKINGS OF COMPANIES FORMED UNDER SECTION 56.

Amendments made: No. 75, in page 54, line 34, leave out from beginning to 'the' in line 35 and insert 'Where in the case of any passenger transport area the transfer required under section 56(8) of this Act of shares in or other securities of the initial company to the Passenger Transport Authority for that area has taken place.'.

No. 76, in page 54, line 36, leave out 'the Passenger Transport Authority for that area' and insert 'that Authority'.—[*Mr. Ridley.*]

Clause 60

EXCLUSION OF POWERS OF CERTAIN COUNCILS TO RUN BUS UNDERTAKINGS

Amendments made: No. 77, in page 59, line 8, leave out 'section' and insert 'Part of this Act'.

No. 78, in page 59, line 13, leave out 'and'.

No. 79, in page 59, line 20, at end insert 'and

(c) references, in relation to any council operating a bus undertaking, to the council's bus undertaking are references to all activities carried on, whether by the council themselves or by any other authority or person in persuance of any such arrangements as are mentioned in paragraph *(b)* above or otherwise, in or for the purposes of the provision by the council of any such service.'.—[*Mr. Ridley.*]

Clause 61

FORMATION OF COMPANIES TO RUN COUNCIL BUS UNDERTAKINGS

Amendments made: No. 80, in page 59, line 32, after 'any', insert 'other'.

No. 81, in page 60, line 2, leave out from 'if' to end of line 12 and insert

'any service for the carriage of passengers by road provided by the council, being a service for which a PSV operator's licence is required, is provided under any agreement or arrangements provided for—

(a) the provision or operation of any services for the carriage of passengers by road by any person acting on the joint behalf of that council and any other person; or

(b) the joint provision or operation of any such services provided by the council in conjunction with any such services provided by any other person

and (in either case) the joint ownership of any assets used or appropriated for use for the provision of any such services under the agreement or arrangements in question.

(4) References in this Part of this Act, in relation to a council whose bus undertaking forms part of a joint undertaking, to the joint undertaking are references to all activities carried on, or (according to the context) to all property used or appropriated for use and all rights and liabilities subsisting for the purposes of any activities carried on, in pursuance of the agreement or arrangements by reference to which that council falls within subsection (3) above.'.—[*Mr. Ridley.*]

Clause 62

SCHEMES FOR TRANSFER OF INDIVIDUAL COUNCIL BUS UNDERTAKINGS TO COMPANIES FORMED UNDER SECTION 61

Amendment made: No. 82, in page 60, line 24, at end insert

', except where any of the activities of the council's bus undertaking ("the separate activities") are carried on by the council otherwise than in pursuance of any such agreement or arrangements as are mentioned in section 61(3) of this Act; and in the latter case the reference in subsection (1)*(a)* above to property rights and liabilities of the council shall be read as limited to property used or appropriated for use and rights and liabilities subsisting for the purposes of the separate activities.'.—[*Mr. Ridley.*]

Clause 65

EXEMPTION FOR COUNCILS RUNNING SMALL BUS UNDERTAKINGS

Amendments made: No. 83, in page 65, line 20, leave out 'to which section 60(1) of this Act applies' and insert 'which requires a PSV operator's licence'.

No. 84, in page 65, line 24, after '60(1)', insert 'of this Act'.—*[Mr. Ridley.]*

Clause 79

INTERPRETATION OF PART IV

Amendments made: No. 85, in page 77, line 33, at end insert—

'*(bb)* references to—

(i) a service for the carriage of passengers by road which requires a PSV operator's licence;

(ii) the provision of any such service by any council; and

(iii) the bus undertaking of any council operating a bus undertaking;

shall be read in accordance with the relevant provisions of section 60(7) of this Act;'.

No. 86, in page 77, line 36, after '(3)', insert 'and (4)'.

—*[Mr. Ridley.]*

Clause 80

EXPENDITURE ON PUBLIC PASSENGER TRANSPORT SERVICES

Mr. Fry: I beg to move amendment No. 87, in page 78, line 11, at end insert

'provided that any such authority shall have the option of adopting a system of comprehensive competitive tendering'.

I am pleased that I have the opportunity to initiate the debate on what I consider to be a genuine and middle-way attempt to ensure that the Bill is more workable. I should like the Minister to appreciate that I tabled the amendment in an attempt to provide a genuine alternative to the subsidy system outlined in the Bill. Competitive compulsory tendering was proposed by the Transport Select Committee in its second report during the 1984-85 Session. At the risk of wearying the House I shall read one or two extracts from it to explain the purpose of the amendment. Page 66 says of comprehensive competitive tendering:

"This option consists of a co-ordinating authority being responsible for planning the provision of services, but being required to put all services, whether profitable or unprofitable, out to tender. That could be done on a gross cost basis, with all revenues accruing to the authority . . . or on a net cost basis, with competing operators offering either to pay for the privilege of providing a specified service or to undertake it for a declared subsidy. The profits from the sale of the profitable franchises could then be ploughed back into the payments for the unprofitable franchises. Either version makes the subsidy system more transparent . . . and fully retains the potential to use internal cross-subsidy within the bus sector without giving any individual operator a secure profits base from which to engage in predatory competition in other parts of the network."

It is significant that such schemes have already been tried in Oslo, Paris and Munich, to name but three major continental cities. It is interesting to note that when the Select Committee took evidence from the guru of the Government's philosophy, Professor Beesley, and pressed him to give an example of anywhere in the world with a system such as that outlined in the Bill, he was hard pressed to find one. The amendment's proposals have been tried elsewhere, but the Government's proposals are completely untried on the scale on which they are intended to operate.

7.45 pm

The House is entitled to ask why it is necessary to put forward an alternative. The answer is contained in an interesting report from Hertfordshire county council, before the recent county council elections, when it had a somewhat bluer tinge. That study examined the changes in transport supplementary grants, and the probable alteration as a result of the ending of cross-subsidy. It is interesting that the county council estimated that, because of the loss of cross-subsidy, it could need up to £2 million of extra revenue support, or would need to reduce its support by about £2 million. In any event, it forecast the danger of about a 30 per cent. loss of services should the Bill be put into operation. The cost of school transport, social services transport, district health transport and works transport would escalate. That one report shows the need to pause before accepting the Government's proposals on tendering.

It may be no accident that a range of local authority organisations have expressed doubt about this aspect of the Bill. The Association of District Councils, which is Conservative-controlled, stated:

"The basic weakness of the proposals stems from the fact that they are a product of political and economic theories with no practical input and will not stand up in practice."

I seek to put forward a proposal that is based on practice and that is practical.

The Association of Metropolitan Authorities in its recent publication states that the problems of the Bill

"can be avoided by use of a suitable system of competitive tendering within a co-ordinated network of services."

I ask the House to note the following words:

"This is the solution being used by London Regional Transport (London is excluded from deregulation for the present, although the Bill gives the Secretary of State reserve powers to deregulate in London in due course)."

The most significant comment comes from the Association of County Councils, which has deliberately set out not to oppose the Bill but merely to improve it. In a letter dated 17 May, the ACC stated:

"We do not believe that the tendering system set out in the Bill can operate satisfactorily unless in appropriate cases the tendering authority can obtain protection for the tendered services against competition on the road from other operators."

All those comments show the strength of feeling in local government. When the idea was put to my right hon. Friend the Secretary of State by hon. Members who represent Kent, they received replies which stated that such ideas were a franchise. The Government believed that the great danger was that such a franchise, once having been granted, would mean that the incumbent was protected from competition, and that the franchise conferred monopoly power and the scope for exploitation of the passenger. That was the answer given to my hon. Friend the Member for Maidstone (Sir J. Wells) and others on 7 March. Even if that were entirely true, the Government must explain why it is satisfactory to pursue such a policy in London and not elsewhere.

The leader of Kent county council, Mr. Tony Hart, wished to rebut the arguments in that letter, especially the arguments produced in a document entitled "Problems with Franchising". Anyone who has read that document will understand Mr. Hart's comment that the arguments in

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it are merely an academic prediction. He pointed out that one of the most interesting remarks in the document appeared in paragraph 9, which states:

"This paper"—

a paper in the Bell Journal of Economics in 1976—

"is the source of a considerable number of the comments made in the present paper."

That shows that this interesting document has been culled from someone else's intellectual or academic exercise.

In his letter to members of the Standing Committee of 29 March, Mr. Hart said that it was odd that the Government had leaned so heavily on that paper. He said that they quoted from it only selectively. He went on to quote from page 102 of the paper, which states:

"I should point out that there are circumstances where I suspect that regulation or public ownership can be supplanted by franchise bidding with net gains."

It gave the specific example of local service airlines. Even from that paper, which shows that the Government are hostile to the idea of an alternative method of tendering, it appears that their source is not secure.

In his letter to members of the Committee, Mr. Hart came down firmly on the side of competitive tendering. He said that, as matters stand, under total deregulation,

"Kent county council's revenue support could escalate from £3·2 million to £5 million, in order to retain the current levels of service."

The interesting point that he makes is this:

"Under a system of franchise tendering, it is estimated that for this county there could be a reduction in revenue support to under £3 million."

The Government's objective to keep down the cost of revenue support can be achieved in another way, which will cause considerably less dislocation.

There is a tendency to confuse franchising, as it has been interpreted in the Government's document, with comprehensive competitive tendering. But the two are different. Comprehensive competitive tendering would allow an authority to define the network of services that it considered necessary to meet the needs of the area. It would then divide those services into different sized packages that could be put out to competitive tender on a rolling cycle to ensure that, in any area, there were regular opportunities for operators to compete for packages or services.

The specification of services in the package would be flexible enough to encourage operators to develop innovatory services. Where operators believed that they had spotted a gap in the services specified by the authority to develop a new market, they would still be able to apply to register the service with the traffic commissioner. The authority would have to demonstrate that it was against the public interest.

Such a system would largely solve the problem with franchising that was identified by the Secretary of State and outlined in the pamphlet to which I referred. The problem of an authority being captured by an operator who would be protected from competition would not occur, because there would be a constant cycle of reletting of contracts.

It is interesting to note that, far from that proposal being seen by many bus operators as an opportunity to make a great deal of money, the trade association of the operators —the Bus and Coach Council—is not happy about the ideas that I am putting forward. Indeed, it rejected proposals for comprehensive competitive tendering. That shows that the argument is not one of allowing the operators to be protected ad infinitum. Existing operators would be kept on their toes by new operators bidding for the smaller packages that can be operated by local authorities. It would be for the local authority to ensure that the packages suited companies that had only one bus. At the same time, because of the constant ringing of the changes with the contracts, there would be room for the innovation of new services.

I commend that system to the House, because its great advantage is its flexibility. It is flexible because it is a genuine option. I suggest not that it should replace the proposals in the Bill, but that local authorities could use it if they wished. The proposal is flexible because the authority could introduce the scheme throughout its area or only in parts of it. It is flexible because it could be introduced and as easily withdrawn by allowing contracts to lapse and other operators to register their services.

The Government's ideas on tendering are based on hope rather than certainty. Whatever one says about Hereford and Worcester—I do not wish to become involved in an argument about whether those schemes were successful —to say that we shall fundamentally change support on the basis of two experiments, one of which the Transport and Road Research Laboratory study said was inconclusive and one of which was debatable, may lead the Government into severe trouble in a year's time. If the Government are determined to innovate and if they wish to move from the present system, it must be right to experiment with at least two alternative systems to see which is the best. That was the view of the Select Committee.

The last paragraph of the Select Committee report states:

"We therefore favour comprehensive competitive tendering as a system capable of catching the largest proportion of the cost saving potential (as all routes go to competitive tender), consistent with an acceptable ability to maintain the benefits of integration and co-ordination, and a very explicit and transparent responsibility of the local political authority. The fact that the responsiblity and power was very explicit should, we think, encourage local authorities to show the kind of enterprise and skill which has been shown in this aspect of the behaviour of the County Council in Hereford. We therefore recommend that the Government should amend its proposals by retaining the overall responsibility of the local authority for the planning of public transport provision; by extending the obligation to undertake competitive tendering to cover all services; and by requiring all authorities to devise modes of operation of the regime which give proper scope for the development of innovatory services."

8 pm

That recommendation and others were not passed by one odd Conservative voting in favour of them. In fact, in the Division on that section of our report, three Conservatives voted for it and only one against. The one honourable exception was my hon. Friend the Member for Derbyshire, West (Mr. Parris). What was the amendment that he suggested, which the rest of us voted down? While not accepting the recommendation that I have just read out, he suggested that the idea of tendering on that basis was very useful as a backstop for the Government. Therefore, even he could see that there was a necessity for something to be there in case the Government ran into trouble.

I say to the Under-Secretary that, if the Government can accept that there is an alternative way which can keep some of the best of the present system and, in terms of

negative tendering, produce extra funds to subsidise many other services that are unprofitable at the moment, it would give a flexibility to the Bill which, I regret, has not been too apparent so far during our deliberations. I want flexibility. The Bill has to be made to work, so I think that the best alternative should be put in it. It is not obligatory; it is something that local authorities can pick up or lay down as they choose.

Mr. Stephen Ross: I support the hon. Member for Wellingborough (Mr. Fry). He has taken most of my guns from me because his was the speech that I would have made on clause 1 yesterday had the appropriate amendment been called. However, I do not deny him that, because he has much more knowledge and expertise than me.

Comprehensive competitive tendering is under attack from two directions—first, from those, including some hon. Members, who believe that almost any change in the status quo is an attack on our current bus services, and, secondly, from the Government, who took the unusual step of publishing a detailed rebuttal of the Select Committee's case for adopting CCT about a month or more ago under the heading "Problems with Franchising". That document has been perused by many people. They find it full of holes, as does the chairman of Kent county council, to whom the hon. Member for Wellingborough referred. While those supporting the present organisational arrangements for bus services hold their views strongly, and no doubt sincerely, it is clear that the status quo cannot continue. I accept that, as I did on Second Reading and in Committee. There is no doubt that the threat of competition has stimulated cost cutting and innovation. One has seen it in the railways in particular. Furthermore, while the public no doubt cherish the bus services, they are not all satisfied with the present arrangements.

The Government's paper, "Problems with Franchising", is disingenuous. Many of the criticisms that it ascribes to such a system also apply to a significant extent to the Government's proposals for limited competitive tendering for loss-making services. The Government's argument seems to be, first, that franchises offer protection to the incumbent, as it is in the local authority's interest to maintain continuity of contract; secondly, that franchises are an abuse of monopoly power — that argument is poorly developed in the paper; thirdly, that the performance specifications in the contract cannot accurately reflect customers' wishes; fourthly, that invitations to tender are likely to be biased towards incumbency or variety; fifthly, that the criteria for finally awarding the contract will be artificial; sixthly, that the franchisees will tend to use imprecision in the contract as room for manoeuvre and/or to press for renegotiation; seventhly, that monitoring of franchisees' performance will create new bureaucracy; and finally, that new operators will find it difficult to win contracts.

I wonder whether the Department of Health and Social Security is aware of those arguments against franchising hospital cleaning, for qualitatively they are true. However, in the case of buses, the pros and cons of comprehensive competitive tendering must be balanced quantitatively against those of the present system and the Government's proposals — in other words, deregulation plus limited competitive tendering. On that basis, CCT comes out a clear winner. It ensures the benefits of competition but minimises the danger. Furthermore, many of the problems attributed to CCT can be overcome if the contracts are not homogenous, as the Government assume. Thus, there would be a mosaic of short contracts, of perhaps three years, and long contracts, of perhaps five years, covering large and small networks of services. Some contracts would cover a network of profitable routes only, the operator paying the local authority for the privilege of running the service exclusively. Other contracts would be for networks of loss-making services, for the provision of which operators would be paid by the local authority.

Thus, at a stroke, a large proportion of cross-subsidy would become transparent to public inspection, as the cross-subsidy would be going through the local authority's books rather than remaining hidden within the operator's paper franchise. Clearly, some contracts would, for operating purposes, cover a mixed network of profitable and unprofitable routes. If the opacity of cross-subsidy is to be significantly reduced, the number of such internally subsidising contracts would need to be kept to a minimum. Cross-subsidy would not be totally eliminated by CCT, but even the Government accept that eradication is neither possible nor commercially desirable.

For the success of CCT, it is essential that, first, local authorities must have a clear statutory obligation to co-ordinate transport provision—unfortunately, we failed to get that written into the Bill under the previous amendment —and, secondly, that at the very least contracts should ensure that a minimum standard, agreed nationally, of frequency, reliability, network and price is attained.

I call one other important witness in support of the idea of franchising — Dr. Quarmby, the former managing director of buses on London Regional Transport. I think that he is now running the Sainsbury fleet. In evidence to the Select Committee on 19 December 1984 he said:

> "Deregulation is likely to lead, at the end of the day, to less competition because it is likely to lead to the re-establishment of the territorial monopolies, of the kind we were familiar with 50 or 60 years ago. I think tendering within a planned framework is more likely to maintain real competition. In order for that to happen one has to parcel out routes in a way that reflects the ability of the supplying market to produce the service."

I know of at least four county councils, perhaps more— I know that the Association of County Councils also goes along with the idea—which would very much like to go down the path of comprehensive competitive tendering. Three of those councils are Hertfordshire, Essex and Kent. The councils should have that option. I go further and say that it is the right way forward. I support the amendment.

Mr. Robert Adley (Christchurch): I voted with considerable reluctance for the Second Reading of the Bill because I recognised that, incontrovertibly, change was and is needed in the present bus licensing arrangements. The Bill is an expression of political will and I think that virtually all Conservative Members recognise the Government's courage in trying to achieve their objective in the Bill. My support for the amendment is based on a transport rather than a political view, and I support it for transport reasons, not for political reasons and certainly not for party political reasons. I do not believe that any public transport system can be run without an element of cross-subsidy.

Like my hon. Friend the Member for Wellingborough (Mr. Fry), I believe that experimentation is necessary. The Government have rightly expressed the hope that new ideas will permeate the whole bus transport industry as a result of the Bill and I believe that that is likely to be the

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case. What I do not like is the attitude, "We support experiments in public transport provided that they are the experiments laid down in our legislation". To me, that smacks of Henry Ford's dictum that people could have any colour motor car so long as it was black.

My hon. Friend the Member for Wellingborough has proposed the amendment with great conviction. I hope that my hon. Friend the Minister will recognise that the amendment is essentially modest in both spirit and wording. By no stretch of the imagination is it motivated or likely to be taken up by people inherently hostile to the Bill. I put it to my hon. Friend the Minister in these simple terms: if he wants my vote for the Third Reading of the Bill, will he please accept my hon. Friend's amendment?

Mr. David Mitchell: The hon. Member for Isle of Wight (Mr. Ross) seemed rather bewildered by the brief that he was reading and I am sorry to say that I did not understand it any more than he did. I believe, however, that the point that he was trying to make was encapsulated in the speech of my hon. Friend the Member for Wellingborough (Mr. Fry) and supported by my hon. Friend the Member for Christchurch (Mr. Adley).

The hon. Member for Isle of Wight quoted evidence from the Select Committee in support of his view, based on a package of profitable and loss-making routes so that the cross-subsidy from the profitable routes could be used to run the loss-making routes. In fact, that is the root of much of the trouble with the existing system and I would not wish it to be perpetuated.

My hon. Friend the Member for Wellingborough, supported by my hon. Friend the Member for Christchurch, put the case for comprehensive competitive tendering—a form of franchising which, I grant, would be some improvement on the present system. There is, however, the inherent disadvantage that the pattern of services would be decided by the county transport planners and not by the market. It was scarcely surprising that my hon. Friend the Member for Wellingborough was able to pray in aid the views of the Association of County Councils and the Association of Metropolitan Authorities as the proposal would give them the decision-making power that they sought.

With a franchising system, we would never know how much the market could do on its own. Cross-subsidy would be retained, thus losing passengers on the better routes and the lower fares and more frequent services that would come with free competition. Cross-subsidy is essential to the package proposed by my hon. Friends and would undoubtedly be seen by county and district councils as a way through, based on a continuation of the existing system of overcharging customers on the better routes and providing an inferior service in order to generate the profits needed for cross-subsidy to take place. I appreciate the moral compulsion behind my hon. Friends' case, but my hon. Friend the Member for Christchurch must know from his knowledge of transport that if one overcharges customers or provides substandard services to create profits for cross-subsidy one drives away customers. That is the economic reality at the heart of much of the failure of the present system.

8.15 pm

As both my hon. Friends know, cross-subsidy is a feature of a multitude of businesses, but in that case it is commercial cross-subsidy — providing attractive loss leaders to bring customers into the main business. The reverse is true of cross-subsidy in the bus industry where it means damaging the main business to provide for minority customers. That is not commercial and it is totally damaging to the health of the industry. The chairman of the National Bus Company, in his report last year, identified excessive use of cross-subsidy as one factor leading to the early demise of efficient and profitable services.

I understand what my hon. Friends are trying to do and I do not lack sympathy with them. I also accept that the proposal would be some improvement on the present system. Nevertheless, it would have the fatal flaw of perpetuating a system which drives away customers on the best routes. For every 10 per cent. increase in fares or reduction in the value of services there is a 3 per cent. loss in customers. The effect of my hon. Friends' proposal would thus be to perpetuate the weaknesses of the present system.

Mr. Adley: My hon. Friend the Minister is proffering a one-option high-risk proposition in the Bill which we may all live to regret. I repeat the question that I asked before: how many major cities can he name in which the scheme that he is propounding in the Bill is in operation and working successfully?

Mr. Mitchell: I shall be happy to deal with that in a moment.

A franchising system would lack flexibility. Worst of all, once the franchise was awarded competitive pressure would be off. There would be no on-going pressure for efficiency, high productivity and control of costs. There was a dramatic change in Midland Red when it had to face open competition rather than a closed franchise. That company managed to improve its productivity by 25 per cent. If we adopted the franchise system proposed by my hon. Friends, that kind of pressure would be off once the franchise was granted. I accept that the amendment would make some improvement, but it would provide nothing like the revitalisation of the industry that is needed.

It may help if I draw attention to some of the other consequences of my hon. Friend's proposal. The level of fares, the pattern of routes and the frequency of services would all be settled by the planners—perfect in theory, but in practice lacking the ability to change and to respond to the market.

Mrs. Dunwoody: The Minister is back on his favourite theme about planners. Has it never occurred to him that planners who work for local authorities and have spent years obtaining proper qualifications are far more likely to be responsive to the needs of bus travellers than anyone planning for the needs of just one company? Why does he show such deep contempt for anyone who knows anything about transport?

Mr. Mitchell: I assure the hon. Lady that I feel no such contempt. Perhaps she has not heard of consultants, who are available to provide specialised services to a multitude of operators and who form an inherent part of the private sector system for identifying markets and ascertaining what the public want.

Invitations to tender and awards put a premium on the incumbent operator. I shall return to that point because, in practical terms, it is important. Moreover, it is

exceedingly difficult, if not impossible, properly to assess bids in the way that would be necessary in this case. How does one assess a cheaper, older vehicle and compare it with a smaller, newer fleet? How does one assess differential peak fares proposed by one operator and compare them with those proposed by another operator? As soon as a contract is awarded for the term period—the proposed franchise—the operator is protected from all of the normal business pressures to improve efficiency. And how does one police it? If there is a gradual deterioration, at what point does one say that the gradual deterioration is sufficiently bad that something must be done about breaking the contract? The reality is that there would be a drift which embodied many of the weaknesses of the present system. I accept that it would be an improvement upon the present system, but it would be nothing like the improvement to be obtained from an open, competitive market.

What would happen in practice in a place like Manchester? How many other operators in Manchester would be prepared to compete with the passenger transport executive for these market franchises? What proportion of the market could conceivably be taken other than by the existing Manchester PTE? In that case, what would happen under the rolling system of replacement franchises when they are relet and the number of private sector operators is increased? Is my hon. Friend the Member for Wellingborough prepared to face the Manchester PTE bus workers and tell them that at the toss of a coin their jobs will be lost and they will be unemployed simply because a contract has been let like that? That would not be acceptable to a very high proportion of the bus workers in Manchester, but it would be the inevitable consequence of the high proportion of the contracts that the Manchester PTE would have to have in the first place because of the insufficient number of competing operators.

My hon. Friend the Member for Wellingborough asked why competitive franchising is not good enough for the rest of the country when there is competitive franchising for London. I think he knows that the arrangements for London are only temporary. The interim franchising arrangement is better than the previous monopoly system, but it is not as good as the system that London will enjoy when the Bill is enacted.

My hon. Friend also referred to Kent. He said that the revenue subsidy for Kent is now £3·2 million and that it will rise to £5 million when the Bill is enacted. What figure has my hon. Friend placed on the potential improvement in efficiency of the Kent operation? Does he expect a 5 per cent. or a 10 per cent. improvement in productivity because of competition? I shall be happy to give way to my hon. Friend because it will help to take the argument forward.

Mr. Fry: The figures I gave for Kent were submitted by the Conservative leader of Kent county council. As my hon. Friend the Under-Secretary of State knows, Kent has been working on this proposal for some time. I do not know the entire basis of its calculations, but occasionally it is worth trusting some of the experts in the counties who are on our side to come up with the right figure.

Mr. Mitchell: I do not doubt the wisdom of what my hon. Friend is saying, but I have to make two points to him. Kent is operating the same system as was operated by Norfolk before it went out to competitive tender. When Norfolk went out to competitive tender, it saved over 60 per cent. of ratepayers' money. I understand the theory of my hon. Friend's argument, but he has failed to take account of the reality that as soon as there is competition operators' costs are brought tumbling down.

Let me give another example to my hon. Friend. In Kent there is both a municipal undertaking and a National Bus Company undertaking. When the private sector challenged the National Bus Company, Surrey county council was not sure that it could believe the figures that it had been given. Therefore, it called in consultants to make an assessment. They said, "No, we do not think that it could be quite so good as the private operators say, but we think that it could be 20 per cent. below the operating costs of the National Bus Company." If my hon. Friend could demonstrate that the Kent figures to which he referred would stand up to a 20 or 25 per cent. improvement in productivity and would still result in an increase in the subsidy that would be required, I should concede the argument. However, my hon. Friend cannot do so.

If one takes the turnover for Kent and expects a 20 or 25 per cent. improvement in productivity, one finds that there is an enormous difference in terms of the prospective amount of subsidy that would be required. If my hon. Friend the Member for Christchurch can show that, with the improvements in efficiency which have demonstrably been obtained, he cannot minimise this subsidy, then he has made a good point. If he cannot do that—and I do not believe that he can—I hope that he will join me in the Lobby in voting down the amendment.

Mr. Fry: It is clear that the figures that have been bandied about for Norfolk were comparing like with like. The problem is that the level of services has not been entirely the same.

My hon. Friend has slightly missed the point about the improvement in productivity in Kent. When tenders are competed for, an opportunity is provided for those who have increased their productivity to put in lower bids. As it is a competitive tender, it will allow certain costs to come down. The innovative entrepreneur will be encouraged. I fail to see why the system I have put forward should not lead to a considerable improvement.

Mr. Mitchell: My hon. Friend was seeking to demonstrate that the existing system will lead to increased costs falling on the ratepayers of Kent. I have sought to demonstrate that that is not so.

Mr. Fry: One does not know. Nobody knows.

Mr. Mitchell: My hon. Friend says that in the case of Norfolk one is comparing like with like. It was, in fact, a case of comparing equivalent with equivalent. There were considerable cutbacks in Norfolk, but they took place before the county council went out to tender. If my hon. Friend examines in detail what happened when the county council went out to tender, he will discover that there was a substantial reduction—from £500,000 to £150,000—in the tenders for the equivalent routes. However, inherent in it was a very curious fact: that, faced with competition, the National Bus Company suddenly discovered that it could run a block of those routes without a subsidy, although previously it had said that it required a subsidy. That is a further argument to set against those that have been advanced by my hon. Friend. When the chips are

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down, competition will get the costs down and make marginal routes viable to an extent that my hon. Friend has not fully taken into account.

My hon. Friend may have difficulty in withdrawing his amendment. I do not know how far he is committed. I hope that he will feel able to do so. In view of the arguments that I have deployed, I hope that my hon. Friend the Member for Christchurch will at least feel that his support for the amendment has been weakened.

Mr. Adley: My hon. Friend was going to name the three cities.

Mr. Mitchell: I apologise to my hon. Friend. I have failed to answer two points. My hon. Friend asked me to name the other cities which had introduced the system. I shall not name the other cities which have introduced this system because I am not afraid to be a pioneer. My hon. Friend is a great exponent of the railways and knows that in their day they were pioneers. If those who pioneered the success of the railways, which my hon. Friend cherishes, had adopted the chicken-hearted approach that my hon. Friend has tried to suggest, we should not have railways in this country today.

8.30 pm

My hon. Friend said that the Hereford and other trial areas were too small on which to base such a major change. But we have not built this Bill solely on those trial areas. We have built it on the known effects of competition where it has been introduced to replace monopoly. One example is the aviation industry, where internal air services have been improved, where there has been substantial investment, and whose services more travellers are now using. Another example is the long-distance coach services that have modern coaches, more investment, better quality services, such as video shows, lower fares, and more people travelling on them. Those are things that the customers like. We have no reason to believe that the principle that has been well tried in other areas will be found to be flawed when applied to the bus industry.

Mrs. Dunwoody: I am not surprised that the hon. Member for Wellingborough (Mr. Fry) has been looking mildly bemused throughout the Minister's peroration. He was treated to the kind of monologue that we heard ad nauseam in Committee. The reality is that, when the Minister was asked to name one city, or even a suburb, in which the proposal has been tried and found to be successful, he was overcome with the most incredible inability to discover any area where it had worked.

The Minister told his hon. Friend not to worry because the Government knew that it worked in competition with express coach services—omitting, as he always does, to say that he was not comparing like with like, that the express coach services do not go to all the places that they did previously and that the costs of running those services is largely borne by reduced revenue for British Rail. He sticks to his theory that if it works for the express coach services, it must work for everything.

I do not believe that franchising is the ultimate answer, but that will not come as any surprise to Conservative Members. I would prefer to lose the Bill entirely—it is a disaster. Conservative Members, when they are being honest, realise that. They know that such a major change, which will produce utter chaos, will not be to the advantage of the Conservative party or any other party. If the Bill goes through — and heaven forfend that that should be so—anything that is slightly better than what is intended in the Bill may be an improvement.

I find it amusing when Ministers get up with such vigour, if not sense, and defend their refusal to accept amendments. I have discovered something interesting. In the brave new world of 1961, a certain Mr. Nicholas Ridley, Member for Cirencester, proposed to the then Minister of Transport that bus services should be allocated to operators on the basis of franchising. I suppose that we should at least be grateful because we have absolute proof that it takes only 20 years for the Secretary of State to change his views, so we can wait around and, with any luck, will find a new public transport system in the next 20 years—although the right hon. Gentleman will not be left in charge of it for more than 20 minutes.

It is amusing to read that the Secretary of State told a conference at Bristol university last year that since 1961 he had seen the error of his ways. I am afraid that that is not all consistent with his record either as a Treasury Minister or as a Transport Minister. If that is the case, there is always the hope that the worst sinner will eventually repenteth.

The Opposition regard the whole theory of franchising as inadequate compared with our present system. The argument is not whether franchising would do as good a job as is being done at present, but whether franchising could ameliorate the chaos that will happen under the Bill. Certainly the Government are not prepared to talk sensibly about transport. On that basis we are prepared to listen to the arguments put forward by the hon. Member for Wellingborough, but, if this appalling Bill becomes law, we want it struck off the statute book as soon as possible.

Mr. Parris: I apologise to my hon. Friend the Member for Wellingborough (Mr. Fry) for missing part of his speech. However, I heard him say, quite rightly, that the members of the Select Committee did not agree on every point. But all Members of all parties did agree that something was seriously wrong in the bus industry and that radical change was needed. Some of us thought that comprehensive competitive tendering was the answer, while others thought that the proposals in the Bill were the answer.

In Committee I listened to Labour Members and wondered whether they accepted that something was seriously wrong in the bus industry and that radical change was necessary. They appeared to waver, and I thought that they would come down on the side of comprehensive competitive tendering — that is, franchising. However, the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) has now rejected that and said that the Labour party does not think that franchising is the answer. I wonder whether Opposition Members accept that anything needs to be done in the bus industry. I wonder what their analysis of the problems may be and what their thinking is on possible solutions. From what the hon. Lady says, it appears that there is no thinking at all and that they have no solutions to put forward. I find that interesting.

Mr. Fry: Some of the comments of my hon. Friend the Minister about this form of tendering assume that the remainder of the Bill has not happened. The very fact that bus services will be referred to the Office of Fair Trading is one way of ensuring that there is not a monopoly or that

one operator does not take an unfair advantage. I must tell him—and I never thought that I would do this—that I call to my defence my right hon. Friend the Secretary of State, who I have heard say at least twice that he objects to cross-subsidy that cannot be discovered. He has said that if cross-subsidy is transparent, it is acceptable. I believe that the cross-subsidy in this system would be transparent. Now that transport support grant does not relate to revenue support, every local authority will want to keep down the amount of money that it will be using out of its rate support grant to subsidise public transport, so it will be demanding value for money.

My hon. Friend may live to regret boasting about rates of improvement of 25 to 30 per cent. across the country. I accept that such improvements are possible in some places, but they are clearly not possible in other places. If he had listened to the evidence given to the Select Committee, he would realise that the experts were divided. Most of them said that, while there were improvements in some cases, in others improvements were not possible. If my hon. Friend thinks that he will obtain a 25 to 30 per cent. improvement in costs across the country, he is in for a sad shock.

Mr. David Mitchell: My hon. Friend will be aware that one authority that took the view that no further improvement could be made in its efficiency and productivity was Plymouth. He will also be aware that, when Plymouth went to a firm of consultants, its report suggested a 20 per cent. potential for improvement. Yet Plymouth is one of the most efficient municipal operators in the country. If the most efficient operator has the opportunity for a 20 per cent. improvement in productivity on the basis of a consultant's external report, perhaps my hon. Friend would like to consider again whether there are many such areas. I do not ask for every authority, but I should be interested to have my hon. Friend's list of those which are so good that there is not this improvement. However, Plymouth stands out as one of the best.

Mr. Fry: I do not deny that there are areas in which there could be considerable improvement, but I say that one cannot make such a generalisation. It is because I believe that the Government's stand is based on hope rather than knowledge that I think it would be valuable if the Bill were amended as I propose, to provide an alternative. I hope that my hon. Friend will not live to regret not having accepted the amendment. I think that he probably will.

Mrs. Dunwoody: The Secretary of State for Transport, the right hon. Friend of the hon. Member for Wellingborough (Mr. Fry), rubbished the report of the consultants in Plymouth and said that it was not accurate and that the figures in it could not be accepted. Would the hon. Gentleman mind asking his right hon. Friend why it is that, when the report states that Plymouth will have to pay a considerable amount more to supply its existing level of services, he does not like the figures, but, when he wishes to argue with his hon. Friend the Member for Wellingborough, he suddenly finds it an extremely convincing report and one that should be accepted?

Mr. Stephen Ross: The report states:

"We believe that we have demonstrated, in Plymouth's case, that there is a strong likelihood that this will not be true if the proposals are implemented in their present form."

In other words, there will be savings, and it is likely to cost the local authority considerably more if it implements the schemes as proposed by the Government. That is the overall conclusion of the document.

Mr. Mitchell: There are certain fundamental flaws in the report. It assumes, for example, that there will be no cross-subsidy, but every commercial undertaking has cross-subsidy.

Mrs. Dunwoody: The hon. Gentleman is trying to get rid of it.

Mr. Mitchell: Not commercial cross-subsidy. The report assumes that there will be no increase in the patronage on the loss-making services as a result of competition. However, neither of those arguments will stand up to careful analysis.

If I may help my hon. Friend the Member for Wellingborough, I think that what is not at issue is that there is a potential for a 20 per cent. increase. We do not disagree with that. If we and the consultants are agreed, perhaps my hon. Friend will accept that at least there is a strong probability that such a potential for improvement in productivity exists.

Dr. Marek: I apologise to the hon. Member for Wellingborough (Mr. Fry) for having missed the first part of his opening remarks.

As a first choice, comprehensive competitive tendering for any such scheme is not one for which I would opt. On the other hand, I do not have the luxury of choosing an integrated transport system. I am not particularly interested in whether there is cross-subsidy. If there were a choice between its being hidden or perceived by the public, I would always go for the latter, because there is nothing to hide and the public should be informed if there is a cross-subsidy. I am sure that most people in a town would recognise that bus services must extend to the outskirts and make provision for everybody in the town rather than, as will happen if the Bill is enacted unamended, bus services being provided in the centre of the town and the outskirts generally having a poor bus service, if they have one at all.

However, as I said, I do not have the luxury of opting for an integrated transport service. In the circumstances —I do not know whether I speak for my hon. Friends— I support the amendment and, if the hon. Gentleman presses it to a vote, I shall support him.

8.45 pm

It is a pity that such a Bill has been presented to Parliament. The Bill was based originally on the Hereford trial area. It was vaunted throughout the country that it had succeeded beyond the wildest dreams of the Government who had proposed the scheme. In the last two days, I have noticed a change in the attitude of the Government. They have said that they learnt a great deal from the Hereford trial area, and it is no longer a fantastic success. It is regrettable that the country at large will have to learn from the experiment that the Government are now foisting on it.

Question put, That the amendment be made:—

The House divided: Ayes 91, Noes 225.

Division No. 220] **[8.47 pm**

AYES

Adley, Robert	Ashton, Joe
Archer, Rt Hon Peter	Beith, A. J.
Ashdown, Paddy	Bennett, A. *(Dent'n & Red'sh)*

Bermingham, Gerald
Bidwell, Sydney
Boyes, Roland
Bray, Dr Jeremy
Brown, Gordon *(D'f'mline E)*
Brown, Ron *(E'burgh, Leith)*
Callaghan, Jim *(Heyw'd & M)*
Campbell, Ian
Campbell-Savours, Dale
Canavan, Dennis
Carlile, Alexander *(Montg'y)*
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Thomas
Cocks, Rt Hon M. *(Bristol S.)*
Cohen, Harry
Corbett, Robin
Deakins, Eric
Dixon, Donald
Dubs, Alfred
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Evans, John *(St. Helens N)*
Fisher, Mark
Flannery, Martin
Foot, Rt Hon Michael
Foulkes, George
Freeson, Rt Hon Reginald
Fry, Peter
Golding, John
Gould, Bryan
Hamilton, W. W. *(Central Fife)*
Hancock, Mr. Michael
Harrison, Rt Hon Walter
Hattersley, Rt Hon Roy
Haynes, Frank
Home Robertson, John
Howells, Geraint
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Janner, Hon Greville
John, Brynmor
Kirkwood, Archy
Lamond, James
Leighton, Ronald
Lester, Jim
Lewis, Ron *(Carlisle)*
Litherland, Robert
Loyden, Edward
McKay, Allen *(Penistone)*
McKelvey, William
McNamara, Kevin
McTaggart, Robert
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Meadowcroft, Michael
Michie, William
Millan, Rt Hon Bruce
O'Brien, William
O'Neill, Martin
Owen, Rt Hon Dr David
Park, George
Patchett, Terry
Penhaligon, David
Pike, Peter
Richardson, Ms Jo
Rooker, J. W.
Rowlands, Ted
Short, Mrs R.*(W'hampt'n NE)*
Silkin, Rt Hon J.
Stewart, Rt Hon D. *(W Isles)*
Stott, Roger
Strang, Gavin
Thomas, Dr R. *(Carmarthen)*
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Torney, Tom
Wainwright, R.
Wallace, James
Wareing, Robert
White, James
Wilson, Gordon
Winnick, David
Wrigglesworth, Ian

Tellers for the Ayes:
Mr. Stephen Ross and
Mr. Malcolm Bruce.

NOES

Alexander, Richard
Amess, David
Ancram, Michael
Atkins, Robert *(South Ribble)*
Beaumont-Dark, Anthony
Bellingham, Henry
Benyon, William
Best, Keith
Body, Richard
Boscawen, Hon Robert
Bowden, Gerald *(Dulwich)*
Brandon-Bravo, Martin
Bright, Graham
Brooke, Hon Peter
Brown, M. *(Brigg & Cl'thpes)*
Buck, Sir Antony
Burt, Alistair
Butcher, John
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Carttiss, Michael
Cash, William
Chope, Christopher
Clark, Sir W. *(Croydon S)*
Clegg, Sir Walter
Coombs, Simon
Cope, John
Crouch, David
Dicks, Terry
Douglas-Hamilton, Lord J.
Dunn, Robert
Durant, Tony
Dykes, Hugh
Eyre, Sir Reginald
Fallon, Michael
Farr, Sir John
Favell, Anthony
Fenner, Mrs Peggy
Fookes, Miss Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Marcus
Franks, Cecil
Fraser, Peter *(Angus East)*
Freeman, Roger
Gale, Roger
Garel-Jones, Tristan
Glyn, Dr Alan
Goodlad, Alastair
Gow, Ian
Gower, Sir Raymond
Greenway, Harry
Gregory, Conal
Griffiths, Peter *(Portsm'th N)*
Grist, Ian
Gummer, John Selwyn
Hamilton, Hon A. *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Harvey, Robert
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hawksley, Warren
Hayhoe, Barney
Hayward, Robert
Henderson, Barry
Hickmet, Richard
Hicks, Robert
Hind, Kenneth
Hirst, Michael
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Hordern, Peter
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Howell, Ralph *(N Norfolk)*
Hubbard-Miles, Peter
Hunt, David *(Wirral)*
Irving, Charles
Jackson, Robert
Jenkin, Rt Hon Patrick
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(W Herts)*
Joseph, Rt Hon Sir Keith
Kellett-Bowman, Mrs Elaine
Kershaw, Sir Anthony
Key, Robert
King, Roger *(B'ham N'field)*
King, Rt Hon Tom
Knight, Gregory *(Derby N)*
Knowles, Michael
Knox, David
Lamont, Norman
Lang, Ian
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lilley, Peter
Lloyd, Peter, *(Fareham)*
Lord, Michael
Luce, Richard
McCurley, Mrs Anna
Macfarlane, Neil
MacKay, John *(Argyll & Bute)*
Madel, David
Malins, Humfrey
Malone, Gerald
Marland, Paul
Marshall, Michael *(Arundel)*
Mates, Michael
Mather, Carol
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Meyer, Sir Anthony
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Mills, Sir Peter *(West Devon)*
Mitchell, David *(NW Hants)*
Moate, Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Morrison, Hon C. *(Devizes)*
Morrison, Hon P. *(Chester)*
Murphy, Christopher
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Oppenheim, Phillip
Oppenheim, Rt Hon Mrs S.
Osborn, Sir John
Page, Richard *(Herts SW)*
Parris, Matthew
Pawsey, James
Peacock, Mrs Elizabeth
Pollock, Alexander
Porter, Barry
Powell, Rt Hon J. E. *(S Down)*
Powell, William *(Corby)*
Powley, John
Prentice, Rt Hon Reg
Proctor, K. Harvey
Rathbone, Tim
Renton, Tim
Rhodes James, Robert
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roe, Mrs Marion
Rossi, Sir Hugh
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Thomas
Sainsbury, Hon Timothy
St. John-Stevas, Rt Hon N.
Sayeed, Jonathan
Shaw, Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shepherd, Colin *(Hereford)*
Silvester, Fred
Sims, Roger
Skeet, T. H. H.
Smith, Tim *(Beaconsfield)*
Speed, Keith
Spencer, Derek
Spicer, Jim *(W Dorset)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Steen, Anthony
Stevens, Lewis *(Nuneaton)*
Stewart, Allan *(Eastwood)*
Stradling Thomas, J.
Sumberg, David
Taylor, John *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Viggers, Peter
Waddington, David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Walker, Bill *(T'side N)*
Wall, Sir Patrick
Waller, Gary
Ward, John
Wardle, C. *(Bexhill)*
Watson, John
Watts, John
Wells, Bowen *(Hertford)*
Wheeler, John
Whitfield, John
Whitney, Raymond
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Younger, Rt Hon George — Mr. Mark Lennox-Boyd and Mr. John Major.

Tellers for the Noes:

Question accordingly negatived.

It being after Nine o'clock, MR. DEPUTY SPEAKER *proceeded, pursuant to the order [1 April] and the resolution yesterday, to put forthwith the Questions on the amendments moved by a member of the Government to the remainder of the Bill.*

Clause 81

OBLIGATION TO INVITE TENDERS FOR SUBSIDISED SERVICES

Amendment made: No. 89, in page 79, line 38, leave out from 'below' to 'a' in line 40 and insert

', any such invitation—

(a) must be issued generally, in such manner as the authority issuing the invitation consider appropriate for bringing it to the attention of persons who may be interested; and

(b) must also be issued individually to all persons who have given to that authority'.—*[Mr. Ridley.]*

Clause 85

TRAVEL CONCESSION SCHEMES

Amendments made: No. 91, in page 84, line 16, after 'area', insert

', or in Scotland the area of an islands council.'.

No. 92, in page 84, line 18, after 'case', insert '(i)'.

No. 93, in page 84, line 18, leave out 'and' and insert—

'(ii) any services for the carriage of passengers by road at separate fares which require a PSV operator's licence; and

(iii)'.

No. 94, in page 84, line 20, at end insert—

'For the purposes of paragraph *(b)*(ii) above, a service for the carriage of passengers by road at separate fares is a service which requires a PSV operator's licence if vehicles used in providing the service are used in such circumstances that a PSV operator's licence is required in respect of that use.'.

No. 95, in page 84, line 30, at beginning insert

'Subject to subsection (4A) below'.

No. 96, in page 84, line 34, after 'service', insert 'qualifying for fuel duty grant'.

No. 97, in page 84, line 34, at end insert—

'(4A) The Secretary of State may, on the application of the authority or authorities responsible for administration of a scheme under this section, exempt the authority or authorities in question from the obligation under subsection (4) above in relation to any description of services; and the Secretary of State may at any time withdraw or vary any exemption granted under this subsection.'.

No. 99, in page 85, leave out lines 15 to 17.

No. 100, in page 85, line 18, leave out second 'section' and insert 'sections'.

No. 101, in page 85, line 19, after '86', insert

'(Compulsory participation in travel concession schemes) and *(Further provisions with respect to participation notices)'*.

No. 102, in page 85, line 24, after 'area', insert 'in England and Wales'.

No. 103, in page 85, line 26, at end insert—

'(9A) For the purposes of this section and sections 86, *(Compulsory participation in travel concession schemes)* and *(Further provisions with respect to participation notices)* of this Act, a registered local service is a service qualifying for fuel duty grant if grants under section 92 of the Finance Act 1965 (grants to operators of bus services towards duty charged on bus fuel) are for the time being payable in respect of fuel used in operating services of the description to which it belongs.'.

No. 104, in page 85, line 38, at end insert—

'(10A) An exemption may not be granted under subsection (4A) above on the application of a Passenger Transport Executive unless the application was made with the consent of the Passenger Transport Authority for that Executive's area.'.—*[Mr. Ridley.]*

Clause 86

REIMBURSEMENT FOR TRAVEL CONCESSIONS UNDER SCHEMES

Amendments made: No. 105, in page 86, line 17, leave out 'each such operator' and insert

'all operators of registered local services qualifying for fuel duty grant'.

No. 106, in page 86, line 28, at end insert—

'(4) Section 85(10) of this Act shall apply, with any necessary modifications, in relation to arrangements adopted by the authority or authorities responsible for administration of any such scheme with respect to the reimbursement of operators participating in the scheme as it applies in relation to the scheme.'.—*[Mr. Ridley.]*

Clause 91

UNREGISTERED AND UNRELIABLE LOCAL SERVICES: REDUCTION OF FUEL DUTY GRANT

Amendment made: No. 110, in page 89, line 10, leave out from 'service' to 'or' in line 12 and insert

'in contravention of section 6 of this Act;'.—*[Mr. Ridley.]*

Clause 92

INTERPRETATION OF PART V AND SUPPLEMENTARY PROVISIONS

Amendment made: No. 111, in page 90, line 8, after 'that', insert—

('cc) "registered local service" means a local service registered under section 6 of this Act;'. — *[Mr. Ridley.]*

Clause 93

EXCLUSION OF REFERENCES OF QUESTIONS WITH RESPECT TO CERTAIN BUS SERVICES TO MONOPOLIES AND MERGERS COMMISSION

Amendments made: No. 112, in page 90, line 25, leave out from 'section' to end of line 27 and insert

'11 of the Competition Act 1980 (references of public bodies and certain other persons subject to statutory controls to the Monopolies and Mergers Commission), in subsection (3) (which lists the persons who may be the subject of such a reference)'.

No. 113, in page 90, line 38, at end insert—

'(1A) In Part I of Schedule 5 to the Fair Trading Act 1973 (which lists certain goods and services in respect of which references under section 14 of that Act to the Consumer Protection Advisory Committee or under section 50 or 51 of that Act to the Monopolies and Mergers Commission are excluded or, as the case may be, subject to restrictions not applicable in other cases)—

(a) for paragraph 4 (which at the passing of this Act refers to the carriage of passengers by road or rail) there shall be substituted the following paragraph—

"4. The carriage of passengers by road in Northern Ireland"; and

(b) in paragraph 5 (which at the passing of this Act refers to the carriage of goods by rail), after the word "goods" there shall be inserted the words "or passengers".'. —*[Mr. Ridley.]*

Clause 94

RECONSTRUCTION OF THE TRANSPORT TRIBUNAL

Amendment made: No. 114, in page 91, line 8, leave out subsection (3).—*[Mr. Ridley.]*

Clause 95

RAILWAYS BOARD'S ROAD PASSENGER TRANSPORT SERVICES

Amendment made: No. 116, in page 92, line 31, leave out '36' and insert '37'.—*[Mr. Ridley.]*

Clause 107

STAMP DUTY

Amendment made: No. 117, in page 103, line 44, after 'transfer', insert

'authorised by section 48(1) or (as the case may be)'.—*[Mr. Ridley.]*

Clause 109

REGULATIONS AND ORDERS

Amendments made: No. 118, in page 104, line 17, leave out 'Parts I and' and insert 'Part I or'.

No. 119, in page 105, line 11, after 'Regulations', insert 'or rules'.

No. 120, in page 105, line 15, after 'regulations', insert 'or rules'.

No. 121, in page 105, line 15, after 'be)', insert 'to which'.—*[Mr. Ridley.]*

Clause 114

TRANSITIONAL PROVISIONS, SAVINGS, AMENDMENTS AND REPEALS.

Amendment made: In page 109, line 18, at end insert—

'(4) Paragraph 4 of the Schedule to the Restrictive Trade Practices (Services) Order 1976 is revoked.'.—*[Mr. Ridley.]*

Clause 115

SHORT TITLE, COMMENCEMENT AND EXTENT

Amendment made: No. 123, in page 109, line 33, after '(1)*(a)*', insert 'and (1A)'.—*[Mr. Ridley.]*

Schedule 4

CONSTITUTION, POWERS AND PROCEEDINGS OF THE TRANSPORT TRIBUNAL

Amendments made: No. 134, in page 125, line 30, leave out from 'determination' to second 'of' in line 31.

No. 135, in page 125, line 32, after 'under', insert 'Part V of the 1968 Act,'.

No. 136, in page 125, line 34, leave out 'licensing authority or'.

No. 137, in page 125, line 41, leave out 'licensing authority or'.

No. 138, in page 126, line 1, leave out from 'absence' to 'shall' in line 2 and insert

'such one of the other judicial members as the president or (if the president is unable for any reason to exercise the power conferred on him by this sub-paragraph) the Secretary of State may direct'.

No. 139, in page 126, line 4, leave out sub-paragraph (2).

No. 140, in page 126, leave out lines 12 to 20.

No. 141, in page 126, line 36, at end insert—

'*(cc)* the number of members of the tribunal to constitute a quorum;'.

No. 142, in page 127, line 10, leave out '(or licensing authority)'.

No. 143, in page 127, line 41, leave out from 'Schedule' to end of line 42.—*[Mr. Ridley.]*

Schedule 5

TRANSITIONAL PROVISIONS AND SAVINGS

Amendments made: No. 144, in page 134, line 27, at end insert—

'(5A) Any person who, immediately before section 94 of this Act comes into force, is a member of the special panel mentioned in subsection (4)*(a)* of that section, shall be treated as if he had been appointed by the Lord Chancellor, on the coming into force of that section, as a chairman of the Transport Tribunal under paragraph 2(1)*(a)* of Schedule 4 to this Act.

(5B) Sub-paragraph (5A) above applies in relation to any such person whether or not he would be qualified for such appointment in accordance with paragraph 2(2) of that Schedule; and, subject to paragraphs 3 and 6 of that Schedule, the terms and conditions applicable to any such person's tenure of office as such a chairman shall be the same as those applicable to his office immediately before section 94 of this Act comes into force.

(5C) Any person other than the president of the Transport Tribunal who is a member of the tribunal at the time when that section comes into force shall be treated as if he had been appointed as such a member by the Secretary of State under paragraph 2(1)*(b)* of Schedule 4 to this Act for a term ending when his current term of office expires, and otherwise on the same terms and conditions as those applicable to his office immediately before that section comes into force.'.—*[Mr. Ridley.]*

Schedule 6

MINOR AND CONSEQUENTIAL AMENDMENTS

Amendments made: No. 145, in page 135, line 15, after 'of,' insert 'or'.

No. 146, in page 136, line 38, after 'vehicle', insert 'licence'.

No. 147, in page 137, line 48, at end insert—

'(5A) In section 53(1) (payment of expenses) for the words "for the purposes of Part I, II or III or section 45 of" there shall be substituted the words "under paragraph 7 of Schedule 2 to".'. —*[Mr. Ridley.]*

Schedule 7

REPEALS

Amendments made:

No. 148, in page 141, line 7, column 3, at end insert 'Section 24(3)'.

No. 149, in page 141, line 18, column 3, at end insert 'Section 59(3)'.

No. 150, in page 142, line 23, column 3, at beginning insert—

'In section 1(3), the word "II.'.

No. 151, in page 142, line 43, column 3, leave out from beginning to end of line 44.

No. 152, in page 143, line 5, leave out 'and'.

No. 153, in page 143, line 8, after 'end', insert 'and paragraph *(d)*'.

No. 154, in page 143, leave out line 31 and insert

'In section 76, the words from "except" to the end.'.

No. 155, in page 143, line 34, at end insert "'community bus service";'.—*[Mr. Ridley.]*

9.2 pm

Mr. Ridley: I beg to move, That the Bill be now read the Third time.

We have reached the end of a long consideration of a Bill which I entirely accept is complex although its purpose is simple. Its purpose is to provide better services for the customer and to achieve better value for money for the ratepayer and the taxpayer. In turn, this will secure a better future for the industry and for those who work in it. The Bill will achieve this by removing the obstacles to enterprise, initiative and efficiency while retaining the essential framework of safety controls and provision for social needs.

It is a radical Bill. I am surprised at the absence of radicals on the Opposition Benches. Radical reform is necessary to free the industry from the stifling effects of restrictive licensing and the debilitating effects of network subsidy which have brought the industry to such a perilous state. They frustrated the industry in making the adjustments necessary to meet the needs of passengers in the 1980s.

We introduced competition into the long-distance coach sector in 1980. We were told then that complete de-regulation would lead to all sorts of difficulties and problems. Some even suggested that it would lead to the demise of express coach services altogether. In fact, the result has been better services, lower fares and more passengers. The passengers now using long-distance coaches will all agree that deregulation has benefited them. That is even admitted by those in the industry. A report of an interview with Mr. McLaughlin, the chairman of the independent sector of the Bus and Coach Council, appears in the most recent edition of *Coaching*. He was asked about long-distance coaching deregulation and he said:

"No, I was not happy about coach deregulation initially but I have changed my views now. Like anything else, we learnt to live with it and to adapt to change. Am I enthusiastic about the Bus Bill?"—

that is the Bill that we are now considering—

"Yes, I am. That is not just for the independents alone but for the good of the whole country. One part cannot do without the others anyway, so we have got to work together."

That is the truth. The 1980 legislation was fought tooth and nail by many of the same Opposition Members who have fought this Bill, yet I have heard no one on Second Reading, in Committee or on Report suggest that we should reintroduce regulation for express coaches. Not even the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) has suggested that. Passengers on local services deserve the same benefits. If we fail to act now, bus services will continue to decline. Other forms of transport, more successful in meeting the needs of the customer, will gain an even larger share of the total travel market. Those who would suffer from declining services would be those living in the four out of 10 households who do not have cars as well as the many other groups—for example, housewives, children and the elderly—who rely on the bus to get about.

The Bill will give enterprise and competition the chance to serve the passenger. The Bill does not mean that safety standards will be put at risk. It does not mean that operators will be allowed to run dangerous or unreliable services. It does not mean an end to subsidy for uneconomic services in rural areas or anywhere else. It does not threaten the continuation of concessionary fares schemes, as we proved last night. Indeed, the return of a Labour Government would be the only threat to concessionary fares, and that is an extremely unlikely event.

The Bill has been fought tooth and nail by the vested interests. The Labour party in particular has tried to mislead the public by putting round scare stories. It will have spent vast sums of public money on its propaganda. However, the Bill as introduced contained virtually all the necessary safeguards. We have since introduced a number of further improvements, many of them in response to initiatives by my hon. Friends in Committee. We have, indeed, fashioned a better Bill.

The Opposition's performance in Committee and on Report has been lamentable. It has been predictably defensive and negative as well as incompetent. After 34 sittings in Committee and two days of debate on Report we still do not have an idea of the Opposition's policy towards the industry. Do they believe in a system of franchising like the Select Committee on Transport? They offer it as a policy tentatively and then shy away from it. Even the hon. Member for Crewe and Nantwich seemed to withdraw from it even further this evening. We must presume from what she said tonight that the Opposition want to retain the present system of restrictive licensing. They have not produced a scrap of evidence to show why a policy which has so patently failed the nation in the past offers any hope for the future. They have held up to us the model of the metropolitan areas where subsidy and Socialist planning are the guiding principles. Subsidy is used to make good the lack of efficiency and responsiveness which is now proved to be the result of a planned and protected system that has produced a financial burden that cannot be sustained by the nation.

The prime example of this is south Yorkshire. I hope that the hon. Member for Sheffield, Central (Mr. Caborn) is in his place because I am told constantly by him and his hon. Friends that the south Yorkshire public transport system is very popular with those who use it. I am not surprised. At 3p a mile it has to be the best bargain going. But of course it is an illusion. The south Yorkshire public transport system is not cheap. The costs per PTE bus mile are higher than those in any other metropolitan area, let alone the shire counties where costs per bus mile are lower still. But who pays? It is the ratepayer and the taxpayer. Some of the subsidy has, of course, come out of the rates and taxes of people who use the buses. For those people, the cheap fares are just a trick with mirrors. They have to pay far more in rates and taxes than they save on bargain fares. Most of the cost of fares support is paid by those who do not use the buses, but have no choice but to pay for them through their rates and taxes. In south Yorkshire only 23 per cent. of the costs of the public transport system are paid for directly by the users through their fares. The result is that people have lost the link between the services that they enjoy and their cost. That is a system in which the principal beneficiaries are the bus operators whose inefficiencies can be passed on to the ratepayer. This is objectionable in principle; the sums involved are not

[Mr. Ridley]

trifling. From south Yorkshire county council's inception in 1974 to the end of the financial year 1983-84, the cost of fares support has been £445 million. Let Labour Members laugh at that.

The cost has escalated from £4·8 million in 1974-75 to £79 million in 1984-85. Over the same period, south Yorkshire rates have had to rise from 17·8p to 83·3p in the pound. The taxpayer has pitched in more every year. This is money taken from ordinary taxpayers and ratepayers which could have been spent on improved living standards. It is money taken from businesses and industries in south Yorkshire, which can result only in loss of jobs. Killing industries and destroying jobs to provide cheap travel is a marvellous example of Socialism in action.

My hon. Friend the Under-Secretary of State for Scotland is here. In Strathclyde, we find the opposite policy—although these are both Socialist councils—of bus fares being deliberately kept high to protect rail services. The fare in south Yorkshire to travel three miles is 10p; the equivalent fare in Strathclyde is 55p. Differences of that order distort the market and prevent the public from making the economic choices which suit them. It is the sort of madness that happens when Socialist planners rule supreme.

The Bill offers a better way forward—one which is sustainable and which the nation can afford. The challenge of competition is a challenge which we are confident that the industry will seize. We reject the negative ideas of those who can only suggest more regulation, more state ownership and more subsidy as a solution to the problems of the industry. There is no point in taking the easy option and tinkering at the margins with a system that has so clearly failed and less point still in the Labour party's policy of sitting on its hands and hoping for the best.

In this Bill, we have put forward a radical, imaginative and well-constructed package of measures to revitalise an ailing industry. The Bill is overwhelmingly in the interests of the travelling public. I confidently commend it to the House.

9.13 pm

Mrs. Dunwoody: Let us be clear. Whatever the Bill is about, it is certainly not about improving facilities for the bus passenger. From the tired and rather bored performance that we have just had from the Secretary of State, we have assumed that it is about something much more simple—the prejudices of a Secretary of State who has probably never been on a bus in his life and assumes that to use public money to provide public services is wrong. He thinks that it is not wrong to use public money to provide something like Trident, but that it is wrong to use public money to make sure that anyone who wants to get to school, go shopping or get to work on time uses a bus. That obsession with and deep hatred of the need to provide proper state services are what the Bill is all about.

The Secretary of State has suddenly discovered that, for the past 30 years, public transport, especially bus services, has steadily declined. Between 1951 and 1981 the proportion of passenger miles travelled on the buses decreased from 41 per cent. to a mere 8 per cent. Ever downwards twists the spiral—cuts and public services on offer have forced the fortunate to invest in cars and deprived the unfortunate of any public transport.

Action was long overdue. I suppose that the Government can rightly claim that this destructive trend must be reversed. Today we are debating their grand strategy for rolling back the shrinking frontiers of public transport. We could congratulate the Government on their determination, because they are only about 10 years too late. That is the time that has elapsed since Labour councils began successfully tackling the vital problem of decline. For the past decade, Labour local authorities have combined low fares, high service levels and investment in new technology and integration to free travellers and entice them out of their cars.

Since 1975, the south Yorkshire authority, which is so much the object of scorn of the Secretary of State, who has about as much commitment to transport as this desk has to intelligent conversation, has frozen fares and produced a real fall of 55 per cent. in the cost of public transport. The right hon. Gentleman never mentions that. The result has been a 10 per cent. increase in passenger journeys at a time when national bus patronage has declined by 23 per cent.

Tyne and Wear, which understands what integration is about, has invested a considerable amount of money in joining bus and rail in an effective system, producing a 10 per cent. increase in patronage when national patronage has declined by 11 per cent. Mersey county council has increased patronage by 20 per cent. following its 1981 12 per cent. fares cut. Today 75 per cent. of Liverpool city centre shoppers are using the public transport network to do their shopping. In west Yorkshire, the bus and rail fare structures have yielded benefits six times the cost of the changes. West Midlands PTE has combined integration and Travelcard schemes to hold up bus patronage by between 7 per cent. and 13 per cent. The GLC's Travelcard and low fares policies have increased demand for public transport by 16 per cent. while reducing car commuting by 10 per cent.

Anyone who thought that Conservatism was about learning from the lessons of the past and other people's experiences would be forgiven for assuming that the Government's master plan for reviving public transport would expand the benefits of Labour's success to the rest of the country. It is clear from looking at the White Paper on buses and at the Transport Bill that the Government have a very different idea of Conservatism and a different plan for the revival of public transport.

Of course, it is always possible to improve on the enormous success of Labour councils. It is even possible that this success can be improved on by a completely different method and approach, because that is supposedly what we are offered in the Bill. However, if there is to be a radically different approach to the decline, the Government have a responsibility to think carefully about the problems and alternatives.

Emergency action is all very well in a crisis, but when there is a clearly successful solution to the problem of decline, it is inexcusable to destroy policies without carefully considering how the alternatives will work. Yet that is exactly what is happening in this disastrous Bill. The Government threw out the normal procedure of consultation before publication of plans in a White Paper. When they did consult, the time allowed was often as short as two months, and those were the late summer months when staff shortages made it unlikely that either the local authorities or the transport undertakings — let alone

individual travellers — would be able to give proper responses. Nevertheless, the responses poured in—more than 7,000 of them, and virtually all of them were hostile.

Mr. Ridley: How does the hon. Lady know?

Mrs. Dunwoody: The Secretary of State must think the whole world is as blind, deaf and uncaring as him. Hon. Members who merely read their correspondence know what the responses were and that the right hon. Gentleman is utterly uninterested. It is of course possible that 7,000 people and innumerable organisations are wrong and that only the Secretary of State is right. He has argued throughout that everybody who opposes the Bill must be part of a vested interest. His definition of a vested interest was interesting and included the women's institutes, people in rural areas, local authorities, people who use buses to get their children to school, groups of women and people who work in the bus industry. My goodness, all these vested interests, all these appalling people who dare to need some form of public transport. That did not worry the Government. They ploughed ahead without any thought for anyone under any circumstances.

Mr. Sydney Bidwell (Ealing, Southall): And the all-party Select Committee on Transport, the majority of which opposed the substance of the Bill.

Mrs. Elaine Kellett-Bowman (Lancaster): Vested interests.

Mrs. Dunwoody: Another vested interest, as the hon. Member for Lancaster (Mrs. Kellett-Bowman) says—a vested interest where Conservative Members are in the majority, people who dare to learn something about transport. Even worse, they dare to take information and evidence from people in the country who were appalled by the Bill. Of course we can dismiss the Select Committee. If we cannot dismiss the Select Committee's evidence, we can always rubbish the Chairman on the basis that he exercised the Chairman's right to ensure that the report was printed in the proper way.

The Government were not concerned about the general public or anybody interested in the Bill. They nevertheless had some difficulties, and publication was delayed. During the three months in Committee that followed, it became clear that the Government had not bothered to consider any of their theories in detail. It was not until the Committee's 32nd sitting that the Government realised the glaring holes in their plans for concessionary fares. It was not until Report that the Government decided that they must ban co-operation between British Rail and Strathclyde passenger transport executive. The Bill is so ill considered that, after the consideration of 125 amendments in Committee, of which 122 were tabled by the Government, they had to introduce 136 amendments and new clauses on Report just to shore up the more glaring inconsistencies and drafting errors.

Far worse than that, however, the Government have not accepted one amendment which would improve local authorities' ability to pay for concessionary fares. Nor have they accepted one amendment today which would give people who have worked, or who currently work, in the bus industry any guarantee about their pension entitlement. It is a good job that there are controls on parliamentary language, or I should call that an outright fraud.

For any Government to treat people in the bus industry as the Secretary of State is treating them in regard to their pension entitlement is a disgrace of which any civilised Government should be ashamed. Still the Secretary of State is not prepared to accept the genuine worries of current pensioners, those who will have to make the system work after the National Bus Company disappears or those who will have to find a decent pension entitlement.

A policy which ignores proven success in transport management and is not even considered in detail is highly unlikely to succeed. It is always conceivable that the Government have come up with a general theory so powerful and persuasive that, despite all its flaws, it will slot into the system and produce the enormous success about which we have heard so much throughout the Committee stage. If that is true, the Government have a responsibility to tell us why the policy is not to be applied to the capital city. Few people realise that we have a Secretary of State who on the one hand says, "The only way that we shall have an effective transport system is to produce open competition, to remove subsidies, to act on the basis of wholly inadequate schemes, such as the Hereford trial area, and to proceed on the basis that open competition is the answer.", and on the other says, "The capital city will be excluded from all the advantages that are inherent in the Bill." What hypocrisy!

If this is such a good transport measure, why will the people of London not get the same advantages as the people in my rural area? Why will the people of London not be deprived, as we shall be? Why will they not be subjected to the same pressure? In case it is believed that somewhere along the line there must have been a great demonstration, it should be known that none of the experiments carried out under the 1980 transport legislation was conducted in Scotland. It is interesting that the Scottish Consumer Council, in its comments on the White Paper, observed that while it

"normally sees great merit in increasing competition"

there is no practical experience in Scotland of the deregulation being proposed.

According to the Scottish Consumer Council,

"to move from a position of total regulation to total deregulation . . . The risks are high, and the consequences of failure could be costly."

No wonder my hon. Friend the Member for Glasgow, Maryhill (Mr. Craigen) probed the Under-Secretary of State for Scotland in Committee about the Strathclyde predicament after deregulation. His ministerial colleague went off the track when he answered the question about the future of the Blackpool trams. It is hardly surprising that he left us in considerable doubt about whether the Government understand what will happen, even in their areas.

There is considerable doubt whether the proposals for the Strathclyde buses and the financial safeguards for Glasgow's underground system will be adequate. There are unsatisfactorily answered queries about the three municipal bus services in Scotland—Lothian, Grampian and Tayside. The Government even managed to miss out concessions on the ferries, which is of some importance in Scotland, although they promised us that somewhere along the line they would do something about it.

Mr. Ancram: If the hon. Lady had read the amendments tabled tonight and passed by the House, she would have found that we had done something for the ferries and the airways to the islands.

Mrs. Dunwoody: I am glad that on Report the Minister has suddenly discovered that he has ferries and islands other than those which he knew of in Committee. Only when my hon. Friend the Member for Maryhill raised the Bill's implications did the Minister realise that there were difficulties about concessionary fares. We are glad that even now, at the last minute, the Minister has got round to doing something about that.

Mr. Gavin Strang (Edinburgh, East): Will my hon. Friend make the point to the Under-Secretary of State for Scotland that he has wholly failed to persuade the Conservative administration in Lothian of the merits of the measure, and that the chairman of the transport committee and the leader of the council remain opposed to the measure, which will do immense damage to the bus service in Edinburgh?

Mrs. Dunwoody: Lothian is not unusual in that. The Bill is not being greeted with wild acclaim by Conservatives, especially not by those in the country who know something about the provision of transport. They recognise the basic fallacy. According to the Government, the decline in the number of bus passengers is due entirely to regulation, not to the rise in car ownership, nor to other problems. They believe that regulation is the great difficulty. In the 1985——

Mr. Steen: Will the hon. Lady give way?

Mrs. Dunwoody: I am trying——

Mr. Steen: Does the hon. Lady object to the increase in the number of people who own cars? Does she say that they should all go by bus?

Mrs. Dunwoody: I knew that I should not have given way to the hon. Gentleman. Had he paid more attention to our proceedings, he would have known what the Bill was about.

With the Transport Bill 1985, the Government have boldly set out to conquer regulation once and for all. However, they will create even more anomalies. While buses are deregulated, British Rail routes will be converted to regulated bus routes. The most glaring inconsistency is that London Regional Transport—which the Secretary of State believes represents everything that is bad in public transport—is exempted from the immediate effects of the Bill. The Government believe that the transport system that most urgently requires attention could not survive the surgeon's knife of deregulation. It is an extraordinary theory, and it makes nonsense of everything that we have been told during the passage of the Bill.

It is important for hon. Members to understand how the Government have managed, where so many others have failed, to understand that the problems of bus services are not unacceptably high fares, the fact that in many areas buses do not arrive at the correct time, or the lack of timetabling or integration to link buses and trains; the only appalling problem is the evil of regulation.

The Government cannot have come to that conclusion by considering the systems in other countries. The only place where anything like this system has been tried is Santiago, in Chile. Even there it took seven years to achieve its objectives, not one year as the Bill proposes. Furthermore, in Santiago, every operator is obliged to continue providing the service that he initiated as long as even one passenger asks for the route to be retained. I regret that neither I nor the Government can tell the House whether the scheme is popular, because the Chilean Government have methods of ensuring public acceptance of their schemes which even this Government have not yet managed to implement.

We must understand that the deregulation of coach services, which is what the Government have proposed throughout the passage of the Bill, is not the panacea that has been suggested. As the Select Committee on Transport said, allowing coaches to compete with the rail service deprived British Rail of £7·5 million a year—money that had to be found from transport support. In addition, the NBC was planning a major expansion of coach services before deregulation was proposed.

We always hear about the trial areas, and the Government's attitude to them is interesting. The Transport and Road Research Laboratory concluded that in Norfolk the changes were due to financial restriction, and that in Devon the results of the exercise were disappointing. Only in Hereford do the Government see any evidence in support of deregulation. However, the chaos and panic in Hereford were an example of what happens when a transport system is changed without proper regard for the things that matter.

The Bill will be a disaster for the transport industry. It is not based on careful thought and it will not improve the lot of the bus passenger. It was not conceived by a Government who care about those who use buses. It is something much simpler. The system was evolved because the Government had one aim in mind—the desire to destroy the entire bus service and to save money. That was the point at which they began. First, they asked themselves, "How can we cut the bus subsidy?" They discovered that the easiest way was to deprive the country of buses; the easiest way to do that was to deregulate and to say, "Competition will provide a good, planned transport system, and we need not give subsidies to local authorities or to other operators."

Within a short time the House and the country will see the real effects of the plans that the Secretary of State has in mind. It is not surprising that so little support can be found in the country. It is not surprising that the effects of the Bill have been felt even before it has reached the statute book. It played a major part in the results of the shire county elections, and Conservative Members know it. They have become exceedingly edgy. The longer the Committee went on and the more that the absolute disasters of the Bill became clear to Back-Bench Conservative Members, the greater was the loss of support.

Not even the Secretary of State can pretend that he has any friends in the House of Commons. However, what frightens us is something much more important. In destroying the bus system, he will discover that he has no friends in the country. As always, the cost will be borne not by him and his friends, but by the people. His name will be remembered as probably the most destructive Secretary of State for Transport that we have ever had.

Several Hon. Members *rose*——

Mr. Speaker: Order. Before I call Back-Bench Members, I should say that, unfortunately, there are only 15 minutes left for Back-Bench speeches, so I ask for brief contributions.

9.36 pm

Mr. Stephen Ross: As I said on Second Reading, some competition is desirable in the bus industry because all is not well, and I accept that. However, this measure is far too drastic. Some regulation is still vital. Unfortunately, co-ordination, planning and integration are all left out of the Bill.

Possibly the greatest mistake is that registration has gone to the commissioners, not to the county councils. I believe that that will prove to be an error. Undoubtedly the Secretary of State had representations from Hereford and Worcester county council that registration should have been with the council. After all, that case has been quoted to us time after time, but it was decided to give registration to the commissioners. That will lead to all sorts of problems.

Despite what the Under-Secretary said on amendment No. 87, moved by the hon. Member for Wellingborough (Mr. Fry), I still believe that comprehensive competitive tendering is preferable to a total free-for-all. Unfortunately, due to the guillotine, we have not even debated the taxi clauses. They are nightmarish and not properly thought through. They will mean many more problems for local authorities, let alone the police, who will be called in to prevent the fights and fisticuffs on many taxi stands in the months and years ahead.

My hon. Friends and I are not dogmatically opposed to privatisation, but the units into which the National Bus Company is likely to be split must be large enough. It is wrong for the Secretary of State not to give us adequate assurances on pensions, which should have been written into the Bill. He has a direct responsibility, and he knows full well that not just those presently employed in the industry but the retired busmen and their widows are affected, and those are the people who are coming to see us at our surgeries on Saturday mornings. Why does not the right hon. Gentleman follow the example of the water authorities? When the National Water Council was wound up, I believe that the Yorkshire water authority took over responsibility for the pensions of those employed in the water industry. I cannot understand why that cannot be done. The pension scheme should be maintained in its entirety.

The Under-Secretary talked about the No. 11 bus, and how long he has to wait, if he ever gets on it, and said that three or four would come together. He suggested that if London were blessed with the benefits of the Bill, the operators of those buses would be fined if they did not run to time. I wonder whether the Secretary of State has looked up Whitehall or down Millbank in the past three days. It has been totally jammed. At times one can count up to 40 coaches, if not more, and buses galore. How on earth can there be any freedom of bus services in London if he does nothing to deal with congestion?

The greatest gift that the Secretary of State could bestow on the nation, apart from leaving office, would be to tackle the congestion in our towns and cities. That is the real problem, and the Government should have tackled it when they first came to power. There will now be even greater delays. Any criticism of south Yorkshire pales into insignificance compared with the cost in time and money of the hours spent waiting to get through Earls Court or Wandsworth and similar areas in other cities. Until the Government tackle that problem they will never get their system to work. That is what is wrong with the Bill—the Secretary of State has got his priorities all wrong.

9.40 pm

Mr. Fry: The Select Committee report was being decided when the Bill when into Standing Committee, and it has made a significant contribution to the debates. My hon. Friend the Member for Lancaster (Mrs. Kellett-Bowman) shouted, "Vested interests" when the Select Committee was mentioned earlier, and I have no doubt that she was getting at me. If she and others would read the report and study the voting in the Divisions, they would know that only twice did a Conservative Member vote with the Opposition. On one occasion the Conservative Member was myself and on the other it was my hon. Friend the Member for Birmingham, Yardley (Mr. Bevan). In one Division after another, several Conservative Members agreed with the majority view. My hon. Friend the Member for Lancaster would also discover that at no time did I vote on any clause in connection with the NBC. Moreover, I consistently voted in support of the local authority role, although the NBC did not approve of it. I hope that my hon. Friend will reflect on that.

Briefly, because I put my name to the Select Committee report and because I believe in that report, my right hon. Friend the Secretary of State will not be surprised to hear that I cannot support him in the Lobby today. I said on Second Reading that if the Bill were sufficiently amended I would consider voting for it in its later stages but that otherwise I would have to vote against it. Because I put my name to the Select Committee report, because I am concerned about pensions, about tendering and about the role of local authorities, I hope that I am wrong and that my right hon. Friend the Secretary of State is right, but as I believe that the Bill is based too much on theory and not enough on practice I have great fears on that score and I regret to have to tell my right hon. Friend that I shall be voting against Third Reading.

Several Hon. Members *rose*——

Mr. Speaker: Order. It may be for the convenience of the House if I repeat that the Under-Secretary of State will seek to rise at 9.50 pm. Perhaps hon. Members will bear that in mind.

9.43 pm

Mr. D. N. Campbell-Savours (Workington): Unlike those who considered the Transport Act 1980, members of the Standing Committee on this Bill had the benefit of hindsight. In 1980 we could only predict but the record of those debates shows that all that has happened in the succeeding five years was predicted in detail at that time. In the 34 sittings of the Standing Committee on this Bill, my hon. Friends had the benefit of being able to refer to the Hereford and Worcester trial areas and to other experiences such as the case of Yeowarts in west Cumbria, the way in which the Minister overruled the traffic commissioner and the two appeals to the divisional court and the higher court to try to remove Yeowarts from the streets of Whitehaven.

In considering the Bill we should also consider the consistency shown by political parties on these matters. For the past three months, there has been a clear deception going on in British politics. We know where the Tories stand. They stand firmly for deregulation and they have

[Mr. D. N. Campbell-Savours]

advocated it at every stage of the Bill. We know where Labour Members stand. We are wholeheartedly against the principle of deregulation and my hon. Friends drew attention to that throughout the 34 sittings of the Standing Committee.

There remains another force in British politics—the Liberal party. It has been involved in a cruel deception. If one looks at the record of the Liberal party on deregulation—one finds it in the amendments and new clauses tabled on the Transport Bill 1980 when we discussed trial areas and the principle of deregulation—one sees that on every occasion the Liberal party voted with the Government in support of deregulation. I have here the new clauses and the amendments that were moved on that occasion.

Mr. Stephen Ross: We supported trial areas.

Mr. Campbell-Savours: The hon. Gentleman would do well to refer to the remarks of his hon. Friend the Member for Truro (Mr. Penhaligon) who said about trial areas and deregulation on that occasion that, on the whole, the proposals outlined by the Government were reasonable and would do no harm, although only time would tell what good they would do.

The Liberals have supported deregulation. They voted against new clause 6 in the 1980 Act: carriage services competing with operators holding road service licences. The new clause would have prevented contract carriage services from starting up on revenue-supported routes without the approval of the traffic commissioners and the revenue-support-paying local authorities. During the proceedings in 1980 on the Transport Bill the Liberal spokesman advocated and voted for——

Mr. Speaker: Order. We must not deal too much with 1980. This is 1985.

Mr. Campbell-Savours: On that occasion, the Liberals voted in the clause stand part debate in favour of a measure to set up trial areas and deregulation. Every hon. Member knows that it was because of the Government's experience in the trial areas that a national deregulation policy is to be introduced. The position of the Liberal party must be closely identified with that of the Government. When these matters are examined up and down the country, people would do well to stick to the facts and recognise that it is only in the form of parliamentary debates——

Mr. Ross: Will the hon. Gentleman give way?

Mr. Campbell-Savours: The hon. Gentleman has spoken repeatedly tonight and he features repeatedly in the record of the Committee proceedings.

I believe that the Labour party is entitled to set the record straight. The people of this country need to know the truth. The truth is that the Liberals support deregulation. They stand with the Tories. They supported trial areas. They supported the measures contained in the 1980 Act, which will lead to this monstrous piece of legislation being carried tonight by the Government.

9.48 pm

Mr. Colin Shepherd: It is not often that I find myself in agreement with the hon. Member for Workington (Mr. Campbell-Savours), but I have to remark on the duplicitous attitude of the Liberal party towards the Bill. I have lived for four years with the trial area in Hereford. The people of Herefordshire like what they have been living with for the past four years. *[Interruption.]* That is exactly the response I expected to get from Liberal Members. It may interest them to know that through the officers of the city council they have tried their damnedest to torpedo the trial area but not one Liberal councillor—and it is a Liberal-controlled city council—has gone into print and said that he disapproves of it. The Liberals dare not do so because they know that the people of Hereford like it.

May I also take to task the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). She has spoken about this being an election issue. It was not an election issue. During the county council elections this issue was not raised.

Mr. Simon Hughes (Southwark and Bermondsey): That is not true.

Mr. Shepherd: I know that the hon. Member for Southwark and Bermondsey (Mr. Hughes) came to Hereford and did his best for his party, but it did not do it much good. This issue was not raised on the doorsteps a great deal. It was not given the prominence that we had expected and that would have been justified by the amount of money spent by the Labour party in Lancashire. The hon. Member for Crewe and Nantwich must recognise that the £130,000 of ratepayers' money that was spent in Lancashire counted for not one jot or tittle when it came to counting the votes. They lost control.

Mr. Simon Hughes: Does the hon. Gentleman accept that there were two principal issues in Hereford and Worcester in the election — education and transport? There are far too many empty buses in the city, while in the rural areas of the border counties of England and Wales there are almost no buses. The officers of the city and all the parties are opposed to the proposals.

Mr. Shepherd: I cannot agree with the hon. Gentleman. He might have heard what he wanted to hear, but I was listening with my ears out on stalks. The people of Hereford are determined that competition will continue in their streets. They have even sent me petitions to that effect. The buses are running in rural areas and more people are being served every bit as well as they have been served previously, on balance. That was shown in the report by the School of Advanced Urban Studies at Bristol university, but that dispassionate advice has been disregarded by the Opposition.

The country can take confidence from the lessons that have been learnt in Hereford. We are not seeking to duplicate precisely what happened there. My hon. Friends can take comfort from the fact that what we have learnt we have incorporated in the Bill. A new challenge is facing the industry—it is a constructive challenge; a reversal of trends. We will see more and more innovations as time goes on, which can only be to the benefit of the travelling public.

9.51 pm

Mr. David Mitchell: Almost the only matter upon which the House has agreed during our lengthy debates on the Bill has been the vital importance for many of our

fellow citizens of the bus services of this country, particularly for the pensioners, the students and the lower-paid travelling to and from work.

The debates have taken place against the background of an industry in a state of chronic decline. Thirty years ago 42 per cent. of all journeys were by bus. Today the figure is only 8 per cent. During the past 10 years there has been a 28 per cent. fall in the number of people travelling by bus. At the same time there has been a loss of jobs in the industry, which I should have thought would have worried Opposition Members; it certainly worries Conservative Members.

The National Bus Company alone lost 10,000 jobs between 1969 and 1972, another 500 by 1975, another 6,000 by 1978, another 11,000 by 1981 and another 2,000 by 1983. The industry is in chronic decline; the number of jobs in it is reducing. The Labour party's answer is simply to go on increasing subsidies — subsidies that have risen in 10 years from £10 million to no less than £522 million of taxpayers' and ratepayers' money. It is against that background that any Government who failed to take action would rightly incur the wrath of the country as the bus industry became a sunset industry.

The cause of the decline had been local monopoly and easy subsidy.

Mrs. Dunwoody: Nonsense.

Mr. Mitchell: I shall give the hon. Lady an example of just how easy some of that subsidy is. I shall quote a bus operator, who said:

"I know an operator in the Fens who runs a daily village service which may carry one passenger per week. He is keeping quiet, running his vehicle and drawing his subsidy. I, as part of a larger subsidised service, had an early morning run which never carried a single passenger."

That is an example of easy subsidy.

Mrs. Dunwoody: The hon. Gentleman has spent almost the entire Committee stage producing bits of gossip with no names and no evidence. No one will believe him. If he cannot do better than that, he had better start again.

Mr. Mitchell: I am delighted to give the hon. Lady the reference—the magazine *Coachmart* of 12 April 1985. Monopolies protect operators from the normal business pressures to keep down costs, to become efficient and to attract the customers. Because there is no alternative service to which one can go, a monopoly automatically has those effects. Indeed, if one looks at the pecking order of efficiency, one goes from the PTEs to the National Bus Company and, the most efficient of all, the private sector.

It is not without importance that we have learnt during the passage of the Bill of the 25 per cent. improvement in productivity that the Midland Red Bus Company achieved when it was faced with competition. It is not without significance that we learnt that in Norfolk it was possible to obtain for £150,000 the services which had previously cost £500,000. That is the scale of savings that can be achieved when competition is introduced.

One is not surprised that an industry in this form, trapped and cocooned in monopoly and subsidy, has had a 30 per cent. increase in its fares above the rate of inflation in the last 10 years. Those 10 years have seen the move from two-man operation to one-man operation in the bus industry and should have seen a reduction in costs; yet the fares have increased 30 per cent. more than the rise in the cost of living. For those reasons, it is right that the Government should seek to tackle the problem by bringing the monopolies to an end and introducing competition. That is the main purpose of the Bill.

The hon. Member for Crewe and Nantwich asked again why this did not apply to London. I reassure her that Londoners will soon enjoy the advantages of the Bill, as will the rest of the country. The hon. Lady, carrying on her campaign of distortion, said that the Bill provided a free-for-all. That is another distortion because she knows perfectly well that the Bill is based upon a considerable number of requirements to comply with regulations, such as those relating to registration. I will quote from the nicely named "Hitchhiker's guide to the Transport Bill" produced by the South Yorkshire passenger transport executive. It calls itself "Benny's Buses", and it states:

"We run when it suits us."

That is another example of the scare-a-day and the distortion to which the Bill has been subjected.

A failure to run a registered service when it is registered will result in penalties falling upon the operators. We have been told of these endless scares and of the cowboy operators and unsafe vehicles, yet every operator will need an operator's licence and must have servicing facilities available for his vehicles. *[Interruption.]*

Mr. Randall: The Minister has never been on a bus.

Mr. Mitchell: The hon. Gentleman says that I have never been on a bus. Not only have I been on buses, but I have been on buses in Hereford. *[Interruption.]* I found that the people of Hereford would not go back to a monopoly.

Mr. Randall *rose*——

Mr. Mitchell: Predictably the debate has illustrated the fundamental division in our political life between those who believe in regulation, state planning and public sector monopoly and those on the Government Benches who believe in the benefits of competition and putting the customer first. It is the customer, the bus passenger, who will benefit from the Bill. I invite the House to give it a Third Reading.

9.59 pm

Dr. Marek: The Minister said that he had been on a bus in Hereford. I am pleased that he had, because the opportunity of doing that will not be available to him— *[Interruption.]* — for much longer. The Hereford experiment has not been a success. There is no competition in Hereford any longer, except on one route, no new routes have been established——

Mr. Mitchell *rose*——

Hon. Members: Sit down.

Mr. Speaker: Order. The Minister has made his speech.

Dr. Marek: Two operators are before the courts in Hereford at the present time. That is the legacy that the Government are foisting on the country by the Bill, and I urge hon. Members in all parts of the House to vote against its Third Reading.

Mr. Simon Hughes: I missed the point that the hon. Member for Hereford (Mr. Shepherd)——

It being Ten o'clock, MR. SPEAKER *proceeded, pursuant to the order [1 April] and the resolution yesterday, to put forthwith the Question already proposed from the Chair.*

[Mr. Simon Hughes]

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 246, Noes 170.

Division No. 221] **[10 pm**

AYES

Aitken, Jonathan
Alexander, Richard
Amess, David
Ancram, Michael
Arnold, Tom
Atkins, Robert *(South Ribble)*
Beaumont-Dark, Anthony
Bellingham, Henry
Benyon, William
Best, Keith
Body, Richard
Boscawen, Hon Robert
Bowden, Gerald *(Dulwich)*
Brandon-Bravo, Martin
Brooke, Hon Peter
Brown, M. *(Brigg & Cl'thpes)*
Buchanan-Smith, Rt Hon A.
Buck, Sir Antony
Burt, Alistair
Butcher, John
Carlisle, Rt Hon M. *(W'ton S)*
Carttiss, Michael
Cash, William
Chope, Christopher
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clegg, Sir Walter
Coombs, Simon
Cope, John
Crouch, David
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Dunn, Robert
Durant, Tony
Dykes, Hugh
Fallon, Michael
Farr, Sir John
Favell, Anthony
Fenner, Mrs Peggy
Fletcher, Alexander
Fookes, Miss Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Marcus
Franks, Cecil
Fraser, Peter *(Angus East)*
Freeman, Roger
Gale, Roger
Gardner, Sir Edward *(Fylde)*
Garel-Jones, Tristan
Glyn, Dr Alan
Goodlad, Alastair
Gow, Ian
Gower, Sir Raymond
Greenway, Harry
Gregory, Conal
Griffiths, Peter *(Portsm'th N)*
Grist, Ian
Grylls, Michael
Gummer, John Selwyn
Hamilton, Hon A. *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Harris, David
Harvey, Robert
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hawksley, Warren
Hayes, J.
Hayhoe, Barney
Hayward, Robert
Henderson, Barry
Hickmet, Richard
Hicks, Robert
Hind, Kenneth
Hirst, Michael
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Hordern, Peter
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Howell, Ralph *(N Norfolk)*
Hubbard-Miles, Peter
Hunt, David *(Wirral)*
Irving, Charles
Jackson, Robert
Jenkin, Rt Hon Patrick
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(W Herts)*
Joseph, Rt Hon Sir Keith
Kellett-Bowman, Mrs Elaine
Kershaw, Sir Anthony
Key, Robert
King, Roger *(B'ham N'field)*
King, Rt Hon Tom
Knight, Gregory *(Derby N)*
Knowles, Michael
Knox, David
Lamont, Norman
Lang, Ian
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lilley, Peter
Lloyd, Peter, *(Fareham)*
Lord, Michael
Luce, Richard
Lyell, Nicholas
McCurley, Mrs Anna
Macfarlane, Neil
MacKay, John *(Argyll & Bute)*
Maclean, David John
Madel, David
Malins, Humfrey
Malone, Gerald
Maples, John
Marland, Paul
Marshall, Michael *(Arundel)*
Mather, Carol
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Meyer, Sir Anthony
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Mills, Sir Peter *(West Devon)*
Mitchell, David *(NW Hants)*
Moate, Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, John
Morrison, Hon C. *(Devizes)*
Morrison, Hon P. *(Chester)*
Moynihan, Hon C.
Murphy, Christopher
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Norris, Steven
Oppenheim, Phillip
Oppenheim, Rt Hon Mrs S.
Osborn, Sir John
Page, Richard *(Herts SW)*
Parris, Matthew
Pattie, Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pollock, Alexander
Porter, Barry
Portillo, Michael
Powell, Rt Hon J. E. *(S Down)*
Powell, William *(Corby)*
Powley, John
Prentice, Rt Hon Reg
Proctor, K. Harvey
Rathbone, Tim
Renton, Tim
Rhodes James, Robert
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Malcolm
Robinson, Mark *(N'port W)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Thomas
Sainsbury, Hon Timothy
Sayeed, Jonathan
Shaw, Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Silvester, Fred
Sims, Roger
Skeet, T. H. H.
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spencer, Derek
Spicer, Jim *(W Dorset)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Steen, Anthony
Stevens, Lewis *(Nuneaton)*
Stevens, Martin *(Fulham)*
Stewart, Allan *(Eastwood)*
Stradling Thomas, J.
Sumberg, David
Taylor, John *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Viggers, Peter
Waddington, David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Walker, Bill *(T'side N)*
Wall, Sir Patrick
Waller, Gary
Ward, John
Wardle, C. *(Bexhill)*
Watson, John
Watts, John
Wells, Bowen *(Hertford)*
Wheeler, John
Whitfield, John
Whitney, Raymond
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Ayes:
Mr. John Major and
Mr. Mark Lennox-Boyd.

NOES

Archer, Rt Hon Peter
Ashdown, Paddy
Ashley, Rt Hon Jack
Ashton, Joe
Atkinson, N. *(Tottenham)*
Bagier, Gordon A. T.
Beckett, Mrs Margaret
Beith, A. J.
Bell, Stuart
Benn, Tony
Bennett, A. *(Dent'n & Red'sh)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Anthony
Boyes, Roland
Bray, Dr Jeremy
Brown, Gordon *(D'f'mline E)*
Brown, Hugh D. *(Provan)*
Brown, N. *(N'c'tle-u-Tyne E)*
Brown, Ron *(E'burgh, Leith)*
Bruce, Malcolm
Buchan, Norman
Caborn, Richard
Callaghan, Rt Hon J.
Callaghan, Jim *(Heyw'd & M)*
Campbell, Ian
Campbell-Savours, Dale
Canavan, Dennis
Carlile, Alexander *(Montg'y)*
Carter-Jones, Lewis
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Thomas
Clay, Robert
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S.)*
Cohen, Harry
Concannon, Rt Hon J. D.
Cook, Frank *(Stockton North)*
Cook, Robin F. *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Craigen, J. M.
Crowther, Stan
Cunningham, Dr John
Davies, Rt Hon Denzil *(L'lli)*
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric

Dixon, Donald
Dobson, Frank
Dormand, Jack
Dubs, Alfred
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eadie, Alex
Eastham, Ken
Ellis, Raymond
Evans, John *(St. Helens N)*
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fields, T. *(L'pool Broad Gn)*
Fisher, Mark
Flannery, Martin
Foot, Rt Hon Michael
Forrester, John
Foster, Derek
Foulkes, George
Fraser, J. *(Norwood)*
Freeson, Rt Hon Reginald
Freud, Clement
Fry, Peter
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman
Golding, John
Gould, Bryan
Gourlay, Harry
Hamilton, W. W. *(Central Fife)*
Hancock, Mr. Michael
Harman, Ms Harriet
Harrison, Rt Hon Walter
Healey, Rt Hon Denis
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Howells, Geraint
Hoyle, Douglas
Hughes, Dr. Mark *(Durham)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Janner, Hon Greville
John, Brynmor
Jones, Barry *(Alyn & Deeside)*
Kirkwood, Archy
Lamond, James
Leadbitter, Ted
Leighton, Ronald
Lewis, Ron *(Carlisle)*
Lewis, Terence *(Worsley)*
Litherland, Robert
Lloyd, Tony *(Stretford)*
Loyden, Edward
McCartney, Hugh
McDonald, Dr Oonagh
McKay, Allen *(Penistone)*
McKelvey, William
McNamara, Kevin
McTaggart, Robert
McWilliam, John
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael
Maynard, Miss Joan
Meadowcroft, Michael
Michie, William
Mikardo, Ian
Millan, Rt Hon Bruce
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Nellist, David
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Park, George
Patchett, Terry
Pavitt, Laurie
Penhaligon, David
Pike, Peter
Prescott, John
Radice, Giles
Randall, Stuart
Redmond, M.
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Roberts, Ernest *(Hackney N)*
Robertson, George
Rooker, J. W.
Ross, Stephen *(Isle of Wight)*
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Shore, Rt Hon Peter
Short, Ms Clare *(Ladywood)*
Short, Mrs R. *(W'hampt'n NE)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, C. *(Isl'ton S & F'bury)*
Soley, Clive
Steel, Rt Hon David
Stewart, Rt Hon D. *(W Isles)*
Stott, Roger
Strang, Gavin
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Tinn, James
Torney, Tom
Wainwright, R.
Wallace, James
Wareing, Robert
Welsh, Michael
White, James
Williams, Rt Hon A.
Wilson, Gordon
Winnick, David
Wrigglesworth, Ian

Tellers for the Noes:
Mr. Frank Haynes and
Dr. Roger Thomas.

Question accordingly agreed to.
Bill read the Third time, and passed.

Royal Ordnance Factories Trading Fund

10.13 pm

The Parliamentary Under-Secretary of State for Defence Procurement (Mr. John Lee): I beg to move,

That the draft Royal Ordnance Factories Trading Fund (Revocation and Repeal) Order 1985, which was laid before this House on 3rd May, be approved.

The House will recall that the royal ordnance factories operated under a trading fund from 1974 until 2 January 1985. On that date, the assets and liabilities of the fund were passed to the successor company, Royal Ordnance plc, under the terms of a scheme made under the Ordnance Factories and Military Services Act 1984. A copy of the scheme was laid before the House on 9 January 1985.

The new company is now responsible for all the operations previously conducted under the trading fund, including research and development activities, principally on rocket motors for which the ROFs took responsibility in April 1984. The new company owns all the assets previously covered by the trading fund and operates under the Companies Act as a normal trading public limited company. For the time being, it is wholly owned by the Government. The ROF trading fund has, for all practical purposes, ceased. In these circumstances, it becomes necessary to revoke the order which created the ROF trading fund in 1974 and this is the effect of the section headed "Revocation" in the draft order before us.

A further effect of the draft order is to repeal the section of the Government Trading Funds Act 1973 which gave the enabling power to create a trading fund specifically for the royal ordnance factories. With the transfer of responsibility to the company and the consequent winding-up of the order which created the trading fund, there is no point in retaining on the statute book an enabling power which has served its purpose and is redundant. The power for this repeal was contained in section 15(1) and (2) of the Ordnance Factories and Military Services Act 1984, subject to affirmative resolution of the House.

There is one residual action still to be completed and this is the production and audit of the closing accounts of the trading fund. The accounts themselves have been produced and are presently being examined by the national audit office. I understand that it expects to complete its work leading to certification by the Comptroller and Auditor General within a few weeks. A direction for the production of the accounts has been made under the Exchequer and Audit Departments Act 1921 and there is, therefore, no need to await the closing account before making this order and formally winding up the trading fund.

It is not the purpose of this evening's debate to go over again the many issues that were raised during the passage of the Ordnance Factories and Military Services Act last year. Time has moved on. The new company is now finding its feet in a truly commercial environment. The disciplines and opportunities of the market are now available and many of the constraints which inevitably existed during the trading fund period have been removed. The future success of the company must lie in developing its overseas markets. The competitive domestic environment in which it now operates and the removal of the hampering effect of Civil Service procedures and practices

[Mr. John Lee]

provide the best way of achieving a healthy and successful future, although, sadly, there have been some redundancies.

It remains our intention to remove all the remaining constraints associated with public sector status as soon as we can. We will introduce private capital into the company as soon as practicable and, although no final decisions have been taken on either the timing or the method of privatisation, our preferred course remains, as we have said before, a public flotation of the whole.

I understand that the Public Accounts Committee has this afternoon been considering a report from the Comptroller and Auditor General on the process leading from trading fund status to incorporation of Royal Ordnance plc. I await the outcome of the Committee's deliberations, but, from my point of view, the exercise to date, involving a lot of hard work to unravel many complexities, has been a considerable success. I am sure that the remaining steps to full privatisation will be equally successful and that the company will enjoy a healthy future. As another step on this road, I commend the draft order to the House.

10.17 pm

Mr. Kevin McNamara (Kingston upon Hull, North): This is the penultimate act in the vandalising of a great national institution and an important national asset—the royal ordnance factories — and the winding up of its trading fund for Royal Ordnance plc. The problem for the Government is that all the difficulties that we foresaw when the matter was first introduced, and the fears that we expressed then, are now being realised, to the detriment both of the country and of the ROF employees. These problems are underlined by the Comptroller and Auditor General in his report. He comes to a conclusion that the Labour party has known from the outset. At paragraph 3.17, he says:

> "It would have been possible to introduce most of these measures while continuing to operate as a trading fund".

He is saying that this measure is not for the benefit of the country or the industries but to satisfy the ideological qualms of the mistress of No. 10 Downing street, and give the Secretary of State the opportunity of saying that he has got rid of a certain number of civil servants.

The Minister did not refer to the outstanding matters of concern to the employees. For example, he did not speak of industrial relations and the relationship between the new company and the employees.

Despite ministerial assurances that the consultation procedures would bring the new organisation up to date with the Whitley council rules, at company and official level there are not yet agreed procedures between the Royal Ordnance plc and the trade unions. Even though some procedures still exist at factory level — the leftovers of the old Whitley system—six months after this enterprise, there is not yet any agreed solution. The trade union side feels that the new company does not want to give the trade unions any information and that it wants considerably to reduce the amount of consultation.

It is the duty of the Under-Secretary of State—while the Secretary of State still controls 100 per cent. of the shares — to ensure that there is a proper system of industrial relations and negotiated procedures between the two sides of the industry before anything is sold off. I expect the Under-Secretary of State to give that undertaking when he replies.

It is scandalous that there is still no agreement on pensions. The Government have yet to honour their "no detriment" commitment to their former employees. The Government are asked to give a copper-bottomed guarantee to the transferred employees in the ROFs that, for the purposes of pension arrangements in the new company, they will be treated no less favourably than if they had remained in the Civil Service, especially with respect to the index-linking of their pensions.

The Minister gave that undertaking. Later, in Committee, the Government admitted that there was detriment. They suggested that they would give £2 million to solve the problem. As the Minister knows, that is not acceptable, according to the best legal and other advice to the trade union side. At one time, the MOD hinted darkly that it might have to go to court to solve the matter, and that would incur expenses. The trade unions have said to the Ministry, which has yet to reply, "Let us all take the matter to binding arbitration." If £2 million is too much, the trade unions will accept that decision. If it is not enough, are the Government prepared to accept binding independent arbitration? The Under-Secretary of State does not reply.

The Secretary of State for Employment (Mr. Tom King): Make your own speech.

Mr. McNamara: I am coming in a minute to the right hon. Gentleman. He should stop interrupting now, because he will be in trouble.

Mr. King: Make up your own speech.

Mr. McNamara: If the Secretary of State wants to interrupt, let him do so. Stand up if you want to interrupt.

Mr. Deputy Speaker (Mr. Ernest Armstrong): Order. The hon. Member for Kingston upon Hull, North (Mr. McNamara) must not address me in that way.

Mr. McNamara: I always give way to you, Mr. Deputy Speaker. If the Secretary of State for Employment, who has been very touchy on these matters, wants to interrupt me, let him do so, instead of muttering from a sedentary position. The right hon. Gentleman is not prepared to do so.

Does the Treasury prevent the Under-Secretary of State from advancing the offer of £2 million? Is it the Treasury that refuses to let the amount be increased? If not, will the hon. Gentleman say that he will meet this point?

On competition policy and preferred schemes, we know, from what the Prime Minister said yesterday about the acquisition of TNT from Warsaw sources, what she means about the Department's policy of greater competition. We now understand what she meant when she said:

> "I can do business with Mr. Gorbachev."

She means, "I can get TNT from him." On all the ordnance factory gates from Warsaw to Moscow there will be the royal coat of arms, with the legend in the Cyrillic and Roman alphabets emblazoned for all to see "By appointment. Purveyors of gunpowder, TNT and high explosive to Her Majesty's armed forces. Holders of the Thatcher award for greater competition."

Why does the Under-Secretary of State stop there? Why does he not invite the Russians to invest directly in some

sort of munitions factory? Why not just cut out the Belgian middle man and save on transport costs? Why not do it all? We now know what the Secretary of State means by preferred source arrangements. The preferred source of TNT for our Armed Forces is the Eastern bloc. The Government prefer to give hard currency to, and to build up the economies of, Warsaw pact countries than to preserve jobs in Bridgwater. Capital costs of a new £7 million factory and the jobs of more than 100 workers are to go because of the Ministry's preferred source policy.

Mr. Lee: Could I just ask the hon. Gentleman to calm down slightly? The order involved TNT, which we did not produce in Britain until about 1976, worth about £60,000.

Mr. McNamara: Well done.

Mr. Brian Sedgemore (Hackney, South and Shoreditch): How many roubles?

Mr. McNamara: The Government are closing a high explosives factory in Bridgewater.

Mr. Tom King: Really?

Mr. McNamara: The right hon. Gentleman can read it here, in the Comptroller and Auditor General's report.

Mr. King: Closing it down? When?

Mr. McNamara: The report says:

"Although the expected life of the plant was of the order of 30 years, the ROFs have decided that with the cessation MOD's preferred source policy and the introduction of a fully competitive environment, the TNT prices can no longer bear the depreciation charge and remain competitive. The ROFs therefore propose to write off the remaining book value of the plant. This will avoid future depreciation charges for the plant and enable Royal Ordnance plc to quote for MOD and other contracts in line with international prices."

Mr. King: The hon. Gentleman said that it was closing down.

Sir Antony Buck (Colchester, North): That paragraph caused some anxiety, but it is quite different from any suggestion of closure. The factory is being made price-effective.

Mr. McNamara *rose*——

Mr. Deputy Speaker: Order. There are far too many comments from a sedentary position. We shall get on much better if hon. Members who wish to intervene stand in their place.

Mr. McNamara: Particularly the Secretary of State.

Sir Antony Buck: I should be grateful if the hon. Gentleman would deal with my point. There is no suggestion of the factory closing down.

Mr. McNamara: It seems to me from what the Comptroller and Auditor-General said that the Government have written off a book value of £7 million because of abolition of the preferred source policy. The factory will not be able to compete and will no longer supply these types of explosives. If I am incorrect, the Minister will be able to say so later.

We also learn from the report that the Government will not go ahead with a 420 gallon propellant mixer. That is another £2·1 million down the drain. The managing director is now earning £44,600 a year just to watch the writing off of assets and the cutting of the better policies of the Ministry. The Minister's City friends have received £1·3 million and one lucky firm has won £100,000 from the Government to improve the company's image. It needs half a dozen face lifts.

The greatest criticism of the Government comes from the Comptroller and Auditor General, in paragraphs 4·6 to 4·8 of his report. He states that, although he will have power to examine all the nationalised industries, and all their works, dealings abilities and decisions, he will not have the same power over the 100 per cent. state-owned Royal Ordnance plc. He says that there are no provisions for him to have access to the records of the company. Therefore, he may examine the records of the nationalised industries, ask them the proper questions and meet their officials, but he has not access to the records of a 100 per cent. Government-owned company.

The Comptroller and Auditor General, who is appointed with the agreement of the House to protect the public interest, states in his report that he will not be able to do so. In paragraph 4·12 he goes further:

"until the method and timing of the disposal of the Secretary of State's interest in the Company have been decided and this has taken place, I shall be unable to comment on the arrangements adopted to control the associated costs and to ensure a fair return to the taxpayer overall."

In other words he can examine the stable only after the horse has bolted.

That means that the Government, again with the connivance of their City friends, can make the changes, decisions and arrangements that they want, and that the books will be open to merchant bankers and people who may be interested in buying the shares, but not to the Comptroller and Auditor General, or to the House. We shall have no say in what is arranged and done, but that is what we have come to expect of the Government, especially this Department, in dealing with the House. They deal in half-truths, they do not tell us the whole story, they are afraid to give the picture and they behave with considerable equivocation on all matters.

When the Minister replies, is he prepared to come clean with the House and tell us when the decision is to be made by the Government? Will it be this year or next year? He said that the Government still had their major option—to float the lot. Has he had any advances from the firms which are nibbling around about buying up the subsidiaries or assets? Has Sir Frank Cooper in his new position come and said that there are little bits of the ROFs that he would like to buy? The House and the Comptroller and Auditor General are entitled to answers to those questions well before the Government reach their decision to sell. We are entitled to know what is in the interest of taxpayers and if their interests will be protected fully.

This is a sorry day for country, for employers and for the Armed Forces. None of them wants to see those assets sold in the market place. We want to maintain preferred sources, and to ensure that when we are in difficulties the Armed Forces can go to an assured supplier for armaments, and that these companies remain in public control. That is why we shall vote against the order tonight.

10.33 pm

Mr. Lewis Carter-Jones (Eccles): Will the Minister at last reply to the question of the pensions rights of the workers in the ordnance factories? There has been a history of questions to him. He visited the royal ordnance factory in my constituency and the matter dominated discussions at managerial, staff and industrial worker levels. He made it clear then that eventually they would know their true position regarding pension rights. On Second Reading, in Committee, on Report and on Third Reading, our questions have not been answered. The Minister promised that he would inform the House before the trading fund ceases. The trading fund will probably cease tonight, or at least when the document is signed. At this late hour, will he clarify once and for all the pension rights of ROF employees? His promises demand that he clarify the matter in the House tonight.

The second worrying matter is that the royal ordnance factories have been in public hands for more than 400 years. It has been unfairly and incorrectly assumed—I am sure that Conservative Members will agree with me on this—that the organisation is concerned only with low technology. In reality, the organisation produces a substantial amount of high technology, although the argument is that private companies will take over the factories and update the low technology operations. The Minister knows as well as anyone else that the royal ordnance factory at Patricroft produces a tremendous amount of high technology material. The skill and research has been developed and paid for by public funds.

Before private companies buy shares in an organisation, they will wish to know something about what it produces. I believed that much of the production at Patricroft was secret, but if companies wish to bid for the shares, someone must tell them what is there. They must be told what they are buying, because they will not buy a pig in a poke.

Mr. Robert Atkins (South Ribble): What about British Aerospace?

Mr. Carter-Jones: That did not come under the heading of secret documents and weapons, and I am sorry that the hon. Gentleman did not realise that.

Sir Antony Buck: Does the hon. Gentleman accept that for many years private firms have been dealing with highly secret weapons, including Vickers and British Aerospace? Most of us consider that there is nothing different in these proposals from what has happened in private enterprise in the past.

Mr. Carter-Jones: Although I respect the hon. and learned Gentleman, I cannot agree with him on that point. Some of the material produced by royal ordnance factories is highly secret. We are talking about secret materials and processes that are owned by the state being handed over to the private sector, and I am worried about it. The Minister knows that many developments at ROF Patricroft should not go to the private sector. They should not even be bidded for.

One could talk about many items, but one is expected to be quiet. I know of many developments at ROF Patricroft which are highly secret—[HON. MEMBERS: "Ssh!"] An hon. Member who has a royal ordnance factory in his constituency must more or less promise that he will not tell what happens there. I would tell some people, but no one in the House of Commons, because they would go out immediately and pass on the information.

I ask the Minister to remember those two factors. First, the Government should not dismiss royal ordnance factories as being purely places of low technology. Secondly, will he be a very hon. Gentleman tonight and fulfil his promises to clarify the position of the pension rights of the ROF work force?

10.39 pm

Mr. Paddy Ashdown (Yeovil): It is always a pleasure to follow the hon. Member for Eccles (Mr. Carter-Jones), who speaks with a good deal of authority and knowledge on these matters. He touched on the age of the royal ordnance factories, and I shall return to that in a moment.

I congratulate the hon. Member for Kingston upon Hull, North (Mr. McNamara) on his speech. As he did so many times in Committee, he covered the general areas in a comprehensive fashion, which we all wanted to be outlined in the debate. Therefore, I shall not have to repeat some of the things that he said and detain the House more than is necessary.

The explanatory note thoughtfully provided on the statutory instrument makes the subject of the debate perfectly clear. It says that the order

"repeals the reference to the Royal Ordnance Factories as a Crown service".

This is therefore, a historical moment, a moment in which 400 years of service will be removed by the stroke of the Government's privatisation policy, a moment in which we see the penultimate act in the ending of 400 years' service of a group of organisations that have served the British Crown and the British forces in an exemplary fashion——

Mr. Robert Atkins: And will continue to do so.

Mr. Ashdown: Perhaps they will if they are given the chance. However, as I shall seek to show, they may not be given that chance.

Even Henry VIII, that last great privatiser, the man who flogged off public institutions to his friends, would not have sought to privatise the royal ordnance factories. Indeed, it was he who created them as a Crown service. From that point until now, they have served our armed forces and the Crown superbly—from the Armada right through to the Falklands campaign, when the Government and the Minister congratulated them on that service.

Why are we seeking to break that ancient tradition? Is there any reason for it, apart from the Government's own blind ideology? That is shown more clearly in the order and the series of actions that have gone before it and those that will follow than in anything else that the Government have done. It is a clear case of the Government's ideology being superior to common sense and the security of the nation.

Mr. Andrew Rowe (Mid-Kent): There are always dangers in praying in aid 400 years or more of history. It is worth saying that the assets that Henry VIII sold off had not been in the state's hands until he, by arbitrary action, made them so. Their sale created the conditions in which Elizabethan England was able to prosper in a way that otherwise would not have been possible. Therefore, I cannot see why the hon. Gentleman thinks that what he has just said in any way assists his case.

Mr. Ashdown: I take the hon. Gentleman's point. We are talking about ordnance factories, not monasteries. However, I believe that most people would regard that flogging off to Henry VIII's friends as less than totally honourable at the time, as many of us regard the current flogging off of public assets to people whom many regard as the Government's friends in the City as not totally honourable at present.

The burden of my case will not be along that line. My case is that this policy is folly. By this statutory instrument, together with the other actions that the Government have proposed and will undertake, the Government will endanger a fine organisation and a fine record. They will diminish job security and endanger the pension rights of the vast majority of the work force that has served the Crown so well in this and previous generations. They will, as has already happened, cause the destruction of a number of jobs. But, above all, they will diminish and therefore undermine the effectiveness of our armed forces. They will undermine the integrity of that organisation. Of this let there be no doubt. It is this Government, not some pacifist Left winger in the Labour party, who, by moving this statutory instrument and the others that go with it, are damaging Britain's security. One is entitled to ask, for what?

Dr. Alan Glyn (Windsor and Maidenhead): A great deal of criticism has been made, quite rightly, about pensions. The hon. Member for Eccles (Mr. Carter-Jones) mentioned that. But nobody has produced a solution that he believes is the right solution for the future of pension rights.

Mr. Ashdown: With great respect, we have constantly called for the kind of statement called for by the hon. Member for Kingston upon Hull, North (Mr. McNamara). Such a statement from the Government would do much to reassure the work force. In the last analysis, the key is arbitration. If the Minister will agree to go to arbitration, the matter can be solved in a way that will reassure many people. I can see no harm in that. It is certainly fairer and more honest.

Why are the Government taking this action, which will undoubtedly undermine the integrity of our defence forces?

Mrs. Anna McCurley (Renfrew, West and Inverclyde): Why does the hon. Gentleman think that the integrity of our defences would be damaged? After all, if a state of emergency prevailed in this country, we would requisition and do whatever was necessary. [HON. MEMBERS: "Oh!"] The hon. Gentleman is talking absolute nonsense.

Mr. Ashdown: I hope that anyone thinking of buying the royal ordnance factories will take careful note of the hon. Lady's comments about requisitioning. If she will be patient for a moment, she will discover how the Government's action will undermine our defence forces.

Is the Government's motive to introduce greater competition? The answer to that question must be no because the factories and production facilities will be bought by firms like Vickers which are already in the market, so there will be less rather than more competition and there will be more domination by the larger private firms.

Mr. Lee: We have said time and again that the most likely, form of privatisation is the flotation of the whole Royal Ordnance plc.

Mr. Ashdown: The Minister says that that is the most likely, but he has been less than clear about it and he changed his mind several times in the debates in Committee on this. Is he now saying that it will definitely be privatised as a single organisation?

Mr. Lee: I have not changed my mind at all. As the many hon. Members present who were on that Standing Committee know, Ministers repeatedly made it clear that the most likely form of privatisation was the flotation of the ROFs as a whole. I hope that the hon. Gentleman, as a man of some integrity, will acknowledge that fact.

Mr. Ashdown: I shall acknowledge what the Minister has now said if he will give an undertaking that it will in fact happen. At present, it is merely conditional. He has said that it is the most likely outcome. Is he now making a clear, unequivocal statement that that is the way in which the flotation will take place?

Mr. Lee: No.

Mr. Ashdown: The Minister seeks to reassure the House, but in the last analysis he will give no clear undertaking about the way in which this great institution is to be carved up and hived off.

Is the Government's aim to ensure security of supply for our armed services? The answer to that is also no, as the hon. Member for Kingston upon Hull has shown. We know that 11,000 medium artillery shells for the British services are now to be manufactured abroad. *[Interruption.]* The Secretary of State for Employment laughs, but the Prime Minister herself admitted yesterday that those shells are to be produced not by the royal ordnance factories but by the Belgian armaments organisation PRB—a state-owned concern, incidentally —which was required to put in the cheapest possible quotation. The cheapest possible quote required it to use not — *[Interruption.]* The right hon. Member for Bridgwater (Mr. King) may well intervene from a sedentary position—let it be noted—because a royal ordnance factory in his own constituency would have produced the TNT or the RDX to fill the shells. But that is not what happened. Because the Government chose to adopt the cheapest option, the TNT has been purchased from the cheapest producer, Poland, which is a Warsaw Pact country. Next time it could be—and perhaps it will be — purchased from the Soviet Union or Romania because they are flooding the market with cheap TNT.

Is it not ludicrous that 11,000 medium artillery shells to be supplied to the British Army rely for their effectiveness upon a Warsaw pact explosive? The Prime Minister said yesterday that this was the fault of PRB, but that is not so. The Government have called for the cheapest supply, from whatever source. This meant that PRB had to go to the Warsaw pact for its supply. That is not surprising because the Government's policy is to encourage the cheapest possible quote. It will be music in Moscow's ears to hear that our capacity to supply our own ammunition has been diminished by this act and the Royal ordnance factory in Bridgwater has announced today that 140 of its skilled workers are to be made redundant. Our armaments industry and the service provided to our armed forces is therefore weaker.

[Mr. Ashdown]

We are dependent not upon our in-house supplies but upon supplies from our potential enemies. Is it not ludicrous that we are about to spend £10 billion upon the purchase of the trident missile in an attempt to achieve nuclear independence from our NATO friends, while the result of this will be that we shall be dependent upon our potential enemies in the Warsaw pact for even the explosives to be used in the shells suppplied to our armed forces?

Mr. Lee: I had expected better of the hon. Gentleman. A £16,000 order for TNT indirectly went to Poland, because the order was given from Belgium. The shells do not have a war role; they have a training role. Can the hon. Gentleman explain how a £16,000 order that has gone elsewhere will result in the loss of about 150 jobs at Bridgwater?

Mr. Ashdown: The Under-Secretary of State asks a very good question. No doubt ROF Bridgwater has looked ahead and seen that it will be required to exist in precisely the same commercial climate as caused that order to be filled with TNT from Poland. Consequently it has reached the conlusion that it cannot survive at its present level and that therefore it will have to reduce its capacity and ability to meet orders of that kind.

Mr. John Golding (Newcastle-under-Lyme): Would not the hon. Gentleman be on stronger ground, following the report of the Comptroller and Auditor General, if he said that the abolition of the preferred source policy of the Ministry of Defence and the introduction of a fully competitive environment has undermined ROF Bridgwater? That is the strength of the attack that can be made against the Government. The Secretary of State for Employment is here tonight because he is frightened stiff by what the Government have done to his constituency. He knows that it is that, not the single order, which is putting the fear of God into his electors in Bridgwater—because of the effect upon employment.

Mr. Ashdown: The hon. Gentleman has made the case very well, but all I am saying is that this single order is the harbinger of precisely that policy, the policy which has caused the situation in Bridgwater.

For that reason, it should be understood that this Government, by this act and others associated with it, are weakening the United Kingdom's defence capacity. What Bridgwater suffers today no doubt other ROFs will suffer in future. In consequence, the nation's security is further weakened.

I leave aside the swingeing criticisms made in the report. They are telling enough and no doubt the Under-Secretary will answer them when he replies. I shall also leave aside job losses—if that is what had to happen to make our defences stronger, so be it. But those jobs are sacrificed and others are placed in jeopardy, while workers are having their pensions and conditions placed in danger —not to make Britain stronger, but to diminish our security. That is the charge that we level at the Government—a charge on which they stand indicted by the events leading to the Polish TNT, the job losses in Bridgwater and the further job losses and insecurity that will arise from this order. That is why we shall vote against it tonight.

10.56 pm

Mr. Peter Pike (Burnley): I was surprised to hear the Under-Secretary say that the most favoured method of disposal was a public flotation. In Committee a year ago we tabled an amendment that would have ensured that the assets had to be sold as an entity, but the Government were not prepared to accept that. The Under-Secretary might say that this is the favoured approach, but no one will believe that until it is in black and white. The Bill has now passed, but I reiterate that the Under-Secretary was not prepared to say that that was the method to be used; all he would say was that it was the most favoured method.

The future of pensions also caused great controversy in Committee last year. I am not in the least surprised that, one year later, that item has still not been resolved. Whether or not the Government like it, if they honoured their public commitment about no detriment to pensions, the cost would be more than they would realise from the sale of the assets.

In Committee last year the Under-Secretary outlined the Government's position. At the following sitting the Minister of State had to give his interpretation of what the Under-Secretary had said. If the Under-Secretary's words had been taken literally, it would have cost the Government a great deal of money. That is why they are not prepared to state their commitment clearly and firmly. It is right that the unions should pursue that point to obtain the safeguard to which they are entitled. They are entitled to full protection of pension rights earned in the past and the same conditions for the future.

Even if the Government met the more modest commitment with which they are now trying to get away, they would have to pay into the pension fund £240 million —yet the disposal of the assets will bring in little more than that. There will be no benefit to the country. In Committee last year we said time and again that on profitability, improvements in productivity, quality and the reliability of the ROFs over many years, there was no case for the industry to be privatised. Redundancies were announced almost as soon as the Act received its Royal Assent last year. There will be more redundancies because of the way that the Government intend to treat the ROFs.

I am aware of a situation in which the royal ordnance factories submitted a figure for doing a particular job. The Ministry of Defence told Huntley Engineering, which was willing to make the same product, the price at which the ROFs were prepared to make the product. Then, surprise, surprise, Huntley Engineering got the contract because it tendered at a lower price. If the Minister says that that is the proper way of conducting business and of guaranteeing the future for ROFs, it does not satisfy me.

I do not acccept the Government's case that this will introduce more competition. I believe that it was right to have a base of competition from the state-controlled side of the industry. Removal of the state side of the industry will not improve competition.

I believe that the Government have made a mistake in the legislation. I hope that they will not invite in private capital, but will continue to hold all the shares in the ROF parent company. I believe that that is the best way forward. It will allow the country to control what is an important part of our defence. It will be a tragedy if we allow this to go out of the public sector and into the private sector.

11.1 pm

Mr. John McWilliam (Blaydon): I was disappointed in the glancing reference in the Minister's speech to the fact that there would be some redundancies. There have been many hundreds of redundancies in my constituency and in the constituencies of many hon. Members merely to clean up the trading fund before it was wound up and went to the auditors. I believe that this was done deliberately. Hundreds of redundancies occurred, and this happened not only because the Government, in a cavalier manner, decided to give a shell order to the Belgians, who happen to use some eastern European TNT. I do not know how many zlotys or roubles that cost the Government, nor do I care particularly about the protestations of Conservative Members that it was just a little bit. The Government resisted the amendments that we tabled in Committee to stop the Politburo using a front organisation to take over the ordnance factories. The Government deliberately blocked those amendments, and there is now nothing in law to stop the Politburo acquiring the ROFs.

Mr. Lee: This seems to be an evening of exaggeration by the Opposition. We made it clear in earlier proceedings that foreign ownership would not be allowed to exceed in total 15 per cent. of the share capital, and a special share will be issued to the Secretary of State which will enable him to block any possible foreign ownership of the ROFs.

Mr. McWilliam: While I am grateful to the Minister for raising that point, why then did he block the amendment that we tabled in Committee on the basis of a rather weak provision that could be subverted by a Minister who might not be as patriotic as the present Minister is? He has the power to ignore it or to use his golden share. Our amendment said that there had to be a limit on foreign shares, and it was resisted by the Government. It is not good enough for Conservative Members to mutter about this.

Sir Antony Buck: I did not have the privilege of serving on the Standing Committee,. The Minister seemed to answer the point in full when he said that there could not be more than a 15 per cent. share under foreign control. The hon. Gentleman is an internationalist and should appreciate that that means that there will be British control all the way through.

Mr. McWilliam: Had the hon. and learned Gentleman been a member of the Committee, he would have heard the case that we adduced on this issue at that stage and the weak reply of the Government, who, because of their majority, carried the day.

The way in which the Minister dismissed the question of redundancies did not deal with the circumstances at Birtley and the FH70 ammunition order. That order has been given to Rheinmetall, some employees of which are awaiting trial for sending ammunition to Argentina with end user certificates for Spain—ammunition that was used against our forces in the Falklands.

Mr. Atkins: The hon. Gentleman should know what he is talking about. I say that because in the past he has given evidence that he knows what he is talking about. He should know that the FH70 deal is a tripartite deal in respect of which we did more than our share of the work, and, according to the terms of that contract, the work share had to return to Germany and Italy. He distorts the matter by suggesting that a deal has been struck by which something has been given to the Germans at the expense of our workers, and he knows it.

Mr. McWilliam: The hon. Gentleman does not deny that the order went to Rheinmetall or that employees of that organisation are awaiting trial for sending arms with end user certificates to Argentina, South Africa and Chile. Nor are we getting our fair share of the Tornado, but I will not deal with that now. In the balance of expenditure in tripartite deals between ourselves, Germany and Italy, including the FH70, the Tornado and all the other systems, we are worse off than we should be.

Mr. Atkins: That is not true.

Mr. McWilliam: The hon. Member for South Ribble (Mr. Atkins) can protest all he likes, but the figures, as stated in written answers, bear out what I say.

Mr. Roland Boyes (Houghton and Washington): A number of my constituents work in the Birtley factory, which is in my hon. Friend's constituency, and we appreciate the efforts that he has made to protect the jobs of the employees there. Does he agree that one of the most ludicrous aspects of this whole affair is the fact that the pension rights of those who will continue to work at the factory have not been safeguarded before this stage and, therefore, before the order will come into operation?

The Comptroller and Auditor General's report on this matter is based on a series of assumptions. For example, the report refers in paragraph 3.15 to what might happen "should the estimate" and "should the economic assumptions" prove correct, in which case, it says, the exact sum "will be decided later." Is my hon. Friend as concerned as I am over the fact that many people who have given valuable service to the nation and the royal ordnance factories will find themselves disadvantaged by the Government's activities tonight?

Mr. McWilliam: I am grateful for my hon. Friend's intervention. Many people who work at Birtley live in his constituency. Clearly they are as concerned about their pensions as they are about the loss of their jobs. The constituency of my hon. Friend the Member for Durham, North (Mr. Radice) is equally affected by the same factory. I cannot understand why the Government have not agreed to go to arbitration. We argued the point for quite a long time in Committee. The Government were not prepared to accept the weight of the argument that we put. They are now faced with the reality of the reduced pensions that people will get as against what they are entitled to.

It is inexplicable that the Minister will not come to the Dispatch Box and say that he agrees to arbitration. Why will he not do so? The staff would like him to do so. We would like him to do so and no doubt many of his hon. Friends who have royal ordnance factories in their constituencies would like him to do so. But he will not do it because he is constrained by the Treasury. Indeed, he is so constrained that he has decided to reduce the pension entitlement of people who work in the royal ordnance factories.

The Minister said that the auditor will close the accounts. A matter of great concern to the House and to the royal ordnance factories arises from the accounts. I have raised in questions to the Minister the new information technology computer system that is to be

[Mr. McWilliam]

installed in the royal ordnance factories. Before they were privatised I asked the Minister why they had advertised for a systems controller whose expertise was in system network architecture and IBM when the system in the factories was ICL. The fact that Mr. Fred Clarke, the present director of the royal ordnance factories, is ex-IBM must lead me to conclude that something is wrong somewhere. It should have been advertised properly, but it was not. That should not have happened while the royal ordnance factories were still part of the industrial Civil Service. The excuse that they were subsequently to be privatised is not enough for me. It was wrong that the whole system should be changed. I want to be sure that when the auditor produces the final accounts he also produces the accounting to explain why it was reasonable to change a whole computer system because of the uncertain future of the royal ordnance factories.

Mr. Norman Buchan (Paisley, South): Is it not the case that privatisation adds to unemployment in constituencies such as mine, where the Bishopton factory is? Unemployment is already high because of the closure of Linwood and the collapse of the textile industry. Important as the profound effect upon the telecommunications aspect is, redundancy——

Mr. Deputy Speaker: Order. The hon. Gentleman must not make a speech.

Mr. Buchan: There are semicolons towards the end of the sentence. The effect of the unemployment does not seem to have been realised by the Conservative party in Scotland.

Mr. McWilliam: I am grateful to my hon. Friend for his intervention. Bishopton has employees from his constituency and from the constituency of the hon. Member for Renfrew, West and Inverclyde (Mrs. McCurley). They have suffered job losses because of the FH70 order among other things. I have explained why I consider the FH70 order to be unnecessary.

Mr. Boyes: The excellent contributions from Opposition Members are demonstrating more than adequately that the debate is about jobs, pension rights, national security, Britain's future and buying TNT from other countries. Is my hon. Friend as curious as I am to know why the Government have stopped their Back Benchers from participating in the debate? Has he any theories about that?

Mr. McWilliam: I have my views, but I leave my colleagues to draw their own conclusions. I am still concerned that Mr. Fred Clarke, ex-deputy managing director of IBM, United Kingdom division and managing director of the royal ordnance factories, has run an IBM system into the factories. That needs investigating. I have drawn the matter to the Minister's attention and he has done nothing about it. That will do nothing to solve the unnecessary redundancy problems which Ministers are causing. The introduction of the IBM system needs investigating and we need an answer very soon if not tonight. If the Minister does not deal with the matter tonight, the Public Accounts Committee should.

11.17 pm

Mr. Bruce George (Walsall, South): It is rather unfortunate that at this important stage in the history of the ordnance factories, and having consigned with a lot of noise, public transport to the free enterprise rubbish heap, they are not being given the benefit of one speech from a Conservative Back Bencher before they are packaged ready for sale to the private sector. We have only whining and screaming from Conservative Members in response to serious argument. Perhaps the comments that have been made by my hon. Friends in the past few minutes will sting the Trappist monks on the Government Benches into some form of speechifying. However, those of us who were members of the Committee which considered the Ordnance Factories and Military Services Bill feel that we have been here before. Throughout the 25 sittings in Committee there was barely a speech from Conservative Members.

Mr. Golding: Does my hon. Friend realise that his remarks have provoked a Trappist nun on the Conservative Benches, the hon. Member for Renfrew, West and Inverclyde (Mrs. McCurley) to seek the advice of the Minister? Perhaps the hon. Lady wants to know what one point she can make in defence of the order.

Mr. Deputy Speaker: Order. I remind the House that the debate will finish at 11.43 pm and that we are hoping to hear the Minister's reply.

Mr. George: I am saddened by the air of jocularity that is prevailing in what should be an austere debate. As the hon. Member for Yeovil (Mr. Ashdown) has said, we are witnessing the passing into limbo of an organisation that has served the state for hundreds of years. For those of us who were on the Committee——

Mr. Carter-Jones *rose*——

Mr. George: I would rather carry on because, despite the humour from the Tory Benches, I have some serious points to make.

Those of us who were on the Committee a year ago were conscious of the fact that the Bill was ill-thought-out, and that the Government were making it up as they were going along. In the Defence Committee hearing on the White Paper a few weeks ago, the Secretary of State said —and this is almost a management principle of the Government—that one does not make a decision until one has to. That is the mind of a man who cannot see a parapet without ducking behind it, and this has been translated into a management principle. One would have thought that, 18 months after the Bill was introduced, and a number of years since the perverse idea was first concocted, the Government would have had to make decisions. One can understand how a uniquely inept Government might not have made up their mind when the Bill was passing through Parliament, despite the long Committee stage, but, 18 months after the end of the Committee, many questions need to be answered.

One would have hoped that at this late stage some of the questions put time and again would be answered. They are questions on pension rights and on how the company will be sold off. The Minister has told us that it may be possible that it will be sold off as a single entity, but by now we should know for sure.

The Government are honour bound to their former employees and the tax-paying public to give some answers. I am not making frivolous points. I am not joining those who have condemned the use of TNT. I think that it is a brilliant idea, because our troops will be training

under the realistic conditions of having Warsaw pact shells exploding over their heads. I am surprised that no Tory Member has brought up that argument; it has been left to me. However, my hon. Friends may deprecate my attempts to get the Government off the hook.

The hon. Member for Yeovil had to fulfil an important engagement elsewhere and explained that that is why he would not be here now. He asked why the Government were so intent on selling off the ordnance factories. He gave some ideas. Partly it is to do with their ideology that if an enterprise is in the public sector it must be sold off as quickly as possible, however efficient it is. This knee-jerk response to public enterprise is hardly laudable, and one day the boot may be on the other foot.

Despite this response, the Government are privatising the ROFs for another reason — and this will not be music to the ears of Tory Members. The Minister knows that he and his colleagues have been given an impossible task by the Prime Minister — to maintain existing defence commitments, and even increase them by such things as Fortress Falklands and a small rapid deployment force, when the Government know that resources to meet those commitments will diminish.

When Conservative Members face the electors at the next election, they will be in a more invidious position than Labour Members — although we have some problems on the defence front, and deservedly so — because the Conservative party is ostensibly the party of defence. Ten years ago, in an article in the "NATO Journal" the hon. Member for Aldershot (Mr. Critchley), who is not present — he is probably holding a press conference—said:

"The Tory party shouts a lot about defence. It does not think much about defence."

The silence from Conservative Members is testimony to the 10 years since that article was written. Those words are as valid today as they were in 1976.

This is the Government's dilemma. It is not simply a matter of the Government rewarding their mates in the City or showing an ideological knee-jerk. This is an impossible attempt to square the circle that the Government created for themselves — the problem of how to increase commitments with diminished resources. Any Secretary of State who can do that will be deified, but there is no likelihood of the present Secretary of State being deified. If the Government cannot increase resources to meet increasing commitments, the only way out is for them to cut commitments surreptitiously, while not admitting it — for example, by reducing the fuel and ammunition available. The Government try, through a fictional concept of privatisation, to squeeze greater efficiency out of the system to pay for the commitments which they are unable to meet. Therefore, they resort to 19th century philosophies of industry, harking back to the Victorian age—ostensibly one of great efficiency—and trying to squeeze efficiency out of the system through competition to meet their commitments. The Government will not be able to achieve that aim, because not only will the free market not be more efficient than the public sector but in future it will be much less efficient.

I can put the hon. Member for Renfrew, West and Inverclyde (Mrs. McCurley) wise on this point: the free market will lead to a number of companies going bankrupt. The defence sector cannot be treated in the same way as the manufacture of washing powder or other consumer goods. Defence is too important to be left solely to the free market.

We cannot create 1914 or 1939 conditions, build up the necessary industries almost from scratch and hope that the Channel and the slow build-up of hostilities will allow us to achieve our objective. In a conflict involving this nation's future, we will not be able to recreate those companies which will soon no longer exist. We will be in desperate straits if we think that Britain can go to the Soviet Union or Belgium or to a country that decided not to participate in a conflict in which we are engaged.

The order may appear to be technical and unimportant to the outsider. The Under-Secretary of State said that this was a technical matter and we should not rake over past arguments. He does not want to hear those arguments that were adduced in the past.

I note that the hon. Member for Yeovil has returned from his engagement. He willingly—I was going to say "manfully", but I do not want to be accused of sexism — sat through the proceedings of the Standing Committee and made a great contribution. It is unfair for hon. Members to criticise the hon. Gentleman's brief absence from debate.

The Government will be in a profoundly embarrassing position. They rely on a free market which will fail to deliver the goods.

Hon. Members who think that they have done a wonderful day's work, having passed the Transport Bill and, after passing the order, having kicked into touch an important manufacturing entity, will rue this evening. The order might not seem momentous, but it is an example of the inevitable transition of a public enterprise that has served the country well into the private sector, where many of the companies will wither and die in the face of the competition to which they will be exposed.

11.30 pm

Mr. John Golding (Newcastle-under-Lyme): My speech will be brief because of the length of Conservative Members' speeches. Is it not a disgrace that, when so many jobs, pensions and livelihoods are at stake, Conservative Members who represent ordnance workers do nothing to put the point of view of those workers? Does that not show once again that workers need trade unionists in the House to put their case in Parliament?

Pensions are one of the most important matters that affect workers in ordnance factories. They were for many years paid worse than workers in comparable jobs in outside industries. They suffered low pay because they believed that, serving the state, they had security of employment and secure pensions. This legislation has threatened both. Such people will have worked for low rates of pay and, having served the state well, be privatised and find that the Government are too mean to underwrite and guarantee their pensions.

I do not agree with those of my hon. Friends who say that the Government should go to arbitration. The Government should give way now. Ordnance factory workers are asking for what the Government were prepared to give the workers I represent in British Telecom —a guarantee that existing staff will have index-linked pensions. They have said that they cannot give such a guarantee to ROF workers. Where is the justice in that?

[Mr. John Golding]

The Minister should get to his feet and tell the country, "I have at last responded to my conscience and I am now prepared to underwrite the pensions of ROF workers."

11.33 pm

Mr. Lee: The House has had many debates on privatisation, but I do not think that I have heard so many gross exaggerations and near-untruths as today. Opposition Members have given an appalling list of exaggerations. I shall attempt to deal with some of them.

The hon. Member for Kingston upon Hull, North (Mr. McNamara) asked what access the Comptroller and Auditor General would have to the books of Royal Ordnance plc. Access will be precisely the same as for any nationalised industry, including other Government-owned companies such as British Leyland and Rolls-Royce. The company's accounts will be published and the Comptroller and Auditor General will have access to all the information which the Ministry of Defence has for its monitoring of the company.

Mr. McNamara: Why then did the Comptroller and Auditor General find it necessary to point out in his report that he would not be able at any time to make observations about the Government's decisions to sell and the terms and conditions of that sale until after the sale had taken place?

Mr. Lee: That is not the hon. Gentleman's original point. His point was that the Comptroller and Auditor General would not have access and that we were protecting Royal Ordnance plc artificially. That is not so. The position is the same as for nationalised industries.

The hon. Member for Burnley (Mr. Pike) raised questions about Huntley Engineering, and made a particular allegation. If he would care to write to me about it, I shall certainly have it investigated. I am not aware of that particular case. I confess that I find such an allegation surprising, as on at least two major projects Huntley Engineering and Royal Ordnance plc have forged extremely good working relationships to their mutual benefit, each contributing their particular and separate expertise.

The hon. Member for Eccles (Mr. Carter-Jones), who is not present, talked specifically about secrets at ROF Patricroft. I did not understand what he was getting at, nor did my hon. and learned Friend the Member for Colchester, North (Sir A. Buck). Obviously, the ROFs have commercial and national secrets in areas of advanced technology, but the same is true of the privatised British Aerospace, Plessey and a range of our defence contractors. I do not see any logic in the hon. Gentleman's point.

The hon. Member for Blaydon (Mr. McWilliam) made many allegations, the most serious and personal of which may have been of an impropriety by Fred Clarke, the chairman — not the managing director — of Royal Ordnance plc. I am not sure whether he would be willing to repeat those allegations and insinuations outside the House. The hon. Member for Greenock and Port Glasgow (Dr. Godman), who has a substantial IBM plant in his constituency, did not intervene to defend that company.

Dr. Norman A. Godman (Greenock and Port Glasgow): I suspect that the hon. Gentleman was persuaded to bring me into the debate by his hon. Friend the Member for Renfrew, West and Inverclyde (Mrs. McCurley). He should have a care with such advice. The hon. Lady put down an early-day motion congratulating Trafalgar House on promoting employment prospects for Scott Lithgow on precisely the day when Scott Lithgow announced 615 redundancies.

Regarding the Minister's comments, I confirm that IBM plays a major role in my constituency. I hope that my constituents who are employed at ROF Bishopston can have the same confidence in their future as IBM employees. The Minister should underwrite the pension rights of my constituents.

Mr. Lee: The point was not answered, but that was an interesting intervention.

Mr. McWilliam: The Minister challenged me to repeat outside the House the allegation I made. I draw his attention to the fact that it has been well trailed in the computer press outside the House, and not challenged by the people involved. I am at a loss to know why he is not aware of the matter.

Mr. Lee: What the hon. Gentleman said tonight is on the record.

Mr. Sedgemore: What does that mean?

Mr. Lee: It means precisely what it says.

Recently, and as a result of a competition which included the royal ordnance factory at Bridgwater, an order for 11,000 25-pound shells for training purposes was placed with the Belgian firm PRB. I should stress that there is no war role for the ammunition; therefore, it makes sense to opt for the cheapest source of supply. The shell is filled with explosive TNT, for which there are many sources in Europe, and in this case it is conceded that PRB obtained the supply from Poland. However, of the total cost of the shell, only 3 per cent. is accounted for by TNT. On a total contract value of less than £750,000, the value of TNT was about £16,000. To put that in perspective, it represents only a small part—perhaps 3 per cent.—of Bridgwater's current output of that basic explosive, and represents less than one man's job for one year. To imply that that order caused about 150 redundancies is a wild exaggeration. My right hon. Friend the Secretary of State for Employment, the hon. Member for Bridgwater, has been watching the position closely, and is just as worried as the hon. Member for Yeovil (Mr. Ashdown), if not more so. But my right hon. Friend understands the reality of the position.

Mr. Ashdown: Will the Minister give the House a clear undertaking that this error—or whatever it was—to give the supply of the British Army's TNT to the Warsaw pact will not occur again? If he cannot give that undertaking, we must assume that it could and will occur again, and that this is the model to be followed in the future. Therefore, our capacity to produce TNT for our services will be diminished. Will he give an undertaking that the Warsaw pact will never again supply British forces with explosives for their weapons?

Mr. Lee: Again, the hon. Gentleman is grossly exaggerating. I will not and cannot give that specific assurance.

Bridgwater is expected to be the production centre for rocket propellants to power LAW 80, Skyflash and ALARM, and there are also prospects of collaborative work which the Ministry of Defence is helping considerably.

During the passage of the Ordnance Factories and Military Services Act 1984, much time was spent discussing the future pension provisions of many ROF and Ministry of Defence personnel transferred to the new Royal Ordnance plc. The transferees could not remain in the Civil Service pension scheme, because they would no longer be civil servants, but we gave a commitment that the new arrangements would not be detrimental to their interests. An independent firm of consulting actuaries was brought in to advise, and an index-linked scheme was drawn up. We accepted that the employers' contributions ceiling should be set at such a level as to cover the more pessimistic economic assumptions identified by the actuaries. We also accepted that there was——

It being one and a half hours after the commencement of proceedings on the motion, MR. DEPUTY SPEAKER *put the Question pursuant to Standing Order No. 3 (Exempted business).*

The House divided: Ayes 210, Noes 143.

Division No. 222] **[11.43 pm**

AYES

Alexander, Richard
Amess, David
Ancram, Michael
Atkins, Robert *(South Ribble)*
Beaumont-Dark, Anthony
Bellingham, Henry
Benyon, William
Best, Keith
Boscawen, Hon Robert
Bowden, Gerald *(Dulwich)*
Brandon-Bravo, Martin
Brooke, Hon Peter
Brown, M. *(Brigg & Cl'thpes)*
Buck, Sir Antony
Burt, Alistair
Butcher, John
Carlisle, Rt Hon M. *(W'ton S)*
Carttiss, Michael
Cash, William
Chope, Christopher
Clark, Sir W. *(Croydon S)*
Clegg, Sir Walter
Coombs, Simon
Cope, John
Crouch, David
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Dunn, Robert
Durant, Tony
Dykes, Hugh
Fallon, Michael
Farr, Sir John
Favell, Anthony
Fenner, Mrs Peggy
Fletcher, Alexander
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Marcus
Franks, Cecil
Fraser, Peter *(Angus East)*
Freeman, Roger
Fry, Peter
Gale, Roger
Gardner, Sir Edward *(Fylde)*
Garel-Jones, Tristan
Glyn, Dr Alan
Goodlad, Alastair
Gow, Ian
Greenway, Harry
Gregory, Conal
Griffiths, Peter *(Portsm'th N)*
Hamilton, Hon A. *(Epsom)*
Hannam, John
Harris, David
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hawksley, Warren
Hayes, J.
Hayward, Robert
Henderson, Barry
Hickmet, Richard
Hind, Kenneth
Hirst, Michael
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Hordern, Peter
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Hubbard-Miles, Peter
Hunt, David *(Wirral)*
Hunt, John *(Ravensbourne)*
Jackson, Robert
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(W Herts)*
Kershaw, Sir Anthony
Key, Robert
King, Roger *(B'ham N'field)*
King, Rt Hon Tom
Knight, Gregory *(Derby N)*
Knowles, Michael
Knox, David
Lamont, Norman
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lilley, Peter
Lloyd, Peter, *(Fareham)*
Lord, Michael
Luce, Richard
Lyell, Nicholas
McCurley, Mrs Anna
Macfarlane, Neil
MacKay, John *(Argyll & Bute)*
Maclean, David John
Major, John
Malins, Humfrey
Malone, Gerald
Maples, John
Marland, Paul
Mates, Michael
Mather, Carol
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Meyer, Sir Anthony
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Mitchell, David *(NW Hants)*
Moate, Roger
Montgomery, Sir Fergus
Moore, John
Morrison, Hon C. *(Devizes)*
Morrison, Hon P. *(Chester)*
Moynihan, Hon C.
Murphy, Christopher
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Nicholls, Patrick
Norris, Steven
Oppenheim, Phillip
Osborn, Sir John
Page, Richard *(Herts SW)*
Parris, Matthew
Pattie, Geoffrey
Pawsey, James
Pollock, Alexander
Porter, Barry
Portillo, Michael
Powell, William *(Corby)*
Powley, John
Prentice, Rt Hon Reg
Proctor, K. Harvey
Rathbone, Tim
Renton, Tim
Rhys Williams, Sir Brandon
Ridsdale, Sir Julian
Rifkind, Malcolm
Roe, Mrs Marion
Rossi, Sir Hugh
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Thomas
Sainsbury, Hon Timothy
Sayeed, Jonathan
Shaw, Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shepherd, Colin *(Hereford)*
Silvester, Fred
Sims, Roger
Skeet, T. H. H.
Soames, Hon Nicholas
Speed, Keith
Spencer, Derek
Spicer, Jim *(W Dorset)*
Squire, Robin
Stevens, Lewis *(Nuneaton)*
Stevens, Martin *(Fulham)*
Stewart, Allan *(Eastwood)*
Stradling Thomas, J.
Sumberg, David
Taylor, John *(Solihull)*
Temple-Morris, Peter
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Viggers, Peter
Waddington, David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Walker, Bill *(T'side N)*
Wall, Sir Patrick
Waller, Gary
Ward, John
Wardle, C. *(Bexhill)*
Watson, John
Watts, John
Wells, Bowen *(Hertford)*
Wheeler, John
Whitfield, John
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Ayes:
Mr. Ian Lang and
Mr. Michael Neubert.

NOES

Archer, Rt Hon Peter
Ashdown, Paddy
Ashton, Joe
Atkinson, N. *(Tottenham)*
Banks, Tony *(Newham NW)*
Beckett, Mrs Margaret
Beith, A. J.
Bell, Stuart
Benn, Tony
Bennett, A. *(Dent'n & Red'sh)*
Bermingham, Gerald
Blair, Anthony
Boyes, Roland
Bray, Dr Jeremy
Brown, Gordon *(D'f'rmline E)*
Brown, Hugh D. *(Provan)*
Brown, N. *(N'c'tle-u-Tyne E)*
Brown, Ron *(E'burgh, Leith)*
Bruce, Malcolm
Buchan, Norman
Caborn, Richard
Callaghan, Jim *(Heyw'd & M)*
Canavan, Dennis
Carter-Jones, Lewis
Clark, Dr David *(S Shields)*
Clarke, Thomas
Clay, Robert
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S.)*
Cohen, Harry
Cook, Robin F. *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cowans, Harry
Craigen, J. M.
Crowther, Stan
Cunningham, Dr John
Dalyell, Tam
Davies, Rt Hon Denzil *(L'lli)*
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric
Dixon, Donald
Dobson, Frank
Dormand, Jack
Dubs, Alfred
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eadie, Alex
Eastham, Ken
Ellis, Raymond

Evans, John *(St. Helens N)*
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fields, T. *(L'pool Broad Gn)*
Fisher, Mark
Flannery, Martin
Foot, Rt Hon Michael
Forrester, John
Foster, Derek
Foulkes, George
Fraser, J. *(Norwood)*
Freeson, Rt Hon Reginald
George, Bruce
Gilbert, Rt Hon Dr John
Golding, John
Gould, Bryan
Harman, Ms Harriet
Harrison, Rt Hon Walter
Hattersley, Rt Hon Roy
Haynes, Frank
Healey, Rt Hon Denis
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Howells, Geraint
Hoyle, Douglas
Hughes, Dr. Mark *(Durham)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Janner, Hon Greville
John, Brynmor
Jones, Barry *(Alyn & Deeside)*
Lamond, James
Leadbitter, Ted
Leighton, Ronald
Lewis, Ron *(Carlisle)*
Lewis, Terence *(Worsley)*
Litherland, Robert
Lloyd, Tony *(Stretford)*
Loyden, Edward
McCartney, Hugh
McDonald, Dr Oonagh
McKelvey, William
McNamara, Kevin
McTaggart, Robert
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael
Maynard, Miss Joan
Meadowcroft, Michael
Michie, William
Millan, Rt Hon Bruce
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon J. *(Aberavon)*
Nellist, David
O'Brien, William
O'Neill, Martin
Park, George
Patchett, Terry
Pavitt, Laurie
Penhaligon, David
Pike, Peter
Prescott, John
Radice, Giles
Randall, Stuart
Redmond, M.
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Robertson, George
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Shore, Rt Hon Peter
Short, Ms Clare *(Ladywood)*
Short, Mrs R. *(W'hampt'n NE)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, C. *(Isl'ton S & F'bury)*
Smith, Rt Hon J. *(M'kl'ds E)*
Soley, Clive
Stott, Roger
Strang, Gavin
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Tinn, James
Wareing, Robert
Weetch, Ken
Welsh, Michael
Williams, Rt Hon A.
Winnick, David

Tellers for the Noes:
Mr. John McWilliam and
Dr. Norman A. Godman.

Question accordingly agreed to.

Resolved,

That the draft Royal Ordnance Factories Trading Fund (Revocation and Repeal) Order 1985, which was laid before this House on 3rd May, be approved.

BANKRUPTCY (SCOTLAND) BILL *[LORDS]*

Order for Second Reading read.

Ordered,

That the Bill be committed to a Scottish Standing Committee. —*[Mr. Archie Hamilton.]*

BANKRUPTCY (SCOTLAND) BILL *[LORDS]* [MONEY]

Queen's Recommendation having been signified—

Ordered,

That, for the purpose of any Act resulting from the Bankruptcy (Scotland) Bill *[Lords]*, it is expedient to authorise—

1. The payment out of moneys provided by Parliament of—
   (1) any amount of outlays and remuneration payable by the Accountant in Bankruptcy where the funds in the debtor's estate are insufficient to meet that amount;
   (2) any administrative expenses incurred by the Secretary of State;
   (3) any increase attributable to the Act in the sums so payable under any other Act.
2. The payment into the Consolidated Fund of—
   (1) any payments received by the Secretary of State from the Accountant in Bankruptcy in respect of an unclaimed dividend or unapplied balance;
   (2) any amount handed over to the Secretary of State when a distribution of the estate is proposed after an amount has been paid by the Accountant in Bankruptcy out of moneys provided by Parliament in respect of outlays and remuneration.—*[Mr. Archie Hamilton.]*

HOUSING (CONSEQUENTIAL PROVISIONS) BILL *[LORDS]*

Ordered,

That the Lords Message [21st May] communicating the Order, That the Housing (Consequential Provisions) Bill *[Lords]* be referred to a Joint Committee on Consolidation, &c., Bills, be now considered.—*[Mr. Archie Hamilton.]*

Lords Message considered accordingly.

Resolved,

That this House concurs with the Lords in the said Order. —*[Mr. Archie Hamilton.]*

River Wye

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Archie Hamilton.]*

11.55 pm

Mr. Colin Shepherd (Hereford): I am most grateful to my hon. Friend the Minister of State, Welsh Office, for coming to the House to take part in a debate on a very important subject for our part of the country. I am delighted to see in their places my hon. Friends the Members for Gloucestershire, West (Mr. Marland) and for Leominster (Mr. Temple-Morris). The fact that my hon. Friend the Minister of State also has the River Wye going through his constituency and therefore knows it very well gives me confidence that this subject will receive the attention that it deserves.

There is a poignant point that I want to make at this juncture. I received a letter from my late hon. Friend the Member for Brecon and Radnor (Mr. Hooson) two days after he died. I know how deeply he felt about this matter because the headwaters of the River Wye ran through his constituency.

The problems to which I wish to refer relate to the whole extent of the River Wye. It is a unique river. For the whole of its length it is a site of special scientific interest and for most of its length it passes through areas of outstanding natural beauty. It is a major asset to my county, Herefordshire, and it gives enormous pleasure to thousands of people through a variety of activities: angling, rowing, canoeing, rafting, birdwatching, or just enjoying nature. People take part in these activities in a spirit of quiet enjoyment.

It has been well known for a long time that there is no co-ordinating authority. These activities have grown up alongside one another, yet with a growing sense of unease that the balance between them may not be sustainable. Until last year the stresses and strains of conflicting interests were accommodated by each recognising the legitimate aspirations of others with, thankfully, an ever-increasing level of understanding, although it would not be entirely correct to say that the use of the River Wye is at present an idyll of harmony.

Those who fish point out that they pay substantial sums of money for their pleasure. In the south Herefordshire district council territory alone they pay £65,000 in rates. If that is extrapolated to cover the entire length of the Wye, we must be talking of well over £160,000 in rates, not to mention about £3,500 in fishery rates to the water authority, on top of which there is another £1,500 in environmental charges—not to mention a cool £52,000 in licensing fees.

Those who enjoy the competitive sport of rafting point with some hard-earned pride to the £50,000, plus, that they raise for so many deserving charities. Those who promote canoeing holidays on the Wye can point to the benefits accruing to the community by the development of the tourist trade. My hon. Friend the Minister of State knows very well that the Wye valley is world renowned in this respect. In addition, the community has an additional interest in the financial aspects of the Wye, in that the declining levels of fish caught, for whatever reasons, are leading to successful appeals against rateable values by fishery owners. It is not unlikely that within a short time there will be a drop in rate income of about 50 per cent., which will leave another £80,000 to be borne by other ratepayers.

In 1981 the Welsh water authority recognised the drift of things and made an application for the functions of any navigation authority still in existence to be transferred to it. I was told in response to my inquiries at that time by my right hon. and hon. Friends at the Welsh Office that the matter was complicated and that the Welsh Office was having to examine Acts of Parliament going back as far as 1674. I was assured that before any irrevocable decisions were taken:

"there will be ample notice and opportunity given to all interested parties to enable them to prepare and present their points of view."

I heard nothing further until after I wrote again in January 1983, when I was told that counsel's opinion was being sought and that progress was slow. However, I was assured by my hon. Friend the Parliamentary Under-Secretary that he was pursuing the matter further with his officials.

I heard nothing further until I wrote again in March this year, when I was informed that in the light of counsel's opinion the Welsh water authority was having to reconsider its application and decide what action it might need to take. I was also told that the Welsh water authority had commissioned the Middlesex polytechnic to report upon the uses of the River Wye by various recreational groups, and that it had decided to defer making any final decisions until it had considered that report.

What could have been described in 1981 as a routine evolutionary problem has, since last year, erupted into a major and potentially revolutionary problem. I refer to the advent of hovercrafting as a recreational activity on the River Wye. In 1984 six craft were launched from Holme Lacey and travelled up and down the river from Ross-on-Wye to north of Hereford.

I have no doubt that from the hovercrafters' point of view, it is an attractive place to exercise an excitingly new, advanced, technological recreation. Indeed, in the magazine of the Hovercraft Club of Great Britain it was described in glowing terms. For those who have hitherto utilised the river with quiet enjoyment, this has caused consternation. It became clear to them that the craft were extremely noisy—their drivers wear ear muffs—that they disturb the river and its banks, and I have heard reports that salmon fry have been washed up and left high and dry on the banks. The craft are a serious potential danger to other river users.

It has been observed that, when operating at low speed, the wash is substantial and does not appear to lessen at all until speeds of 20 knots are reached. I dread to think of the hazard to a wading angler or a novice canoeist. The anglers point out that there is frequently a drastic reduction of the swan population where there is an abundance of noisy, powered craft, and they stress that the healthy population of swans on the Wye is, in all probability, due to the absence of powered craft along great stretches of it.

The Royal Society for the Protection of Birds points out that the Wye carries a number of important breeding colonies of kingfishers, dippers and, as my hon. Friend is probably aware, in recent years we have been privileged to see the return of peregrine falcons breeding at Symonds Yat, not a mile from my home. All of those would not take kindly to an abundance of hovercraft. In addition, farmers

[Mr. Colin Shepherd]

and fishermen alike are concerned about the prospect of oil pollution—something not so far experienced on the Wye, one of the cleanest rivers in the country.

Almost more alarming than anything else was the uncooperative attitude of hovercraft drivers on their first run, who were reported by anglers of the Hereford and District Anglers Association to have had complete disregard for anglers and their tackle. A grain of encouragement can be drawn from the revised stance of the Hovercraft Club of Great Britain, which has indicated that in the light of the present consternation it will not now be organising the proposed weekend expeditions on the Wye this year, and that it does not wish to be seen to operate in such a manner as to be a danger to other users of the river or, indeed, its members.

I welcome that wholeheartedly, but I must reflect with some caution that the Hovercraft Club of Great Britain is but a proprietors' club, interested in promoting hovercrafting. It has no regulatory controls over hovercrafting or over its members or non-members.

We therefore must come to terms with this new situation that has arisen in respect of the River Wye. The door to hovercrafting on the Wye has been shown to be wide open, and it is an activity that is fundamentally inimical to the River Wye as a site of special scientific interest, as an area of outstanding natural beauty and as a recreational asset to so many activities based, as I have said before, on quiet enjoyment. We need to know the precise position concerning navigation on the Wye. I have grave disquiet about the referral of the problem by the Welsh water authority to the Middlesex polytechnic. It has all the hallmarks of a delaying tactic—a kicking for touch, a playing for time. I do not think that that time exists.

Despite the assurances of the Hovercraft Club of Great Britain, the threat of hovercrafting will not go away by itself. Regardless of what the Middlesex polytechnic reports, progress towards resolution of today's problems will have to be based upon the present legal situation. A clear exposition of that position may well give rise to the kind of lateral thought necessary to achieve a satisfactory and fair reconciliation of conflicting interests, and allay the reasonable concerns of many people and organisations.

Finally, I should like a reassurance that there will be an opportunity to enable all interested parties to put their points of view openly before any change is made, as was promised to me in 1981. I think that we owe this to all the interests on the River Wye. If this can be done, I know that it will be appreciated. I think that it will be helpful for the longer term evolution of the quiet enjoyment of the River Wye for many people.

12.6 am

Mr. Paul Marland (Gloucestershire, West): I thank my hon. Friend the Member for Hereford (Mr. Shepherd) for allowing me to participate in the debate. The problem that he has outlined is of considerable interest to my constituents also. My intervention in the debate will come as no surprise to my hon. Friend the Minister who has been subjected to a positive snowstorm of paper on behalf of my constituents to try to find some solution to the problem outlined by my hon. Friend the Member for Hereford.

As I represent Gloucestershire, West, the River Wye borders quite a large proportion of my constituency. I have received complaints from the village of Brockweir about the less sociable sports which are now taking place in the River Wye. The complainants have been asking me to whom they should refer in order to try to arrange some framework of law in which everybody can enjoy the sports in which they wish to participate. So far, nobody seems to want to be responsible for working out some arrangements whereby people can live together. The local authority disclaims responsibility, and the Welsh water authority and the Inland Waterways Association Ltd. say that it is not up to them to lay down the law as to who does what on the River Wye. I am confident that, if we can create a framework of law, the majority of these sports can live together. If they are regarded as anti-social by some people who are anxious to pursue the tranquillity of the area, as my hon. Friend has outlined, the noisier sports can surely take place in a different part of the river.

I am grateful for the opportunity to be allowed to participate in the debate, and I hope that my hon. Friend the Minister will be able to throw some light on this difficult problem.

12.10 am

The Minister of State, Welsh Office (Mr. John Stradling Thomas): I am grateful to my hon. Friend the Member for Hereford (Mr. Shepherd) for the opportunity that this debate gives me to put a number of matters into their correct context, which, as he said, is a necessary precursor to getting the issues sorted out.

I congratulate my hon. Friend on the capable way in which he marshalled the facts relating to the multiplicity of interests involved to ensure a fair and reasonable use of the river, with each following their particular interests with the minimum of disturbance to other users.

I confirm what my hon. Friend—and my hon. Friend the Member for Gloucestershire, West (Mr. Marland)—said about there being a multiplicity of interests. Not only is there the age-old use of an exceptionally fine game fishery, but also that of coarse fishing. Such quiet pursuits can obviously be disturbed by the passage of craft of one sort or another, such as a ferry—to which reference was not made, but there is one—a leisure cruiser, or by rowing, canoeing, raft racing—with the added benefit of raising funds for charity—and, in the lower reaches of the river, water skiing, which is of particular interest to myself and my hon. Friend the Member for Gloucestershire, West, and the even more vexed question of the modern invention of the hovercraft.

I do not dispute the claims of my hon. Friends that these will have a varying effect on the natural life found in the river and along the banks. The amount of use which a particular interest makes of the river will determine the level and severity of any nuisance or damage.

The nub of the problem is the element of control which is perceived to be needed to ensure that no one user causes irreparable damage or accidentally usurps the rights of other users. Like its predecessors—the Wye river authority—the Welsh water authority has examined carefully how it should exercise its responsibilities in relation to the River Wye. The Water Resources Act 1963, which provided for the establishment of river authorities and, inter alia, the protection and proper use of inland water, recognised that for the protection of water resources a river authority may need to make byelaws to prohibit the use, or regulate the manner in which the waters may be

used, for boating, swimming or other recreational purposes, which functions are now exercised by water authorities.

The provisions of that Act specified that such byelaws would not apply to any tidal waters, or to any inland water in respect of which functions are exercisable by a navigation authority, harbour authority or conservancy authority. I am spelling these matters out carefully because I want them to be on the record so that we can proceed to a satisfactory solution.

Byelaws made by a water authority under the 1963 Act are subject to procedural provisions before confirmation by my right hon. Friend the Secretary of State. These would almost certainly involve the holding of a local inquiry at which all interested persons could give their views.

In the case of the River Wye, there is an existing navigation authority which precludes the Welsh water authority from making byelaws for that stretch of the river over which the functions of the navigation authority could be exercisable.

In 1809, a navigation authority known as "The Company of the Proprietors of the Rivers Wye and Lugg Navigation and Horse Towing-path" was created by local Act of Parliament. Despite extensive research, it would seem that that company, although it has long ceased to exercise any functions, cannot in law be assumed to be dissolved. Indeed, my Department has sought counsel's opinion on the matter.

However, the Welsh water authority can seek an order under section 82 of the 1963 Act to have transferred to it the functions of a navigation authority. Thus, in February 1981, as my hon. Friend the Member for Hereford said, and no doubt as a result of his zealous efforts on behalf of his constituents, the Welsh water authority made application to my right hon. Friend the Secretary of State for Wales for an Order under section 82 of the 1963 Act to have transferred to it the functions and property of the navigation authority. That has given rise to a substantial volume of correspondence from interested persons and organisations seeking to object to the proposals.

Before the provisions of schedule 10 to the Water Resources Act 1963 were set in motion — that is, publicising the intention to make a transfer order, an action which could well entail the subsequent holding of a public local inquiry into any objections—my Department late in 1983 drew the authority's attention to counsel's opinion which indicated some limitation as to the authority's power within the context of section 79(3) of the Water Resources Act 1963 for the byelaws which it might have in mind. Counsel also drew to the attention of the Department the probability that there may well also exist certain common law rights in respect of use of the river. At this point the House will be aware of the complexity of the matter.

The Welsh water authority, having noted the limitations, chose to reconsider its original application for the section 82 order and in early 1984 commissioned the Middlesex polytechnic to carry out a survey of all recreational use of the River Wye. I do not think this was dilatory or in any way delaying tactics. The facts have to be established before we can proceed through the legal jungle. The water authority now awaits the final report, which it is scheduled to consider later in the year. The authority is quite reasonably exploring all possibilities of areas of conflicting interest before deciding what action it can reasonably take.

I am well aware of the criticism levelled at both the authority and my Department for the length of time being taken to process what some might see as a simple operation. After that part of my speech, I do not think the House will regard it as a simple operation; I know hon. Members realise that it is complex. My hon. Friends will appreciate, if they had not done so before today, that the matter is one of the more complex problems that the authority has had to consider; indeed, its predecessor bodies had in years gone by not come to grips with the problem, and I do not entirely blame them.

We as a Department also appreciate the complexities. However, for the water authority, not only is there the question of drafting suitable byelaws, always assuming it has the power so to do; also, it has to consider the question of cost, which could arise under three headings. First, how much will it cost it to have the necessary byelaws approved? That cost could well include public inquiries. Secondly, even assuming that my right hon. Friend was able to approve the appropriate byelaws, in order to be effective there would be the cost of implementation. My hon. Friend referred to the fact that many riparian owners find some of the charges high already. Thirdly, if the authority assumes the functions of the navigation authority, it could be faced with additional costs related to those very functions—for example, maintenance of channels and towpaths.

The Welsh water authority has sensibly made inquiry of other water authorities who have navigation functions and found that the cost, after deduction of income, can be considerable. These costs would have to be recovered from consumers generally and thus have the effect of increasing water charges.

In addition to the possibilities of seeking powers under the 1963 Act, both the authority and the Department have examined other legislation which might enable control to be exercised over activities on the river. At present, there appear to be no other byelaw-making powers readily available to the water authority. Action may be considered by the authority under the Salmon and Freshwater Fisheries Act 1975 if there is wilful disturbance to spawning fish. My Department has also been examining possible powers which may be available to other bodies to control the various uses which are made of the river. Hereford city council has a Private Bill, shortly to be considered by the House, to re-enact and extend local enactments and to make provision with regard to the health, local government and improvement of the city. As one element of that Bill, it is seeking powers to make byelaws over that stretch of river that lies within the limits of the city.

Under the Local Government, Planning and Land Act 1980, local authorities may in certain circumstances be able to make byelaws regulating the use of boats within their area. This is of course a matter for each district council to consider.

Under the Local Government (Miscellaneous Provisions) Act 1976, certain powers may also be available to local authorities to regulate boating in coastal waters adjacent to their area.

Powers existing under the Local Government Act 1933 which enabled local authorities to make miscellaneous byelaws for good rule and government. Indeed, these

[Mr. John Stradling Thomas]

powers were used by the then county of Monmouthshire and borough of Monmouth, which I have the honour to represent, to make byelaws in 1948 to control the manner in which vessels used the River Wye within their respective boundaries. These byelaws would still appear to be in force today and could be exercisable by the Monmouth district council under provisions of the Local Government Act 1972, sections 235 and 262. From contacts with my Department it would seem that Gwent county council is also investigating the existence and possible use of these byelaws. I can say that my Department is actively researching with other Government Departments the existence of other local byelaws which may affect the River Wye.

Another source of legal provision which may lead to the making of byelaws is through the National Parks and Access to the Countryside Act 1949. Hon. Members may recall that in 1978 the River Wye was notified as a site of special scientific interest. I am advised that re-notification under the Wildlife and Countryside Act 1981 has yet to be completed, but the SSSI status remains unaffected.

However, I make no apology for having to introduce once again a limitation. The 1949 Act powers are vested in local authorities in areas of outstanding natural beauty. That provision might provide a means of controlling hovercraft on the stretches of the river so designated, but such byelaws can be made only where the local authority is the riparian owner or where the land adjacent to the river or the waterway itself is subject to an access agreement order. There would be a need for the Home Office to confirm any byelaws made and Welsh Office Ministers would be involved if there had to be an access order. At this time, it would not be proper for me to comment further. However, my officials will be pursuing this and other relevant aspects.

Two specific problems have regularly been drawn to my attention. The first is a problem over water skiing in the lower reaches of the Wye, which border the constituency of my hon. Friend the Member for Gloucestershire, West and my own. The Gloucester harbour trustees have jurisdiction in the upper reach of the River Wye tideway to Bigs weir and it may be possible for them to make byelaws under their existing powers for the regulation of the river in that part. My Department has already written to the harbour trustees seeking clarification of its powers and I will write to my hon. Friend the Member for Gloucestershire, West when my inquiries are completed.

Secondly, there is the problem of hovercraft using the non-tidal stretch of the river. I am pleased to say that following discussions between the Welsh water authority and the chairman of the board of the Hovercraft Club of Great Britain, the club has agreed not to hold any events on the Wye in view of the biological and scientific importance of the river. I am sure that all Members will join with me in welcoming this most responsible and enlightened attitude on the part of the hovercraft club. Indeed, this sort of joint voluntary approach is a much more sensible solution to the problem of conflicting interests among users of the River Wye. Each of us as a user should respect the wishes, or rights, of other users to enjoy the privileges of this beautiful river, be it for fishing, boating, rowing, canoeing, swimming or other similar uses. That is to exercise self-control—perhaps through an owners' grouping — and reach agreement on limitations as to times of use, number of occasions of use and the planning of activities having regard to the balance that needs to be maintained between man and nature. I would encourage all users to have due regard to the enjoyment of others using this beautiful river and ask them to seek ways in which responsible co-operative use of the river can be extended.

I have advised the House that there is a complex problem to be solved. I have said that the solution is not easy to find and I hope that hon. Members will accept my assurance that the Welsh water authority and Welsh Office ministers are well aware of the difficulties. Nevertheless, officials will continue to search for a satisfactory solution, which will be of benefit to all those having rights of use and those wishing to use the recreational facility provided by one of our supreme natural assets.

Question put and agreed to.

Adjourned accordingly at twenty-five minutes past Twelve o'clock.

House of Commons

Thursday 23 May 1985

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Royal Assent

Mr. Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified Her Royal Assent to the following Acts:

1. Charities Act 1985
2. Films Act 1985
3. Dangerous Vessels Act 1985
4. Prosecution of Offences Act 1985
5. Rent (Amendment) Act 1985
6. Glensanda Harbour Order Confirmation Act 1985

PRIVATE BUSINESS

YORKSHIRE WATER AUTHORITY BILL *(By Order)*

Order for Second Reading read.

To be read a Second time upon Thursday 6 June.

Oral Answers to Questions

NATIONAL FINANCE

Economic Activity

1. **Mr. Knox** asked the Chancellor of the Exchequer what recent representations he has received regarding further signs of an increase in economic activity.

The Chancellor of the Exchequer (Mr. Nigel Lawson): The latest CBI quarterly survey of manufacturing industry recorded an upsurge in business optimism, the fastest ever rise in export orders and the expectation of continued and accelerating growth in output.

Mr. Knox: For some years now Treasury Ministers have been making very optimistic noises about an economic recovery, yet unemployment continues to rise. When does my right hon. Friend expect that his economic policies will be so successful that unemployment will start to fall?

Mr. Lawson: If my hon. Friend had listened carefully to the answer that I gave to his original question he would have heard that those expectations were not mine but those of the membership of the CBI, as recorded in the CBI's industrial trends survey. But my hon. Friend is quite right, in that we are all greatly concerned about the fact that unemployment is high and still rising. Equally, I am sure he will acknowledge that a remarkable recovery and upswing is now going on in the United Kingdom's economy, which has already led, over the past two years, to more new jobs being created in this country than in the rest of Europe put together. I do not know when that will lead to a reduction in unemployment, but obviously the sooner the better for both my hon. Friend and the Government.

Mr. Wrigglesworth: Will the Chancellor of the Exchequer bear in mind that even if he succeeds in deluding himself about the figures, he is not deluding anyone else? Will he consider not only the selective figures that he chooses but the Government's own figures from the central statistical office, which show that the so-called economic recovery will falter next year even from its present level? What does the right hon. Gentleman intend to do about it? When will he learn the lessons, and when will he change course?

Mr. Lawson: As is customary, the hon. Gentleman is talking complete rubbish. I can remember being told in 1982 that the recovery would peter out in 1983. Then, when it continued strongly in 1983, we were told that it would peter out in 1984. But when it continued in 1984, we were told that it would peter out in 1985. Recovery is continuing strongly this year, but of course the hon. Gentleman says that it will peter out in 1986. He should learn from experience and recognise that so far the Government's forecasts have been proved right.

Mr. Latham: Has my right hon. Friend noticed that, particularly in Leicestershire, significant shortages are emerging of skilled and semi-skilled workers in manufacturing industry, as has been reported in the local newspaper? Are the Government giving that some attention, in order to see what can be done to alleviate the situation?

Mr. Lawson: My hon. Friend is quite right. Incidentally, I commend the *Leicester Mercury* on its "jobs going begging" feature to which my hon. Friend has alluded. We are increasing expenditure on training substantially at both ends of the training spectrum. With the assistance of industry, we hope to expand the youth training scheme to a two-year scheme with a genuine training content that leads ultimately to a recognised qualification. At the same time, we are switching resources within higher and further education in order to produce more of the highly skilled technologists that industry badly needs.

Mr. Hattersley: The Chancellor of the Exchequer has told the House that he does not know when unemployment is likely to fall, but we all know that a forecast is made internally for the Treasury that must include such figures. Why does he not tell us the Government's estimate, even though we know that he dare not admit that there will be no significant fall in the foreseeable future?

Mr. Lawson: I do not admit any such thing. We do not know precisely what the unemployment trend will be. Indeed, this Government, previous Conservative Governments and the Government in which the right hon. Gentleman served, have never forecast unemployment figures.

Job Creation

2. **Mr. Gerald Howarth** asked the Chancellor of the Exchequer what representations he has received from the Confederation of British industry about the number of new jobs created since May 1979.

The Minister of State, Treasury (Mr. Barney Hayhoe): None. But the CBI's post-Budget forecast projected a 1 million increase in jobs between March 1983 and the end of this year.

Mr. Howarth: Should not that excellent news be broadcast and trumpeted throughout the land? Will it not come as a severe embarrassment to the alliance, which said in its 1983 election manifesto that the biggest early increase in employment that was foreseeable under its inflationary programme involved substantially fewer than the 1 million extra jobs which we are on target to create under this Government's proven economic policies?

Mr. Hayhoe: My hon. Friend makes a telling point. Conservative performance on employment since the 1983 general election is better even than the promises which the alliance made at the election.

Mr. Dormand: Has the CBI made any representations about the derisory £10 million which the Government are making available to NCB (Enterprise) Limited to provide alternative employment in the coalfields? Is he aware that at Horden colliery in my constituency, which it is proposed to close, there is no alternative employment and that that area alone could use £10 million for the provision of alternative employment? What advice has the Minister to offer to the 1,200 miners and their families who are facing a very dull prospect?

Mr. Hayhoe: I am not aware of any representations from the CBI on the point raised by the hon. Gentleman. Indeed, it is a matter for my right hon. Friend the Secretary of State for Energy.

Mr. John Townend: Does my hon. Friend agree that there is a growing problem with the thousands of new jobs being created in the hotel and tourist industry, especially in the south-east of England, because increasingly the industry is having to employ foreign labour? What action do the Government intend to take?

Mr. Hayhoe: Difficulties flow from what is, to some extent, a social attitude by our fellow countrymen towards working in the hotel and catering industry. I was listening to persuasive comments by my right hon. Friend Lord Young on that very question on the radio this morning. I commend the advice that he gave.

Dr. McDonald: How can the Minister claim that the Chancellor's free market solution to the problem of unemployment is successful when there were more than 25 million people in work in June 1975, but by December 1984 there were only 24 million in work?

Mr. Hayhoe: I would have thought that the hon. Lady would wish to commend the fact that since the last general election and by the end of this year a million new jobs will have been created. If that promise had been made by Ministers during the general election campaign, Opposition Members would have laughed. The reality is that that is the forecast for the end of the year.

Foreign Exchange Markets

3. **Mr. Wainwright** asked the Chancellor of the Exchequer what recent discussions he has had with his counterpart in the United States of America about concerted intervention in foreign exchange markets.

Mr. Lawson: These matters will no doubt be discussed at the ministreial meeting of the G10 in Tokyo, which I shall be attending.

Mr. Wainwright: There was a successful innovation of concerted intervention in the foreign exchange markets at the end of February. Will the Chancellor communicate some confidence to exporters and others by ensuring that plans for concerted intervention stand ready to be used as a weapon against undue turbulence in the foreign exchange markets?

Mr. Lawson: The role of concerted intervention is limited, but from time to time it can be useful. The hon. Gentleman was right to say that the concerted interventions in January and February were successful. Of course, that can be reactivated at any time that appears appropriate. The role of concerted intervention is relatively modest, although it can be and has been useful at times.

Mr. Higgins: Will my right hon. Friend take steps at the G10 meeting to secure contingency arrangements to deal with the possible collapse of the dollar exchange rate, which could have most serious effects on United States interest rates, the debt crisis in South America and elsewhere and, indeed, the stability of the international system?

Mr. Lawson: I listen carefully to my right hon. Friend, but I should have thought that a fall in the exchange rate of the dollar and of dollar interest rates would, on balance, be helpful to debtor countries in particular and to the world economy as a whole. As for contingency plans, every

country, including the United Kingdom, bears in mind what might happen and has views on how it might react in such circumstances.

Public Bodies (Bulk Buying)

4. **Mr. Meadowcroft** asked the Chancellor of the Exchequer, in respect of public procurement policy, what evidence has been made available to him about the influence on suppliers' prices of bulk buying by public bodies.

The Chief Secretary to the Treasury (Mr. Peter Rees): The matter was covered in the report on Government purchasing submitted to the Prime Minister last December.

Mr. Meadowcroft: Has the Chief Secretary considered the problem, especially for new and small businesses, of public bodies combining too much, thus being able to dictate prices in the market so much that it becomes a corporate state and small businesses are unable properly to compete in a fair market?

Mr. Rees: I do not think that there is any evidence that we are moving towards a corporate state under this Government. It is not for me to speculate about what might happen under other Administrations. It is the Government's policy to improve small firms' access to Government contracts.

Mr. Eggar: Should there not at the least be a duty on each Department of State to report to the House the percentage of public procurement that has been purchased from small firms?

Mr. Rees: I am aware of American precedents on this matter, but I should like to reflect on the additional administrative costs incurred by Departments. I am sure that the House and my hon. Friend are keen that administration costs should be kept as low as possible.

Unemployment Costs

5. **Ms. Clare Short** asked the Chancellor of the Exchequer what is the increased cost to the Treasury in benefits paid and tax and national insurance revenue forgone for every 1 per cent. increase in unemployment.

Mr. Peter Rees: The extra cost of benefits paid from a 1 per cent. increase in the level of unemployment is about £65 million. It is not possible to estimate the revenue forgone.

Ms. Short: Is the right hon. and learned Gentleman aware, or will he admit, that there has been a nine percentage points increase in unmployment since 1979, when his party took office, and that there has been a massive cost to the country as well as to the people involved of keeping on the dole people who want to work? As the Government now claim that we are living with eonomic recovery and prosperity, although there is no decline in unmployment, will they seriously try to spend some of the money on creating essential jobs in the public service rather than on keeping people suffering in unemployment?

Mr. Rees: The hon. Lady has fallen into some error. There is no question of Government policies keeping people in unemployment. She might be aware that the Government are already spending more than £2 billion a year on job creation measures. The House and the hon. Lady will, I hope, be consoled, even if they will not accept the Confederation of British Industry forecast, by the fact that at least 600,000 jobs have been created since March 1983.

Mr. Bellingham: Is my right hon. and learned Friend aware that, between June 1983 and June 1984, an extra 30,000 jobs were created in Norfolk? Does that not show that Norfolk firms are winning the battle to create new jobs and to bring down unmployment?

Mr. Rees: I am interested to hear my hon. Friend's statistic. I am sure that the Government's measures are paying off in Norfolk as they are in other parts of the country. I am glad to congratulate Norfolk's economy on its flexibility in response to our measures.

Mr. Freeson: Is the right hon. and learned Gentleman aware that, contrary to what he said about not keeping people unemployed, if the Government decided to invest about £1 billion a year in various forms of constructive activity, about 30,000 jobs could be created by that expenditure?

Mr. Rees: The right hon. Gentleman's figures are possibly a little suspect, but I hope he will take comfort from the fact that private and public sector investment was running at a record level last year and that that level is likely to be improved on this year.

Revenue Raising

6. **Mr. Canavan** asked the Chancellor of the Exchequer whether his Department is considering any changes in methods of raising revenue.

Mr. Hayhoe: My right hon. Friend's proposals for this year are in the Finance Bill.

Mr. Canavan: Will the Treasury firmly reject the half-baked idea of some Tory Members to replace the rating system with a regressive flat rate poll or residence tax, which, whatever it might be called, would be a tax on democracy, especially if people had to pay several hundred pounds a year for the right to vote? Does the hon. Gentleman agree that that would be an even bigger afront to democracy than using a £50 million rate rebate to bribe the Scottish Tory party conference in a vain attempt to try to stop Scottish Conservative Members from becoming an endangered species?

Mr. Hayhoe: While not for a moment accepting the points made by the hon. Gentleman in that supplementary question, I welcome his interest in the means of raising revenue. What I hear from him most of the time in the House are ways of spending taxpayers' and ratepayers' money.

Mr. Roger King: Does my hon. Friend agree that one way to raise taxes would be by the method enunciated by the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) in his Tribune message, namely, to soak people earning over £20,000 a year because they are supposedly rich?

Mr. Hayhoe: Some of the proposals that have emanated from Opposition Members have been arrant nonsense.

Mr. Wainwright: Do the Minister's replies on this issue mean that the career of the Chancellor as a tax reformer is now effectively at an end? If not, what plans for tax reform are coming forward?

Mr. Hayhoe: If the hon. Gentleman reflects on what my right hon. Friend said in his Budget speech—certainly in respect of national insurance contributions and his proposals on personal taxation—he will see that his reputation as a tax reformer has been enhanced by his Budget proposals.

Mr. Bill Walker: As one who does not feel like an endangered species—*[Interruption.]*—and is unlikely to become one, may I ask my hon. Friend to bear in mind when considering taxation changes that the Labour party in Scotland has for decades bought votes by the way in which it has engineered the rates and the rating system?

Mr. Hayhoe: The Labour party's record in Scotland in this respect is appalling. I am sure that my hon. Friend and many of his colleagues draw attention to that fact when they are in their native land.

Taxable Income

7. **Mr. Pike** asked the Chancellor of the Exchequer if he will estimate what increase would be required in the top rate of income tax to yield the same income to the Treasury as would be lost if the first £1,000 of taxable income were to be taxed at 15 per cent. instead of 30 per cent.

The Financial Secretary to the Treasury (Mr. John Moore): To finance the £3·3 billion needed for such a lower rate tax band would require a confiscatory rate, of 100 per cent. for all taxable income over £20,000, on the theoretical assumption that there would be any such income to tax.

Mr. Pike: Despite that reply, does the hon. Gentleman agree that it would be more equitable to assist those paying the lower rate of taxation, to shift the burden on to those who have more ability to pay? Does he further agree that the present taxation system is inequitable, bearing in mind that the first act of the Conservatives on taking power in 1979 was to reduce the top rate of tax from 83 to 60 per cent.?

Mr. Moore: If, instead of making absurd suggestions, the hon. Gentleman examines what has already been done in the Budget, he will see that, as opposed to his peculiar proposal, which would benefit—if it were able to be put into practice—a married couple with earnings of £85 a week by £2·88, the Budget measures, on NIC and taxation alone, without his absurd conditions, have advantaged the same family by £3·43 a week.

Mr. Stern: Does my hon. Friend recall that the top rate of tax under the last Labour Government, at 98 per cent., was equalled in the world only by the Republic of Togo? Does he agree that, admirable though that country's social system may be, it is not necessarily appropriate for this country, particularly as the Labour party has threatened to reintroduce that top rate of taxation?

Mr. Moore: It would be inappropriate for me to comment on the Republic of Togo. However, it is appropriate for me to comment on the absurdity of the taxation nostrums of Opposition Members.

Mr. Tim Smith: Does not my hon. Friend's answer to this ill-informed and naive question show beyond doubt that the Labour party's principal concern is not redistribution but confiscation?

Mr. Moore: My hon. Friend is right. It is not only confiscation but a complete inability to understand what actually benefits those who are at the bottom of the scale.

Overseas Private Investment

8. **Mr. Nellist** asked the Chancellor of the Exchequer what is the current level of total overseas private investment compared with 1979.

Mr. Lawson: The total value of United Kingdom private investment overseas has risen from £43 billion at the end of 1979 to £158 billion at the end of last year.

Mr. Nellist: Is the Chancellor of the Exchequer aware that had that rise of over £115 billion been spent in Britain it could have provided 1,000 new general hospitals—*[Interruption.]*—1,000 new general hospitals, 7,000 new large comprehensive schools——

Mr. Nicholas Winterton: What, 1,000 hospitals?

Mr. Nellist: And almost—*[Interruption.]*——

Mr. Speaker: Order. The hon. Gentleman has as much right to speak as anybody else.

Mr. Nellist: And almost 750,000 three-bedroomed houses. Does the right hon. Gentleman not consider that working people in this country would far rather have seen alleviation in the health, education and housing sectors than the Government allowing that £115 billion to chase the super-exploited labour, the cheap labour, of South Africa, Brazil, Korea or Argentina?

Mr. Lawson: I hope that I have your indulgence, Mr. Speaker, to answer the hon. Gentleman's questions fairly fully. First, the bulk of that investment has not been in the cheap labour countries to which he referred, but in the cheap labour country of the United States. Secondly, it is not just the sum of annual flows across the exchanges, but it includes the appreciation in value of the investments that have been made overseas, which has been very substantial. Thirdly, it has in no way prevented investment in this country. In fact, total United Kingdom fixed investment last year was at the all-time record of £55 billion.

Dr. Mawhinney: Is my right hon. Friend satisfied that every Government Department is proving maximally helpful to organisations and communities in this country that are seeking to bring private investment from overseas?

Mr. Lawson: A considerable amount is being done to attract foreign investment from overseas. Over the past few years it has been running at between £3 billion and £4½ billion a year. However, this is a particularly important point. Our investment overseas will bring in increasing revenues and, in terms of foreign exchange, increasing invisible earnings over the years that lie ahead.

Mr. Terry Davis: Why does the Chancellor of the Exchequer take such a contemptuous attitude towards those who believe that the profits made in this country should be reinvested in this country? Has he forgotten that the Conservative party used to claim to be the party of patriotism?

Mr. Lawson: That sort of jibe is unworthy of the hon. Gentleman. The Conservative party is certainly the party of patriotism. It is also the party of the open trading system. That system applies to the capital as well as the current account.

Commonwealth Games, Edinburgh

9. **Mr. Colvin** asked the Chancellor of the Exchequer how many £2 coins are to be issued to commemorate the Commonwealth Games in Edinburgh in 1986.

Mr. Hayhoe: As many as demand requires of the standard version, and decisions about the collectors' versions have yet to be taken.

Mr. Colvin: Is my hon. Friend aware that the issue of commemorative British postage stamps makes a substantial profit? Will the Treasury emulate the Post Office and issue on a more regular basis commemorative coinage which might, if profitable, compensate the British public for having to carry around in fast-wearing-out pockets these objectionable lumps of metal instead of the popular and far more practical bank notes?

Mr. Hayhoe: This commemorative issue will be widely welcomed. My right hon. Friend the Chancellor of the Exchequer has not ruled out the possibility of further commemorative issues. It is rather sad to muddle this matter up with the controversy about the £1 coin and the £1 note.

Mr. Ron Brown: Since the 1979 pound is now worth 55p in real terms, would it not be more realistic to issue a rubber £5 note so that the currency could stretch a little further?

Mr. Hayhoe: Certainly not. If the policies which the hon. Gentleman and his party espouse had been put into effect, the pound would have been worth a good deal less.

Coal Industry Dispute

10. **Mr. Flannery** asked the Chancellor of the Exchequer what was the total cost to the Government as a result of lost taxes during the miners' strike.

Mr. Moore: After taking account of increases in revenue from, for example, heavy fuel oil duty, the direct loss of tax and national insurance contributions was of the order of £150 million net.

Mr. Flannery: According to today's opinion polls, the Conservative party is suffering from a terminal bout of anorexia nervosa. I should like to ask the Government about their policies. They have just made certain confessions. The miners fought for a year against the closure of pits by the Government without any discussion with the men working in those pits. Having lost all that money, and about £7 billion on top of that, the Government are now closing pits at a terrible rate without a democratic discussion with the people working in those pits. Can the Financial Secretary justify his answer, having pushed the British people into a dilemma for 12 months because of the loss of that money?——*[Interruption.]* Mr. Speaker, I am asking the Economic Secretary an honourable question.

Mr. Speaker: Order. The hon. Member's question had a long preamble.

Mr. Moore: The preamble and the substance of the question were rubbish and a total refutation of the efforts, not only of all the miners who worked throughout that strike, but of all the miners who have suffered from the type of brutality that we have seen because some Opposition Members supported naked Scargillism.

Mr. Neil Hamilton: Does my hon. Friend agree that a far more pertinent question would be about the cost to the taxpayer of an uneconomic coal industry with the miners not on strike?

Mr. Moore: Not only is my hon. Friend right, but a far more pertinent question would be about the loss to our nation and the coal industry resulting from that type of strike. Happiness for our country lies in the fact that the strike is over. We should seek to mend the problems that the industry faces and be pleased that that industry is back at work.

Privatisation

11. **Mr. Bruce** asked the Chancellor of the Exchequer what is his estimate of the net capital gain and revenue loss, respectively, to the Exchequer from the privatisation of publicly owned enterprises since 1979.

Mr. Lawson: Capital receipts from special sales of assets since 1979 amount to some £5 billion. The overall revenue effects cannot be calculated, but what is clear is that privatisation has invariably led to greater efficiency, better industrial performance and wider share ownership.

Mr. Bruce: Given the Prime Minister's continued lectures to the effect that the United Kingdom's economy can be compared to the corner shop in which she grew up, does the Chancellor agree that the owner of a corner shop would not regard selling off capital to boost the current year's turnover as a prudent move?

Mr. Lawson: The hon. Gentleman seems to have overlooked the fact that the concerns that have been privatised remain part of the United Kingdom economy, even when they cease to be owned by the state, and, indeed, become a much more successful part of the United Kingdom's economy, to the beneift of the whole country.

Mr. Yeo: Has my right hon. Friend noticed the recent press interview given by the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) in which he advocated the renationalisation of British Telecom? Does my right hon. Friend agree that such a move would be the most appalling waste of taxpayers' money and would deprive hundreds of thousands of workers of their first experience of share ownership?

Mr. Lawson: My hon. Friend is absolutely correct. That is what the Labour party pledges it will do. All those who hold British Telecom shares should be made widely aware of that. Nevertheless, this will not be put to the test, because the Labour party will not be in government.

Mr. James Lamond: Does the Chancellor think that the privatisation programme has had any impact on the inflow of funds to building societies?

Mr. Lawson: I do not know.

Mr. Hirst: Does my right hon. Friend agree that the companies privatised since 1979 have, without exception,

increased their profitability, and that they are making and will continue to make a sizeable contribution to the exchequer?

Mr. Lawson: My hon. Friend is right. All those companies, without exception, have improved their profitability—some of them to a substantial extent—as a direct consequence of privatisation. They have also improved their industrial relations, and the work forces have made it clear how much better they feel now that they are in the private sector. As a result of privatisation we have also doubled the number of people who directly own shares, and that is of the first importance.

Dr. McDonald: Is not the figure of £5 billion that the Chancellor gave earlier dwarfed by the sum of £12,000 million raised by the sale of council houses and other local authority assets since 1979, precious little of which has been reinvested in housing for the homeless and others in need? Is the Chancellor aware that the most recent figures for new orders for council housing for the first quarter of this year total a mere £174 million, 21 per cent. down on the first quarter of last year? When will the Government stop frittering away the nation's assets?

Mr. Lawson: When will the Labour party make its policies clear? It began by opposing the sale of council houses. I was then given to understand, from a speech made by the hon. Member for Birmingham, Perry Barr (Mr. Rooker), that the party was backing off that policy and coming to terms with the sale of council housing. Now the hon. Lady seems to oppose the sales. Will she please make her party's policy clear?

Service Employment

12. **Mr. Norman Atkinson** asked the Chancellor of the Exchequer what representations he has received from the Confederation of British Industry about expanding the United Kingdom manufacturing base as a means of creating service employment.

Mr. Peter Rees: None, Sir.

Mr. Atkinson: Does the Minister recall his answers to questions Nos. 1 and 2, when he referred to the CBI's expectations about the creation of a million new jobs by the end of 1985? Is the Minister further aware that the leading personalities of the CBI have now broken with their past mutual admiration for the Chancellor and have become increasingly critical of him? They now support the view of the Centre Forward group that the Chancellor has totally let down manufacturing industry by his opinion that it is totally irrelevant. Is he aware that they believe that he has failed to deliver the incentives that he promised manufacturing last year, with the consequence that those million new jobs will not be delivered by the end of the year?

Mr. Rees: The CBI can speak for itself. It is obvious that the hon. Gentleman did not attend the CBI dinner earlier this week, where he might have heard a different story. If the House doubts the Government's commitment to the manufacturing sector, I repeat the words of my right hon. Friend the Chancellor of the Exchequer to a Select Committee in another place:

"the most important source of output and jobs and the more competitive it is, the better off we shall all be as a nation".

My right hon. Friend was referring to the manufacturing sector.

Mr. Speaker: Mr. Nicholas Winterton.

Mr. Nicholas Winterton: I am somewhat surprised by your hesitation, Mr. Speaker.

Does my right hon. and learned Friend accept, and will he assure the House, that he and his Front Bench colleagues realise that manufacturing industry is the real source of the wealth needed to create a permanent long-term increase in employment in the service sector? Will he therefore continue to promote policies that will ensure the future success of British manufacturing industry? In the textile and clothing industries, a leading industrialist has said that, given the right climate——

Mr. Speaker: Order. The hon. Gentleman has demonstrated why I was hesitant.

Mr. Rees: It is not for me to come between the Chair and my hon. Friend on such delicate matters.

We do not believe that any one sector of the economy is contributing exclusively to the prosperity and success of the nation, but we recognise the importance of the contribution made by the manufacturing sector. To reassure my hon. Friend and the House of the success of that sector under the present Government, I remind them that manufacturing exports rose from £40 billion in 1983 to £46 billion last year.

Mr. Blair: Is it not the case that our share of world manufactures since 1979 is down, as is our share of world trade and tradable services? Is it not about time that the Minister realised that the people want an industrial policy that addresses our problems and not an arrogant pretence that they do not exist?

Mr. Rees: I can tell the hon. Gentleman one thing that he has overlooked. We have cut, rather than piled on, expenses for manufacturing, particularly the cost of employment in the manufacturing sector.

Inflation

13. **Mr. Dubs** asked the Chancellor of the Exchequer if he will list those advanced industrial countries which, compared with a year ago, have a rate of inflation which is *(a)* increasing faster than that in the United Kingdom and *(b)* increasing more slowly.

Mr. Hayhoe: Inflation in other major industrial countries has decreased compared with a year ago.

Mr. Dubs: Is the Minister not saying that we are the only major advanced industrial country which, on a year-ago basis, is showing increasing inflation, and that all our competitors are doing better? Does this not show that, given that getting inflation down is a central plank of the Government's economic policy, on this as on other measures they have failed?

Mr. Hayhoe: No, it shows that there is no comfort for the Labour party, as all the other countries have rejected the policies that it propounds.

Mr. Forth: Has my hon. Friend had the opportunity of comparing our economic performance with that of, for example, Socialist France and Spain? What conclusions has he drawn from the remarkable failure of Socialist policies there over the past few years?

Mr. Hayhoe: My hon. Friend has underlined the point that I made a moment ago.

Government Receipts

14. **Mr. Chapman** asked the Chancellor of the Exchequer what proportion of total Government receipts were met by taxes on income and taxes on spending, respectively, in 1984-85; and how these figures compare with 1978-79.

Mr. Moore: As a percentage of total general Government receipts, taxes on personal sector spending increased from about 27 per cent. in 1978-79 to around 28½ per cent. in 1984-85, while personal income taxes have declined from 29½ per cent. in 1978-79 to 24 per cent. in 1984-85.

Mr. Chapman: I recognise that that answer is broadly in line with the Government's intentions way back in 1979, but does my hon. Friend think that the proportions are about correct, or would he like the trend to continue?

Mr. Moore: Clearly, the Government believe that it is essential, if we are to encourage initiative and enterprise, to seek further reductions in direct income tax. That must be the aim if there is to be scope for my right hon. Friend the Chancellor to reduce direct taxation.

Employment (Tax Relief)

17. **Mr. John Mark Taylor** asked the Chancellor of the Exchequer what recent representations he has received advocating taxation reliefs for employers who recruit new and additional personnel on to their payrolls.

Mr. Peter Rees: We have received one letter about this. The costs of recruiting and employing staff are already fully allowable for tax.

Mr. Taylor: Will my right hon. and learned Friend take note of the fact that in our taxation system it has been historically an orthodoxy to give tax relief to people who invest in new plant? Why could we not give some serious thought to tax relief for those who invest in new labour?

Mr. Rees: If my hon. Friend will reflect on the reforms in the Budget last year he will see that my right hon. Friend the Chancellor redressed the balance between capital-intensive industries and labour-intensive industries.

Sterling M3

18. **Mr. Latham** asked the Chancellor of the Exchequer to what factors he attributes recent increases in sterling M3; and what effect he expects them to have on future levels of inflation.

Mr. Lawson: Accelerated borrowing to take advantage of 1984-85 level of investment allowances was clearly a major factor in the erratic increase in £M3 in April. MO remains well on track. I expect inflation to resume its downward path in the second half of the year.

Mr. Latham: In view of that reply, would the birds fall from the trees if we stopped publishing monthly figures straight away—at once?

Mr. Lawson: I am not sure whether any birds would fall from the trees, but I am sure that I would be widely attacked, not least by my right hon. Friend the Member for Worthing (Mr. Higgins) for obscurantism of the worst sort if we ceased to publish figures. Even if we did not publish them, we would continue to be guided by them, among other statistics.

Mr. Sedgemore: Does the right hon. Gentleman agree with Mr. Coleby, of the Bank of England, who said to the Select Committee on the Treasury yesterday that our domestic monetary arrangements are out of control?

Mr. Lawson: I do not think that Mr. Coleby said that——

Mr. Sedgemore: Yes, he did.

Mr. Lawson: If he said that, I totally disagree with him.

Public Sector Borrowing Requirement

19. **Dr. Mawhinney** asked the Chancellor of the Exchequer what factors he takes into account in determining the level of the public sector borrowing requirement.

Mr. Peter Rees: The principal factor is the need to ensure that the public sector borrowing requirement can be financed in a non-inflationary way without crowding out private sector borrowing.

Dr. Mawhinney: Does my right hon. and learned Friend agree that the safe reduction of interest rates is now of maximum importance? If so, does he believe that such a reduction is dependent on having a lower public sector borrowing requirement?

Mr. Rees: Certainly we would welcome a decline in interest rates, and my hon. Friend will know that they are an indispensable adjunct in controlling inflation. I recognise the connection that he draws between interest rates and the PSBR.

Indirect Taxation

23. **Mr. Craigen** asked the Chancellor of the Exchequer what has been the shift in the percentage of revenues raised from indirect taxation since 1979.

Mr. Hayhoe: Indirect taxes accounted for about the same proportion of total general Government receipts in 1984-85 as in 1978-79. Within indirect taxes, taxes on expenditure accounted for about 1 per cent. more in 1984-85 than in 1978-79.

Mr. Craigen: Why are the Government so intent on steadily withdrawing rate support grant from the activities of local authorities, thereby increasing indirect taxation even more?

Mr. Hayhoe: We seek a proper balance between the resources provided by central Government and those provided by the local electorate. We seek a local taxation sytem that is more responsive to the local electorate.

PRIME MINISTER

Engagements

Q1. **Mrs. McCurley** asked the Prime Minister if she will list her official engagements for Thursday 23 May.

The Prime Minister (Mrs. Margaret Thatcher): This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in this House, I shall be having further meetings later today.

Mrs. McCurley: Will my right hon. Friend take this opportunity to repeat the message that she gave to the

women's conference yesterday, for the benefit of those on the Opposition Benches and the country at large, and point out that the Government have consistently increased spending on health, social security, social services, transport and various other things? Will she nail the myths about cuts? Will she take the opportunity to repeat that message until the country gets it?

The Prime Minister: I am grateful to my hon. Friend for underlining the points that I made yesterday. May I point out, in regard to the National Health Service, that the only cuts that we have made are cuts in waiting lists, and they are very welcome.

Mr. Kinnock: On Tuesday the Prime Minister gave a forecast for the inflation rate at the end of the year. Will she be as forthcoming today about the unemployment figures? At the end of the year, will they be up or will they be down?

The Prime Minister: No one has ever given a specific forecast on unemployment when answering from this Dispatch Box, either as a Labour or as a Tory Minister. No one really can.

Mr. Kinnock: How can the Prime Minister be so specific about inflation rates in six months' time and so vague and evasive about unemployment rates in six months' time? How could she be so bold yesterday with the Tory ladies conference and so coy today with the House of Commons and the public? Is it not the case that she knows very well that unemployment will continue to go up and that that is a disgrace and a strain on her Government? What will she do about getting the unemployment rate down?

The Prime Minister: The real answer to the first part of the right hon. Gentleman's question is that inflation is generally easier to predict over the short term than unemployment. Every Minister has recognised that. With regard to asking me to underline the message I gave yesterday, I am delighted to do that. Doctors and dentists are up nearly 10,000, nurses and midwives are up 57,000, home helps are up 3,000, health visitors are up 900, district nurses are up 1,700, patients treated are up 3·5 million each year, and teachers' pay on average is up 9 per cent. in real terms over what it was under Labour.

Mr. Kinnock: I am glad that the right hon. Lady said that. There are now more nurses unemployed, more qualified doctors unemployed, and more qualified teachers unemployed than ever before. When will she get unemployment down? What will the trend be at the end of the year?

The Prime Minister: There are also 600,000 more jobs than two years ago. The way to tackle the unemployment is to create more jobs.

Mr. Wheeler: Has my right hon. Friend had an opportunity to read the report of the Home Affairs Select Committee on hard drugs, which was published today? Does she agree that one of the most serious problems facing the British people is the menace of hard drugs? Does she agree with the recommendations for new legislation to deal with the seizure of assets and to stop the traffickers in their tracks?

The Prime Minister: The Government will consider the report of the Select Committee carefully. As my hon. Friend knows, we have already made a statement of our strategy for drugs, and I am happy to confirm that we intend to introduce legislation to seize and confiscate the proceeds of drug traffickers.

Mr. Merlyn Rees: The Prime Minister does not believe the old public opinion polls, does she?

The Prime Minister: No, Sir—whatever they say.

Mr. Sayeed: Does my right hon. Friend accept that "restoring standards" appears to mean—to the National Union of Teachers—raising teachers' pay, while to the rest of us it means improving standards of education, discipline and apolitical commitment to students? Will she, therefore, take time today to confirm that the unions cannot hope to achieve what they want unless they are prepared to give the country what it needs?

The Prime Minister: My right hon. Friend the Secretary of State for Education and Science has tackled education in the right way, that is, by trying to raise standards in schools. That has been most welcome among parents and most teachers. He is also tackling the pay problem in the right way by saying that we should know precisely what teachers' duties are and that, as in most other careers in the United Kingdom, teachers should be subject to an assessment of performance. That being so, we should like to be able to provide more money next year for teachers, provided that those things are satisfied.

Q2. **Mr. Terry Fields** asked the Prime Minister if she will list her official engagements for Thursday 23 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Fields: In sending in the district auditor to try to sack local authority workers, especially young workers, in Liverpool, does the Prime Minister intend to create a reserve army of part-time scarecrows to benefit her rich farming friends? In attempting further to strip workers of their dignity and self-respect, is she not becoming immortalised, like Marie Antoinette, by a new slogan, "Let them eat bird seed", or some similar epithet?

The Prime Minister: As the hon. Gentleman knows, the district auditor acts independently. I hope that Liverpool will follow the example of most other authorities and set a legal rate. I hope that the hon. Gentleman is not encouraging it to act illegally.

Mr. Powley: Does my right hon. Friend agree that it is simple to achieve a temporary improvement in unemployment, but that we need a permanent improvement in employment without increasing inflation and interest rates, and without dragging the country to its knees, as we would do if we followed the Opposition's policies?

The Prime Minister: I agree with my hon. Friend. He will be well aware that the economic policies which the Government are pursuing were affirmed by the seven industrial countries which met at the Bonn economic summit, including Socialist France.

Q3. **Mr. Blair** asked the Prime Minister if she will list her official engagements for Thursday 23 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Blair: Has the Prime Minister read the latest regional trends? Is she aware that it discloses a growing gap between north and south in unemployment,

redundancies, lost job opportunities, homelessness, poverty and deprivation? How does that conform with her view of a classless society?

The Prime Minister: Last year the Government spent more than £600 million in regional preferential assistance, £260 million of which went to the north, the north-west, Yorkshire and Humberside. Although unemployment is relatively high in the north, average weekly manual earnings there are the third highest in Great Britain and about equal to the British average.

Mr. Rathbone: May I press my right hon. Friend further on the Government's plans for legislation on the seizure of assets of drug pushers? Can she put a date to her promise, which was welcomed by the entire House?

The Prime Minister: The legislation could not be introduced before the next parliamentary Session. My right hon. and learned Friend the Home Secretary is working on its precise provisions.

Mr. Cartwright: Does the Prime Minister stand by her statement to the House last December that the cost of creating new jobs by capital investment in the infrastructure was between £35,000 and £50,000 each? Does she accept that that figure has been continually challenged by civil engineering contractors, who put the figure nearer to £10,000? In view of that wide discrepancy, will she produce the evidence to support her figures, or will she accept that they were a considerable exaggeration?

The Prime Minister: The cost varies according to the infrastructure or capital expenditure per job. It also varies according to whether it is provided by local government or by central Government. The hon. Gentleman will have seen the many questions and answers on this topic.

Mr. Favell: Has my right hon. Friend seen the result of the Gallup poll taken recently near Heathrow, which shows that 62 per cent.——*[Interruption.]*

Mr. Speaker: Order. This takes time.

Mr. Favell: —of the residents there were in favour of terminal 5, and 24 per cent. were against? Does that not show that it is much more sensible to expand the airport in the south-east, which the airlines wish to use and to which people wish to fly, rather than Stansted, which is to be only a charter flight airport, and whose expansion would remove jobs from the north?

The Prime Minister: My hon. Friend made his point effectively. I hope that my right hon. Friend the Secretary of State for Transport will make a statement on his decision after we return from the recess.

Q4. **Mr. James Lamond** asked the Prime Minister if she will list her official engagements for Thursday 23 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Lamond: Is the Prime Minister's determination to build a classless society reinforced when she sees that the sum of money which she and her Government believe can support 30 families in unemployment benefit for a year can be spent on a birthday party by a young man of 21?

The Prime Minister: That is a highly artificial question. Perhaps the hon. Gentleman will also address his mind to some of the costs of running the House.

Sir John Biggs-Davison: Having regard to the generous contribution of the British people to relief in Ethiopia, will my right hon. Friend examine reports that the Ethiopian dictatorship is levying heavy customs duty on British aid going into that country, and will the appropriate Minister make a statement at the earliest opportunity?

The Prime Minister: I shall pursue my hon. Friend's point. I am sure he agrees that it is right to continue to give aid to Ethiopia, although it is important that we ensure that it gets to those for whom it is intended.

GCHQ, Cheltenham

Q7. **Mr. Dalyell** asked the Prime Minister what representations she has received from Civil Service trade unions about the directive she issued on 22 December 1983 about trade union membership in Government communications headquarters; and if she will make a statement.

The Prime Minister: Following representations from the Council of Civil Service Unions, I met its representatives and those of the Trades Union Congress on 1 and 23 February 1984.

The Council of Civil Service Unions has recently made representations about the position of 12 members of GCHQ who originally accepted the revised conditions of service and the management's offer announced on 25 January 1984 and accordingly resigned from union membership, but subsequently rejoined unions after the High Court judgment in July 1984. Those representations are still being considered, but it has been made clear to the unions that there will be no change in the Government's general policy on this matter.

Mr. Dalyell: So has not the time come for an amnesty?

The Prime Minister: If the hon. Gentleman was listening to my first answer, I said that there will be—*[Interruption.]* I am so delighted with the reference from the hon. Gentleman. There will be no change in the Government's policy.

Mr. Bill Walker: Does my right hon. Friend agree that the problems at Cheltenham have their roots in the fact that the trade union leaders in the Civil Service reneged on an unwritten agreement that Cheltenham would never be involved in industrial activity?

The Prime Minister: The action was taken, as my hon. Friend knows, because of the action taken by GCHQ when it went on strike and put very sensitive services at risk.

Mr. James Lamond: On a point of order Mr. Speaker.

Mr. Speaker: Does it arise from questions?

Mr. Lamond: I am wondering whether the Prime Minister misunderstood my question——

Mr. Speaker: Order. That cannot be a point of order for me, because I do not know. The hon. Gentleman might ask that question, if he has an opportunity, when we return from the Whitsun recess.

Mr. Lamond: I am trying to clear up a misunderstanding.

Mr. Speaker: Order.

Mr. Lamond *rose*——

Mr. Speaker: Order. The hon. Gentleman is a very experienced Chairman. He knows that it is not our practice

to extend Question Time. There are very many right hon. and hon. Members who wish to speak in the subsequent debate.

Mr. Sheerman *rose*——

Mr. Speaker: Is this a new point of order?

Mr. Sheerman: It is a fresh point of order, Mr. Speaker, but it follows up the point of order of my hon. Friend the Member for Oldham, Central and Royton (Mr. Lamond). Further to the remarks of the Prime Minister in answer to my hon. Friend the Member for Oldham Central and Royton, gross discourtesy——

Mr. Speaker: Order. I cannot be responsible for the questions that are asked or for any answers that are given, whether from the Front Benches or from the Back Benches.

Mr. Heffer: On a further point of order, Mr. Speaker.

Mr. Speaker: Is it concerned with questions?

Mr. Heffer: It concerns a question which is important, Mr. Speaker, because——

Mr. Speaker: Order, I shall take the hon. Gentleman's point of order later.

Business of the House

3.30 pm

Mr. Neil Kinnock (Islwyn): May I ask the Leader of the House whether he will state the business for the first week after the Adjournment?

The Lord Privy Seal and Leader of the House of Commons (Mr. John Biffen): Yes, Sir. The business for the first week after the Adjournment will be as follows:

MONDAY 3 JUNE — Second Reading of the Rating (Revaluation Rebates) (Scotland) Bill.

Remaining stages of the Family Law (Scotland) Bill *[Lords]*

TUESDAY 4 JUNE—Opposition Day (12th Allotted Day). Until about Seven o'clock a debate entitled "The Government's Neglect of Rural Communities in Wales", followed by a debate entitled "The Government's Attack on Higher Education". Both debates will arise on Opposition motions.

Remaining stages of the Coal Industry Bill.

WEDNESDAY 5 JUNE—Remaining stages of the Rating (Revaluation Rebates) (Scotland) Bill.

Motion on the Appropriation (No. 2) (Northern Ireland) Order.

THURSDAY 6 JUNE—Opposition Day (13th Allotted Day). Until about Seven o'clock a debate on the problems of the elderly, followed by a debate on wages councils. Both debates will arise on motions in the name of the leader of the Liberal party.

FRIDAY 7 JUNE—Private Members' motions.

Mr. Kinnock: I am grateful to the right hon. Gentleman. I understand that there will be a statement after the recess on the so-called Fowler review. The House will want as soon as possible a full-scale debate on the statement and the papers connected with it so that the Government will have an early opportunity to explain to the country why it appears to be necessary that the poorest should have to pay even more for the failure of Government policies.

I understand that there is to be a further statement on the Government's airports policy, or lack of it, after the recess. Will the right hon. Gentleman ensure that his hapless right hon. Friend the Secretary of State for Transport makes a statement that recognises the need to develop both the airports of south-east England and those that are in need of effective investment elsewhere?

Will the Leader of the House also tell us when we are to debate the second report of the Select Committee on Foreign Affairs on "Famine in Africa", which critically and correctly observes that the generosity of the British people has not been matched by that of the British Government in the matter of famine aid to Ethiopia?

We all heard from the Prime Minister on Tuesday that she looked forward to a debate on televising the proceedings of the House. Why do we have to wait until the autumn for that debate? Why cannot we have the debate before the summer recess so that we can get on with televising the proceedings in the autumn?

Mr. Biffen: On the question of televising debates, a report is to be made on the experiment in another place. It is, of course, perfectly appropriate to explore these matters through the usual channels, and I note what the right hon. Gentleman has said.

The right hon. Gentleman will know that the Select Committee report "Famine in Africa" has only just been made and the Government have not yet had the opportunity to comment on it. Perhaps we could consider that, too, through the usual channels.

As for the promised statement on airports policy, my right hon. Friend the Secretary of State for Transport will be making a prudent, wise, compelling and balanced judgment which I hope will enlist the support even of the right hon. Gentleman.

I recognise the concern that there should be a full-scale debate on the social security review. Perhaps we could pursue that, too, through the usual channels.

Sir Philip Goodhart (Beckenham): Does my right hon. Friend recognise that 100 people will almost certainly be killed on our roads next week as it includes the Whitsun bank holiday? Will he try to find time before the summer recess for a debate on the important report on road safety produced by the Select Committee on Transport?

Mr. Biffen: I shall certainly draw the attention of my right hon. Friend the Secretary of State for Transport to the important point raised by my hon. Friend.

Mr. A. J. Beith (Berwick-upon-Tweed): Is Britain's defence relationship with the United States of America sufficiently important for the Government to arrange a debate in Government time on President Reagan's star wars initiative, or do the Government fear that the Foreign Secretary may be too keen to take part and to express the misgivings that so many of us share?

Mr. Biffen: The hon. Gentleman will be the first to appreciate that we are now coming to that part of the year in which we have the opportunity for wide-ranging defence debates arising from the Estimates.

Sir Bernard Braine (Castle Point): Has my right hon. Friend's attention been drawn to the farcical behaviour at the Ottawa conference of experts on the Helsinki accord, at which this country is represented by a distinguished delegation? Does he agree that events there illustrate the inability of civilised nations to do anything about the appalling state of human rights in the world? Will there be a statement during the week after the Whitsun recess on what is happening in Ottawa? May we have some indication that this matter, which should touch the conscience of every hon. Member, will be debated before we rise for the summer recess?

Mr. Biffen: My right hon. Friend has a long-standing interest and an established reputation in human rights matters. I will draw the attention of my right hon. and learned Friend the Foreign Secretary to the points that my right hon. Friend has made.

Mr. Reg Freeson (Brent, East): Will the Leader of the House use his good offices to get the Prime Minister to make a statement to the House when we return after the recess as to why the intelligence services, for which she is responsible, blocked the release of information on Klaus Barbie, which was sought from the United States Government by special prosecutors seeking to track down ex-Nazis and bring them to trial?

Mr. Biffen: I cannot comment on the substance of the right hon. Gentleman's remarks, but I shall most certainly pass them on to my right hon. Friend the Prime Minister.

Mr. Ian Lloyd (Havant): My right hon. Friend will be aware that two senior Committees of the House have produced two major reports, one of which has been in his hands for some months and the other for some days. In a sense, they enjoin us to practise what we are constantly preaching to the country—to improve our efficiency and performance. Will my right hon. Friend give an assurance that both of those subjects will be considered in the comparatively near future and that the legislative business committee, in particular, which is recommended in the latest report of the Select Committee on Procedure, will have some chance of being established before next Session?

Mr. Biffen: I have already implied that there should be a debate on the recommendations of the Select Committee on Procedure.

Mr. Laurie Pavitt (Brent, South): When the Leader of the House read my early-day motion 729 this morning, did he remember that some months ago he gave me a very sympathetic and understanding answer about the number of hon. Members in all parties who have an interest in Westminster hospital, and who would deplore any closure?

[That this House deplores the growing practice of Ministers announcing important decisions by means of a written Answer, especially when the subject matter is of concern to many honourable Members who are thus denied the opportunity of expressing their views in the House; and in particular resents that the transfer of a complete department at Westminster Hospital, cardiac surgery, was announced in this fashion, in view of the close association of honourable Members of both Houses with this hospital.]

Will the right hon. Gentleman raise with the Cabinet the issue of giving written answers to questions in which hon. Members in all parts of the House are interested? If there is a written answer, hon. Members are then denied the opportunity to question the Minister about his decision.

Mr. Biffen: I note what the hon. Gentleman has said. I realise that the news will have caused him regret and that he would have preferred an oral statement to a written answer. To some extent, responsibility for that rests with me rather than with departmental Ministers.

Sir Kenneth Lewis (Stamford and Spalding): As we are to have quite a short recess, may I ask my right hon. Friend to forget about Government White Papers, White Papers with green edges, Green Papers and blue papers and to read instead the book just produced by his colleague, who is damp but never dull, my hon. Friend the Member for Aldershot (Mr. Critchley)? When he has read it, will he recommend to the Prime Minister that my hon. Friend the Member for Aldershot should be put in charge of Government propaganda so that we can get it right and at least get some fun into it?

Mr. Kinnock: Yes.

Mr. Biffen: I cannot give quite such a simple answer as that recommended to me by the Leader of the Opposition, as I must tell my hon. Friend that I have already read the book. That shows the priority that I give to not only the wit but the wisdom of my hon. Friend the Member for Aldershot (Mr. Critchley).

Mr. Andrew Faulds (Warley, East): Will the right hon. Gentleman make a statement to the House fairly soon about the very damaging development to the life and work of the Inter-Parliamentary Union, which has been required to move out of its rooms by House of Lords pressure, with the inevitable result that the IPU room in our part of the building will eventually be forced into use as a Committee room, and the IPU's work will be totally removed from the Houses of Parliament?

Mr. Biffen: Senior members of the IPU have already been to see me about the matter, and I am available to continue discussions with them.

Mr. Michael Latham (Rutland and Melton): Will my right hon. Friend have another go at persuading my right hon. and learned Friend the Minister for Health to make a statement to the House on when we shall get in place the appeal system on the limited list of drugs? The matter is becoming very urgent and we need some action now.

Mr. Biffen: I understand my hon. Friend's point and I shall see what can be done.

Mr. Willie W. Hamilton (Fife, Central): Is the Leader of the House aware that the hon. Member for Brighton, Kemptown (Mr. Bowden), who was fortunate enough to be drawn first in the private Members' ballot yesterday, intends to table a motion for debate on 7 June whose effect would be to give unlimited time to further the progress of a private Member's Bill, in the name of the right hon. Member for South Down (Mr. Powell)? Does the right hon. Gentleman realise that many of us feel that that would be a gross abuse of the procedures of the House? Moreover, it would cause great embarrassment to the Government as they have promised a comprehensive Bill on these very matters. As the Government have the power to prevent that abuse, will they use it?

Mr. Biffen: I have yet to see the motion, as it is not on the Order Paper; therefore, I must measure my words accordingly. Should the motion be judged to be in order, it will be debated. I think that it will give rise to a lively debate. I shall certainly try to catch the eye of Mr. Speaker to make my contribution.

Mr. Peter Viggers (Gosport): I listened carefully to my right hon. Friend's statement but did not hear any reference to a debate on the Government's possible ban on tin-based marine anti-fouling paint. May we therefore assume that the Government are not now proceeding with that unnecessary ban, which would cause serious damage to the paint industry as well as annoying and, indeed, infuriating a large number of yachtsmen?

Mr. Biffen: I thought that my comprehensive and definitive statement on that matter during the recess motion debate some months ago would go down in parliamentary annals. I am sorry that the matter still appears to be dribbling along. I shall look into it.

Ms. Jo Richardson (Barking): In view of the widespread concern about the psychiatric unit at Holloway prison, will the Leader of the House try to find time for an early debate on the future treatment of disturbed prisoners in Holloway?

Mr. Biffen: I recognise at once the importance of the point made by the hon. Lady. I shall ensure that it is brought to the attention of my right hon. Friend the Secretary of State for Social Services.

Mr. Tim Smith (Beaconsfield): May we have a short debate on opinion polls? Has my right hon. Friend noticed

that, whenever a commercial organisation such as British Airways commissions a poll, it tends to come out in its favour? Would not the Government be much better advised on matters such as the views of residents around Heathrow to listen to the opinions of local Members of Parliament?

Mr. Biffen: I shall not be drawn into these highly delicate areas, but it will be a sad day when this House takes flight before opinion polls.

Mr. Dave Nellist (Coventry, South-East): Has the Leader of the House seen early-day motion 702?

[That this House condemns the publication by present and past committees of the Warwick University Conservative and Unionist Association of a nauseating songbook, openly distributed at the Federation of Conservative Students' Conference at Loughborough University, which contains extremely offensive material including calls, in song, for the murder of Greenham peace women; notes that had such a publication been associated with groups of socialist or trades unionists, say the Youth Trade union Rights Campaign, then the outcry from the Press, media and Tory Party would have been deafening; and calls on the Prime Minister, and the leadership of the Tory Party for an explanation of, and condemnation of, this publication which bears an official conservative party logo.]

It refers to a particularly disgusting and nauseating songbook written by the Federation of Conservative Students' at Warwick university.

Is the right hon. Gentleman aware that two days ago I received a letter from the Prime Minister saying that she deplored the contents of the songbook? As it calls for the murder of Greenham Common women and has on the front an official Conservative party logo, what impression does the right hon. Gentleman think is given of the modern Conservative party?

Mr. Biffen: I do not think that it is worth five minutes of Government time to debate.

Mr. Peter Lilley (St. Albans): In view of the frank admission on the "Right to reply" programme by the controller of programmes for Channel 4 that a programme entitled "Beyond our Ken" was 60 minutes of undiluted political propaganda in favour of retaining the GLC, that it was produced by an organisation partly funded by the GLC, and that it was part of a series that contained no balancing item and, indeed, no programme ever favourable to a Conservative viewpoint, will my right hon. Friend arrange a debate at an early date to discuss the enforcement of the Channel 4 charter that requires balance in the treatment of current affairs?

Mr. Biffen: I would mislead my hon. Friend if I were to suggest that there was a prospect of Government time for such a debate in the near or medium-term future. I suggest that he uses his opportunities to raise that matter on the Floor of the House on an Adjournment debate.

Mr. David Winnick (Walsall, North): Will the right hon. Gentleman consider providing time for a debate on the majority and minority reports of the Select Committee on Home Affairs about the special branch? Is he aware that, despite the views of the majority of members on that Committee, there continues to be a great deal of concern about the way in which the civil rights and liberties of a number of people in this country are being infringed simply because they disagree with the Government on such issues as defence?

Mr. Biffen: The hon. Gentleman is right to suggest that it is an important report, and its importance is in no sense diminished by virtue of the fact that there was clear and sharp division within the Committee about it. However, time becomes increasingly precious at this stage of the parliamentary year, and I can offer no early prospect of Government time for such a debate.

Mr. Nicholas Winterton (Macclesfield): My right hon. Friend will be aware that in a parliamentary reply this afternoon the Prime Minister mentioned the development of Stansted and intimated that a statement would be made. Will it be made immediately after the recess? If so, will a further debate on that crucial matter be allowed in the House?

Bearing in mind what is alleged to be the Prime Minister's position on the live broadcasting by television of the proceedings of the House, will my right hon. Friend assure us that there will be a genuine free vote on that matter when it is debated and that there will be no official Government Whip to ensure that they get their way?

Mr. Biffen: I think that my hon. Friend has a bad conscience about his voting record and Government Whips, otherwise he would not be so sensitive about these matters——

Mr. Speaker: I shall call the hon. Members who have been standng in their places, but I remind the House that we have an important debate ahead of us.

Mr. Winterton: My right hon. Friend has not finished yet.

Mr. Biffen: I was just warming up.

There will be at statement on airports policy reasonably soon after we return from the Whitsun break. I agree that it would be desirable for the House to have a chance to debate the matter thereafter.

Mr. Max Madden (Bradford, West): The Leader of the House might recollect that, at business questions last week, I expressed appreciation on behalf of my constituents for the Government's contribution to the Bradford disaster appeal. I also asked for an early Government statement about what contribution the Government intend to make to rebuild Valley Parade. When will the Government make a statement on this matter and on the larger issue of what contribution they will make to ensure that third and fourth division football grounds are completely safe?

Mr. Biffen: I cannot answer the question as put, but I shall make inquiries.

Mr. Harry Greenway (Ealing, North): Did my right hon. Friend see in the publication that my hon. Friend for Stamford and Spalding (Sir K. Lewis) referred to that the author wrote:

"Politics is a performing art and it is important to speak well . . . Humming, Hawing, and Hesitation are the three Graces of contemporary Parliamentary oratory."

Does my right hon. Friend agree? Should something be done?

Mr. Biffen: There is one precept by which I operate in this place: speech might be silver, but silence is golden.

Mr. Tom Clarke (Monklands, West): Does the Leader of the House share the anxiety of 3,500 of my constituents in the village of Glenboig who have been made aware that the Ministry of Defence intends to dump a massive tonnage of asbestos arising from the Trident programme at Faslane? Does he agree that people are entitled to comment on the quality of their environment and to be worried about health and safety? Will he arrange for an urgent debate on the subject?

Mr. Biffen: I can well understand public anxiety in the circumstances that the hon. Gentleman has described, and I shall ensure that my right hon. Friend the Secretary of State for Defence knows of his anxieties.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): When does the Leader of the House expect the Foreign Secretary to make a statement about the Ponting-type suspension without pay of an official at the Overseas Development Administration for leaking documents which reveal the Government's duplicity about aid to Nicaragua?

Mr. Biffen: I am sure that the hon. Gentleman will allow me not to share the rhetoric which preceded the latter part of his question. I shall refer the matter to my right hon. and learned Friend the Foreign Secretary and be in touch with the hon. Gentleman.

Mr. John Home Robertson (East Lothian): Under this Government we seem to spend a lot of time talking about rates in Scotland, and I see that the Secretary of State for Scotland intends to return to this subject for two days after the recess. Is the Leader of the House aware that, if my postbag is anything to go by, the Secretary of State has still not got it right? Will the Leader of the House draw his right hon. Friend to one side and tell him to get his act together or get out?

Mr. Biffen: No. I think that after the two days of debate the lucid arguments of my right hon. Friend will have convinced even the lairds.

Mr. Roland Boyes (Houghton and Washington): Has the Leader of the House had an opportunity fully to study the implications of the social security changes in payments to homeless young peole, a measure that forces tens of thousands of youngsters to move from one part of Britain to another each month? How does he reconcile that unacceptable and punitive measure with the Conservative concept of a classless society and with his decision on three previous occasions to refer me to an Adjournment debate? Does he not think that the problems of up to 200,000 homeless people are worthy of debate in the Chamber?

Mr. Biffen: The hon. Gentleman raises again a development policy which, I think, is of fairly recent origin. As we are promised a full-scale debate on the social security review, it is likely that he will be able to make a speech then.

Mr. D. N. Campbell-Savours (Workington): As the privatisation of publicly owned assets and the accompanying legislation are debated on the Floor of the House in Government time, why cannot we have time to debate the nationalisation of private assets? Will the right hon. Gentleman provide time for a debate on the Johnson Matthey nationalisation?

Mr. Biffen: The Chancellor of the Exchequer has said that he will report to the House on the conclusion of the investigation that is now taking place, and we will proceed from there.

Mr. Tony Lloyd (Stretford): Will the Leader of the House recognise the concern that is felt in the north of England and in north Wales about the plans by Shell to cut refining capacity both at Stanlow, which threatens 1,000 jobs on the already hard-pressed unemployment black spot on Merseyside, and at Carrington in south Manchester? Does the right hon. Gentleman appreciate that Shell's decision has been taken precisely because the Government do not have an effective energy policy? May we have a debate on refining capacity and energy policy?

Mr. Biffen: I have said that Government time is very much at a premium. I can offer no hope of a debate in Government time devoted to the topic raised by the hon. Gentleman. However, on the Monday when we return after the short recess, energy questions are top, and doubtless he can make some points then.

Back-Bench Members (Rights)

3.56 pm

Mr. Eric S. Heffer (Liverpool, Walton): On a point of order, Mr. Speaker. I apologise for delaying the House, and I would not do so but for the exchange which took place earlier when several of my hon. Friends attempted to raise points of order.

The Prime Minister is reported in the *Daily Telegraph* as having had conversations with you, Mr. Speaker, asking for your protection from Back Benchers. As the right hon. Lady today seemed to indicate that the cost of the House of Commons was far too high so that, therefore, the rights of Back Benchers might be affected in some way, may we have an assurance from you that you will have conversations again with the right hon. Lady—indeed, that you will ask her to see you—and inform her that the House of Commons is an elected body, that Back Benchers also have rights and that if she cannot stand the heat in the kitchen she should get out?

Mr. Speaker: I saw that report. It was entirely wrong. I have never had conversations with the Prime Minister about that matter and I cannot imagine her ever seeking my protection. I am here to protect Back Benchers, and I hope that I do that adequately.

Mr. A. J. Beith (Berwick-upon-Tweed): Further to that point of order, Mr. Speaker. Was it not a sound principle when the House decided some time ago that its affairs and Vote should be taken away from the responsibility of the Government and put into the hands of the House itself?

Mr. Speaker: I do not understand what the hon. Member is getting at. I cannot take responsibility—nor can any of us—for reports that appear in newspapers.

BILL PRESENTED

RATING (REVALUATION REBATES) (SCOTLAND)

Mr. Secretary Younger, supported by Mr. Michael Ancram and Mr. John Moore, presented a Bill to provide, as respects Scotland, for rebates in respect of rates on certain lands and heritages: And the same was read the First time; and ordered to be read a Second time tomorrow and to be printed. [Bill 149.]

Immigration Control Procedures (Report)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Major.]*

Mr. Speaker: A large number of right hon. and hon. Members wish to take part in the debate. I have no means of controlling the length of speeches, but I ask hon. Members to bear in mind that their colleagues are anxious to speak. I call for short contributions please.

3.59 pm

The Minister of State, Home Office (Mr. David Waddington): The origins of the CRE report lie in the case of a woman who had sought entry as a fiancée and was subjected to a medical examination to establish whether she had borne a child. It became known as the "virginity test" case and it took place under the last Labour Government.

Immediately after that incident, instructions were issued making it clear that such examinations had to cease, and they did. It is, therefore, ironical that the grievance that led to demands for an inquiry into the operation of the immigration control had been removed before the inquiry even commenced.

We did not think that an inquiry into immigration control came within the CRE's terms of reference, but once the inquiry was in train, the Home Office co-operated in every way. I am sure that the House would wish me to thank those in the CRE who undertook the difficult task of examining this very important subject; they can certainly not be faulted for the effort that they have put into it.

But I must be frank about the report itself. We find some of its central conclusions very odd—some might say perverse. It seems to reject the proposition that people from poor countries, driven by a desire to better themselves, are more likely to attempt to enter the United Kingdom fraudulently than those from relatively prosperous ones. Yet that is a statement of the obvious. There is no surprise in the fact that far more forged passports turn up from countries such as Nigeria and Bangladesh than the United States. In 1984 there were 442 from Nigeria and 129 from Bangladesh—yet only five from the United States. There is nothing astonishing in the fact that a higher percentage of people from those countries are refused entry. No one need wonder at the fact that a higher proportion of people from Ghana, Nigeria and Iran, having entered the country illegally or, having overstayed, finish up being deported or removed. It would be astonishing if that were not the case. The interesting thing is how few people overall are refused entry. Ninety nine point nine per cent. of all passengers are admitted at our ports of entry—99·1 per cent. of passengers from the new Commonwealth and Pakistan.

Much of the criticism in the report seems to proceed from this fallacy—that there must be something wrong with the control because more black people are stopped than white. But there is one thing on which we can all agree. Entry clearance officers and immigration officers are charged by Parliament to carry out a difficult and responsible task, and the way they carry it out can have a dramatic effect on the lives of individuals. They have on the one hand to see that people get their just entitlements. They have on the other to be alert to check abuse.

[Mr. David Waddington]

Therefore we want entry clearance officers and immigration officers of the highest quality—courteous, efficient, astute and humane. We must work the whole time to enhance the professionalism of the service and improve its ethos. The report goes out of its way to say that its criticisms are of the system rather than of individuals. But the CRE team was rightly worried about some of the unprofessional comments found in the files it looked at: and if that is a sign of poor training, we have got to get things right.

I can assure the House that there had been a lot of developments in training before the report was even published. In last July's immigration and nationality department report, we committed ourselves to introduce racial awareness training, and there has already been a seminar for senior staff and a course for training staff—trainers—but we are anxious, rightly, to see that racial awareness should not be a separate part of a training course, but brought into every aspect of it. Not only will the development of training programmes and the review of guidance material take into account the comments in the report, but I can see considerable advantages in a continuing dialogue with the CRE, the comments of which on training programmes we shall be only too happy to receive.

I mentioned guidance material and the report calls for a review of the guidance and instructions. My right hon. and learned Friend the Home Secretary has already said that internal guidance is regularly adjusted, but a fundamental review of the instructions is under way and the possibility of publication is being studied.

A great deal of the report is concerned with entry clearance applications in the subcontinent, and I think many hon. Members have actually seen entry clearance officers conducting interviews, and will agree that they carry out their work with patience and humanity. The report says there should be a major change of emphasis in the operation of the procedures so that the risk of genuine applicants being refused is reduced to the minimum. But it is not the job of the entry clearance officers just to clear the queues. It is their job to apply the law, and the law rightly expects a person claiming to come here to establish his or her entitlement. It would be absurd if one were to re-write the rules to state that anyone who made an application was presumed to have an entitlement even if he could not show it. It would be doubly absurd if we were to do that in the context of the history of applications in the subcontinent, where there has been, regrettably, much deceit and attempts to evade the control. Every hon. Member knows that.

As to waiting times in the subcontinent, the times normally quoted are those relating to the non-priority queues: and it must be borne in mind that newly married wives, even in Dhaka, are admitted in under a month. The non-priority queue in Dhaka is overlong because about half of those in it are people whose claims have already been examined and found wanting not only by ECOs but in a high proportion of cases, by the appellate authorities, and they are now applying for a second or third time. In the vast majority of these cases, they are admitting previous deception when they make their second or third applications.

One other point is often overlooked, and not mentioned in the report. Wives in the non-priority queue cannot by definition be newly married wives, or they would be in the priority queue: and the majority of those in the non-priority queue have waited for more than two years, and no fewer than 30 per cent. for more than nine years before applying to come here. That means that 60 per cent. have been separated for longer than the waiting time in the longest queue before applying for entry clearance. It seems a bit much in those circumstances to accuse the Government of being responsible for dividing the families.

Generally speaking the waiting times are shorter than under Labour. The place where there is considerable difficulty is Dhaka, where the number of applications has actually increased in the past year. Because of that we have decided that there should be five additional entry clearance officer postings of six months each in the next 12 months to cover absences such as staff leave and sickness. We are also taking steps to ensure that first-time applicants are given rather more priority than those applying for the second or third time, with the result that the waiting time for first-time applicants is already coming down.

Mr. Sydney Bidwell (Ealing, Southall): Has the report given rise to the new look at administration? Has the Department been stimulated by that report, despite the general tone of the Minister in referring to it earlier?

Mr. Waddington: I remind the hon. Gentleman that queue lengths have been coming down, and up to last year even the queue length in Dhaka compared favourably with the queue length under Labour. It was simply because over the past year the queue length in Dhaka began to increase that we began to study various ways in which we could help the situation.

It would be foolish of any of us to ignore advice or opinions expressed by anybody. Clearly, the hon. Gentleman is right if he is suggesting that we have paid full attention to what has been said by the CRE team, but I assure him that we were thinking about this matter before that, because we keep our eyes on the queues the whole time, and want to see that our resources are used to the best possible effect.

Mr. Laurie Pavitt (Brent, South): Will the hon. and learned Gentleman give a little detail on two places that affect my constituency—Islamabad and Gujerat? I am sure that he has statistics on those places.

Mr. Waddington: The position in Islamabad is fairly favourable. In 1979, when the Conservative party came into office, the waiting time was 19½ months; it is now down to 10¼ months. I think that we are entitled to take some pride in that. The position in Bombay has also improved. People from Gujerat have their applications dealt with in Bombay. In 1979 the waiting time in Bombay was 12½ months; we have now got it down to six months.

On applications by husbands and fiancés, the report says that it is fundamentally unfair that applicants for entry in that capacity should have to show that the marriage was not contracted solely or mainly for immigration purposes. I know that this is a controversial matter. I have discussed it with hon. Members on both sides of the House, but I do not believe that it can be wrong to expect someone who is claiming a valuable right to prove his entitlement. Why on earth should not a person claiming an entitlement be required to prove it? Why should a person be able to come here using marriage as a device? This is no attack on the

practice of the arranged marriage. It is those who use that practice for immigration purposes who undermine and discredit the practice.

Mr. Barry Sheerman (Huddersfield): Does the hon. and learned Gentleman agree that the real bone of contention is the fact that in that matter, as in many others, such as immigration procedures at Heathrow and elsewhere, the fundamental principle of British law is reversed? Everyone is suspected of being guilty until proved innocent, rather than everyone being innocent until proved guilty. That is a reversal of natural justice. Our people strongly believe that that should not be so.

Mr. Waddington: It is misleading to talk about guilt or innocence. We are talking about a person who comes along and says, "I want to live in Britain, which is not my country." Surely he should be required to prove his entitlement to come to Britain, which is not his country. I can see nothing wrong in that. The hon. Member for Huddersfield (Mr. Sheerman) is wrong in saying that the fact that the burden is on the husband or fiancé marks a departure from the rules. If the hon. Gentleman reads the rules, he will find that the burden is on the person who comes here claiming to be a visitor to prove that he or she is a bona fide visitor and intends going back at the end of his stay. If the hon. Gentleman reads the rules, he will find that the burden on anyone who claims a right under the rules is to prove his or her entitlement. It is not beyond reasonable doubt. It is not a heavy burden, but it rests on him or her.

Ms. Clare Short (Birmingham, Ladywood): However the Minister chooses to use his powers I do not think that he would wish to mislead the House. On the question of a person's primary purpose in coming here, this burden differs from all other burdens. In every other case, an entitlement must be proved. In the case of marriage, the man must prove that it is not his primary purpose to come to the United Kingdom. That is a much more significant burden of proof. I am sure that the Minister would admit that and would not wish to mislead anyone about the facts.

Mr. Waddington: I do not follow the hon. Lady. The person concerned must prove his entitlement. Parliament has decided, rightly or wrongly, that a husband or fiancé does not have that entitlement if his primary purpose is immigration. Therefore, we do no more in the case of husbands and fiancés than we do in the case of any other applicants.

Mr. Nicholas Budgen (Wolverhampton, South-West): Does my hon. and learned Friend agree that the hon. Member for Birmingham, Ladywood (Ms. Short) is right to this extent—the 1983 rules constituted a considerable relaxation compared with the 1980 rules? There was a great deal of discussion about the 1983 rules. Eventually, as a compromise, there was a slight tightening up by inserting this method of assessing the burden of proof. Is it not the case that, in English law, where a person is particularly in command of the facts, it is usual for him to have the duty of proving them?

Mr. Waddington: My hon. Friend is correct. The burden of proof was changed in the 1983 rules. The change was rightly made and brought into line the burden of proof imposed on husbands and fiancés that already rested on others claiming an entitlement to come here. People talk as though the 1983 rules marked a draconian tightening up in the rules concerning husbands and fiancés. In fact, it was a great relaxation of the rules. Before the introduction of the 1983 rules, the only people who could sponsor husbands or fiancés were girls who were either born here or had one parent born here. The introduction of the 1983 rules resulted not in a reduction but in an increase in the number of people able to come here as a husband or fiancé.The failure rate for entry of husbands and fiancés decreased from 62 per cent. in 1982 to 48 per cent. in 1983.

Mr. Ron Leighton (Newham, North-East): The Minister knows that this is an important and contentious point. The person concerned really has to prove a negative, that something is not his purpose. Exactly what does the person have to prove? What does he have to show? How does he do this?

Mr. Waddington: The person gives the most detailed advice to entry clearance officers on the relevant matters. It is easy to make a judgment in these cases. If it were as difficult as the hon. Member for Newham, North-East (Mr. Leighton) says, everyone would fail the test. The truth is that 40 per cent. failed the test in the Indian subcontinent during the first three quarters of 1984.

Mr. Leighton: I did not say that it was "difficult". I merely asked what was involved. What does one have to do? How does one do it?

Mr. Waddington: I think that I can help the hon. Gentleman again. I should have thought that one can make a judgment on these matters fairly easily by asking the young man how he came to meet his fiancé and why he proposed to live with her in her country rather than his. Those are the types of question which should lead any ordinary, reasonable person to make a judgment as to a person's motive. Every day of the week the courts of the land make judgments on people's intentions and motives. I cannot see why that is such an impossible task when it is imposed on an entry clearance officer.

Mr. Budgen: On page 64 the report attacks the six criteria for questioning, saying that they are "unfair". I am sure that my hon. and learned Friend agrees that the six areas of questioning are likely to help the applicant to explain the facts that are within his control. I hope that my hon. and learned Friend will not move away, because of any criticism, from those six areas of questioning.

Mr. Waddington: I should not like to be thought discourteous to the CRE team. I shall look at all the suggestions. I have already given my provisional view, which is that it is perfectly proper to ask a young man why he proposes to live with his wife-to-be in her country rather than his.

The last thing I want is for the first impressions of this country for people arriving at Heathrow to be unhappy ones because of the way they are treated at immigration control. All complaints against immigration officers are followed up with care. Again, I think that it is a question of being ever alert to improve training.

However, living on an island, we are able to rely to a very large extent on control at the ports, and I think that people would far rather run the risk of having to undergo careful questioning there than see us move over to a system that relied on pervasive after-entry controls with identity cards and the rest. It is necessary to put the matter into perspective by pointing out that it takes only about a

[Mr. Waddington]

minute to clear through immigration each of the 7 million passengers a year who are neither British nor from the EEC. Some hon. Members have seen terminal 3 first thing in the morning. I am sure that they would agree with me that it would be a considerable help in making passage through immigration control even quicker if the airlines could arrange things so that 70 per cent. of all their long-distance flights did not arrive between 6 am and 10 am —but I fear that that is a vain hope.

On after-entry control, the report takes the view that:

"The police should not participate in immigration control work as a matter of routine".

It complains of large-scale joint operations by the police and the immigration service. That recommendation is a useful reminder of the fact that the gestation period of the report has been twice as long as that of an elephant.

Mr. Gerald Kaufman (Manchester, Gorton): That was the Government's doing. They took the matter to the court.

Mr. Waddington: Of course it was not the Government's doing.

As a result, some of the recommendations have been overtaken by events and are therefore misleading. The right hon. Gentleman says that it was our doing because we took the matter to the court, but in fact the gestation period from the beginning of the investigation to production of the report was twice as long as that of an elephant.

As long ago as December 1980 my right hon. and learned Friend approved new guidelines emphasising the sensitivity of joint operations and the care that is needed, if they take place, to avoid any action likely to cause justifiable complaint. Since then, there have been just 10 joint operations in which 153 people in total were interviewed, no fewer than 130 of whom were found to be here in breach of the law. In 1984 there was just one operation. Ten people were interviewed, nine of whom were found to be here illegally. Any fair-minded person would agree that there is no evidence in those figures of oppression in the enforcement of the controls.

The House will agree that we cannot just ignore intelligence about illegal immigrants. To do so would be bad for community relations. However, there is no doubt that the community relations implications of operations should be borne in mind and that, generally speaking, it is better that enforcement work should be carried out by immigration staff rather than the police.

I will not attempt to go through the detailed recommendations. Hon. Members will mention those that they think most important, and I am anxious to hear what they say so that we can take the views of the House into account before reaching our final conclusions. Some of the recommendations we readily accept, such as that relating to the practice of requesting authorisation from applicants from the Indian subcontinent to make tax checks. But, as I have already said, some of the report's recommendations seem to us pretty odd. For example, its conclusion that appeals should be heard by a panel of three adjudicators rather than by one would do no more than add to the very delays in the hearing of appeals of which it complains. However, we are looking at all the suggestions and we shall be giving a detailed response as soon as possible to the chairman of the CRE.

Mr. Eric Forth (Mid-Worcestershire): Does my right hon. and learned Friend intend to give the House his estimate of the immediate or medium-term effect on immigration if all the recommendations of the report were carried out? It would be of interest to the House, in deciding how to respond to the report, to know the effect of the report's recommendations on all the communities in this country.

Mr. Waddington: That would be a most difficult exercise. However, I have tried to price—as it were—the speech made recently by the hon. Member for Battersea (Mr. Dubs). Scrapping primary purpose would mean another 1,500. Giving settled women the right to bring in husbands would mean another 2,500. Allowing all east African Asians in immediately would mean another 3,300 heads of families, not counting the accompanying dependants. In that case, too, one has no idea how many new applicants might join the queue out of the estimated 30,000 east African Asians in India. We do not know how many applications there would be from elderly dependants, so the figure is not quantifiable. The irresponsible pledge by the right hon. Member for Manchester, Gorton (Mr. Kaufman) to repeal the Immigration Act, if it made any sense at all, would mean tens of thousands of immigrants. Clearly the right hon. Gentleman is talking nonsense.

Mr. Budgen: Will my hon. and learned Friend comment on the general impression given by the Opposition that they would exercise their discretion much more liberally? The Home Secretary has a general discretion to allow applicants in outside the rules.

Mr. Waddington: My hon. Friends must reach their own conclusions. The right hon. Gentleman's remarks were the height of irresponsibility. We shall do our best to work out what he meant, and I shall comment on his speech in a moment.

Mr. Max Madden (Bradford, West): In pricing these matters, will the Minister confirm that primary immigration ceased some time ago? Will he tell us how many people leave the country every year? Will he confirm that in each of the past few years, there has been net emigration from this country?

Mr. Waddington: The answer depends on what one means by primary immigration. In my view, every husband or fiancé who joins a woman who is settled here is an example of primary immigration. We are fooling ourselves if we say otherwise. On the question of net emigration, I believe that generally speaking the hon. Gentleman is right, but in 1983 there was net immigration.

Mr. Jack Straw (Blackburn) *rose*——

Mr. Waddington: I should press on, but the hon. Gentleman is a decent chap.

Mr. Straw: That remark makes me hesitate to intervene. I hope that it will be excised from the record.

The suggestion that the immigration of fiancés is primary immigration is not only deeply offensive to the families involved but contrary to the views of the Prime Minister, who has repeatedly claimed, for the benefit of the far Right of the Conservative party, that primary immigration has ended.

Mr. Waddington: We always talked of primary immigration as meaning the immigration of new heads of

families. If a young man enters this country to found a new family, albeit by marrying a girl who is already here, that is by my lights a straightforward case of primary immigration.

We shall not make much progress by debating definitions. I stand by my view of the matter.

Mr. Dave Nellist (Coventry, South-East): There are some 17,000 wives and families in the Indian subcontinent who are waiting for entry clearance. Is it not true that even if they all arrived tomorrow morning, that would still represent only 3 per cent. of the British birth rate and there would still be a net outflow of emigrants from this country?

Mr. Waddington: I do not know about 3 per cent., but the British people would be astonished if we were to announce tomorrow that 30,000 people could come straight into the country, if only because they would ask where such people could go to, and where they could be housed. What happens if 15,000 come to Tower Hamlets, as the families of Bangladeshis? Who will find houses, schools and hospitals for them? The proposition is ridiculous.

Obviously it is in the nature of immigration control that distress and hardship can sometimes be caused to those affected by it. Living in a country such as ours is considered a great prize and failing to attain that benefit can be a serious matter. Hon. Members know that it is in the very nature of my job that difficult decisions have to be made. Often, I am asked to allow someone to enter or to remain here, although quite clearly he has no right to do so under the rules. In such cases, I have to bear in mind that if discretion were regularly exercised other than in really exceptional circumstances, one would run the risk of undermining the rules themselves and one certainly would not be acting fairly to the vast majority of people who are prepared to abide by the rules.

In many cases discretion is exercised, as all hon. Members know, and I suppose that it is my misfortune that those cases are rarely the ones that attract publicity in the press. However, because of my responsibilities, I have had the opportunity over the years of meeting all sorts of people among the ethnic minority communities, and my belief is that the vast majority of people, from whatever community they come, accept the need for control and recognise that in seeking to strike a balance between the need to prevent evasion and the need to see that people get their rights, we have got things about right. That explains why immigration was not an issue at the last election. That is why a recent MORI poll showed that only 2 per cent. of the population consider immigration as an important issue facing the country today. Long may that remain the case.

That brings me to the right hon. Member for Gorton. I hope that, now he has got Gorton in the bag and does not have to ingratiate himself with some of the nastier people in his constituency, he will begin to behave more reasonably, but I have my doubts. When we last debated immigration, he produced a wealth of statistics designed to show that under the Conservatives the control has been operated with little compassion, but which in fact showed that little had changed since the days of Labour. He succeeded in shooting himself in the foot by complaining about the refusal rate in the case of family applications in Dhaka when the highest such refusal rate occurred in 1977 when it was 62 per cent. So the House would be wise to be wary of the right hon. Gentlman's statistics today.

In one respect, however, I did the right hon. Gentleman an injustice. He complained about a 100 per cent. refusal rate for male fiancés in Bangladesh in the first quarter of 1984. I rudely replied that that did not mean much because there had been only three applicants. I was wrong and I apologise to the right hon Gentleman. There was in fact one applicant. One applicant, one refusal, is 100 per cent. Those are the sort of statistic in which the right hon. Gentleman deals.

The right hon. Member has been at it again. He made a most disgraceful speech in April at the United Kingdom immigration advisory service conference. I make no complaint about the fact that it was, as usual, over-spiced with the adjective "odious". My hon. Friends might like to count the "odiouses" in the right hon. Gentleman's speech. it is rather like counting the bridges going down the motorway to keep oneself awake. At that conference, the right hon. Gentleman's theme was that the present law is detestable and administerd in a nasty fashion by all concerned, Ministers and civil servants alike.

The right hon. Gentleman forbore to mention that the law to which he was referring was that applied by the Labour Government when they were in power. But the Immigration Act 1971, he said, would go if Labour again took office. He did not remind his audience that back in the 1960s, the Labour Government promised to repeal the Commonwealth Immigrants Act but in 1968 actually extended its scope, removing from United Kingdom passport holders the right to come here. He complained about the control of entry of husbands and fiancés and there has been some discussion about that this afternoon, but he carefully concealed the fact that, in 1970, the Labour Government introduced rules that banned the entry of husbands save at the discretion of the Secretary of State.

Ms. Clare Short: What about 1975?

Mr. Waddington: I am coming to that. I am glad that the hon. Lady mentioned that. The right hon. Member for Gorton failed to do so. He did not say that the last Labour Government, of which he was a member, after coming into office in 1974 and relaxing the husband and fiancé rules, then discovered less than three years later that they could not sustain the position, and in 1977 tightened them up again. The right hon. Gentleman did not tell that to the delegates at the conference.

It is impossible to envisage a less productive and more mischievous exercise in terms of community relations than that on which the right hon. Gentleman is engaged. Judging by Labour's past record, the promises that he is making will never be fulfilled, but if they are—if the Immigration Act were repealed and control after control were scrapped — I cannot imagine anything more disastrous for community relations. As to his vilification of those — both civil servants and politicians — responsible for the control, that sort of language can comfort only those who are out to create not harmony in society but division and conflict.

We are now a multiracial society. Half our neighbours whose origins lie in the Indian subcontinent, Africa or the West Indies, were born here. This is their home. Our job is to see that in this multiracial society there is opportunity for all. It is our job to concentrate on that rather than whip

[Mr. Waddington]

up trouble over immigration controls of a kind which the whole of the western world has felt obliged to impose, and which are in the interests of us all—black and white alike.

4.37 pm

Mr. Gerald Kaufman (Manchester, Gorton): I promise that I shall not use the word odious about the Minister's speech—it is all too inadequate a word for the repulsive tirade to which we have been subjected.

The Labour party is glad that, after so much delay, we are at last debating the CRE report. The Government have treated the House offensively in three respects. First, the Home Secretary has shirked his responsibilities by failing to take part in the debate. It is disgraceful that he has not even bothered to turn up for it. It is extraordinary that, in his two years of office, the Home Secretary has not spoken once on the subject of immigration in the House, or answered a single oral question about it. His sole acceptance of accountability to the House on a matter of major importance, in which he is personally responsible—for example, he signs deportation orders—was one sentence of 11 words spoken last November as a reply to a supplementary to a question on quite another topic. Even those 11 words were inaccurate and misleading.

Mr. Waddington: The House will know that I have day-to-day responsibility for these matters, and I think that many hon. Members would have been surprised if I had not been here to account for the way in which I have dealt with matters. The right hon. Gentleman wanted my right hon. and learned Friend the Home Secretary to speak, I believe, because he thought that it would elevate his own importance, of which he has an exaggerated view.

Mr. Kaufman: It would, of course, be impossible to exaggerate the hon. and learned Gentleman's estimate of his importance.

The Home Secretary trots along here to speak on data protection Bills, on BBC licences and on all kinds of things, but when we have a debate about the family life and the fate of hundreds of thousands of people he does not turn up or even send an apology; we have no idea where he is. His behaviour is disgraceful and will be noted by the ethnic minorites as his concern for their needs.

We complain that, before the House has even had the chance to debate the report, the Government have rejected two of its recommendations — on tape recording of interviews and on local consulates in Mirpur and Sylhet. Those recommendations were rejected in written answers from a junior Foreign Office Minister.

We resent the Government's failure to put down for today's debate even a "take note" motion, as in the case of the Auld report. We know why. They wished to prevent an amendment from us which would have welcomed the report. It is not surprising that the Government did not put down a motion because, first, they tried to stop the CRE conducting the investigation that led to the report. The Government took the matter to the courts. They delayed the investigation by 18 months. They sought to have the terms of reference changed and weakened. Then, when the report was finally published, they attacked it most viciously. Today the Minister of State did it again, calling it odd and perverse. He gave a strange and distorted impression of the contents of the report. For our part, we congratulate the CRE on persevering against ministerial sabotage and insults to produce one of the most important documents on immigration ever published in this country.

The scope of the report is narrow. It deals simply with immigration control procedures, but it turns the spotlight on the Government's attitude on immigration policy and consequently on racial relations. It reveals Ministers to be conducting policies on these vital matters which are discriminatory to the point of being racialist. If anybody questions what I have to say on this, I shall quote from the report itself to confirm the indictment.

It is a remarkable report. It is copiously and painstakingly documented and it has a shameful story to tell. For example, it describes the attitude of entry clearance officers in the Indian subcontinent to those they interview. It describes cursory and insulting way in which they too often treat those with whom they are dealing. This is a quotation:

"CRE staff observed about 20 inteviews in Dhaka and Islamabad. It was noted that ECOs only rarely addressed interviewees directly, putting their questions through the interpreter in the third person. ECOs often gave the impression of being bored or irritated with their work, showing this, for example, by persistently tapping their pencil on the desk or drumming their fingers. In one case observed, the ECO became irritated with the answers being given and showed this by rounding on the applicant and shouting at her—one of the rare occasions we saw an ECO address an interviewee directly.

Virtually all of the interviews observed by CRE staff were interrupted at least once by the entry into the room of other staff of the post or by telephone calls being taken by the ECO. In one case, the ECO took a personal call lasting many minutes".

The accounts in the report are confirmed by representatives of Manchester law centre who went to Islamabad last month and who were present at interviews there. They report that in their presence one interview was interrupted by a telephone call about the embassy's supply of Easter eggs. That interrupted an interview affecting the life and future of those concerned.

One reason for what the CRE report describes as

"a dismissive or contemptuous attitude to applicants"

is, according to the report,

"the low esteem in which applicants have been held".

It quotes from a report prepared by staff at terminal 2 at Heathrow—the officials to whom the Minister has paid tribute. That report says:

"Moroccans from the 'immigrant areas' seem, like Mirpuris,"—

that is, Pakistanis—

"to be both simple and cunning".

The contempt and low esteem are in no way more significantly demonstrated than in the attitude of ECOs and immigration officers to the refusal of applications. The CRE report states:

"Other material we saw appeared to us to suggest that, in some cases at least, the prospect of securing refusals of entry clearances would generate greater enthusiasm than that of issuing them. A note by an entry clearance officer on one file, for example, warned other officers not to handle it: 'I want to do this re-interview myself. Hands off. This must be the year's strongest refusal.'".

The CRE report quotes immigration officers as stating that they have been warned about producing too few refusals. Chief immigration officers are quoted in the report as admitting that if an officer's refusal rate was well below average the chief immigration officer would want to know why. What is more, certain countries emerged clearly as being especially subject to discrimination.

Dealing with the treatment of visitors, the report states that in 1980 passengers from the new Commonwealth and

from Pakistan were 30 times more likely to be refused admission than those from the old Commonwealth. It said that in the first nine months of 1982 under 1 per cent. of Americans and Canadians, under 1·5 per cent. of Australians and under 2 per cent. of New Zealanders were admitted to Britain as visitors in the code 3 or doubtful category, while of non-business visitors from India or Pakistan code 3 admissions covered 20 per cent., from Bangladesh over 30 per cent., and from Ghana 40 per cent.

In the first 10 months of 1984, people from 104 countries were detained overnight at ports of entry other than Queen's building, Heathrow, for which no figures are available. Detention of people from the four countries of Nigeria, Ghana, India and Pakistan accounted for 52 per cent. of all detentions. That is more than the other 100 countries put together. In certain months in 1982, Ghanaians, Nigerians, Pakistanis and Indians accounted for 70 per cent. of visitors required to submit to further examination. This massive disproportion was due partly to deliberate discrimination against people who were not obviously affluent.

The report quotes one note from an ECO in Islamabad which said of the person being interviewed:

"Obviously loaded and very good class. Issue."

Of another well-to-do Pakistani, an ECO noted:

"Unfortunately this looks like an issue. . . . I have no choice but to issue."

The report attacks what it described as

"double standards—trust of the wealthy and suspicion of the poor".

That is confirmed in a note submitted to the CRE from the Home Office itself, which says:

"nationals of rich countries are likely to be subject to less intensive scrutiny and are less likely to be refused than nationals of poor countries."

That is Home Office policy as explained by the Home Office itself.

If someone is rich or is an Australian he is treated better than if he is rich and Pakistani. These offensive attitudes stem from the latest dodge that the Home Office has adopted and about which we heard again this afternoon from the Minister of State—the concept of "pressure to immigrate" countries. There is no published list of such countries so that we may know which they are. They are chosen at whim by ECOs and others, sometimes completely inconsistently; some will be on one ECO's list and some on another's. For example, the United States is on one ECO's list as a "pressure to immigrate" country. The effect of the "pressure to immigrate" concept is described harshly in the CRE report:

"The evidence put to us by the Home Office does not, in our view, provide sufficient justificaton for basing the priorities and decision-criteria in immigration control on the pressure to immigrate argument. The concept relates essentially to poor countries and brings under particular suspicion visitors from countries which have established ethnic minority communities here. While some such people undeniably evade the controls, so, undeniably — and probably more easily — do considerable numbers of people from wealthier countries who might not be regarded as having strong incentives to do so. The effect of the argument is to cause the procedures to discriminate, in effect, against black people in particular."

Even the Home Office gave the game away. In a note which it sent to the CRE during the inquiry, it stated:

"Visitors from new Commonwealth countries are more likely than others to be treated as doubtful visitors."

The report lists monstrous devices and strategems employed against would-be visitors and people who apply for settlement. None is more disgraceful than the use of the primary purpose rule as a deliberate way of getting round the legal entitlement in the rules. As administered, it is degraded too often into being merely a paper entitlement. It is the right under the rules of husbands and male fiancés, especially from the Indian subcontinent, to gain entry to the United Kingdom to join their womenfolk. The manoeuvre has grown to intolerable levels.

In 1980, primary purpose accounted in whole or in part for less than 20 per cent. of refusals of applications by husbands and male fiancés. By 1983, it accounted for 75 per cent. of refusals. A parliamentary reply on 20 May to my hon. Friend the Member for Birmingham, Ladywood (Ms. Short) shows that by the last three quarters of 1984, primary purpose accounted for between 80 and 90 per cent. of refusals, and for about 40 per cent. of all applications decided, whether favourably or unfavourably. That shoddy dodge is now substantially negating the statutory right of those men to enter Britain.

Deliberate and carefully planned measures are adopted to achieve those primary purpose refusals. What is more, they are contained in official guidance issued by Ministers to entry clearance officers in September 1983. That guidance even suggests questions which should be used to trap applicants into making a statement which would justify refusing them entry under the primary purpose rule. In its report the CRE described those questions as

"ambiguous and unfair."

I shall give three, which are given in the report. They are

"If your fiancée did not live in the United Kingdom, would you still go to her home to live?"

[HON. MEMBERS: "What is wrong with that?"] The CRE condemns these questions. I note Conservative Members' attitude to this. Their inherent racism emerges at every opportunity. The other two questions are

"If you were not able to live with your fiancée in the United Kingdom, would you still marry her?

If your family had asked you to marry a local girl, would you have done so?"

Those questions are denounced by the CRE in its report, but to a supporter of apartheid, such as the hon. Member for Luton, North (Mr. Carlisle), those questions are everything that they should be.

Mr. John Carlisle (Luton, North): Will the right hon. Gentleman withdraw his remark describing me as a supporter of apartheid? That is a gross insult to me and to the House. I appeal to you, Mr. Deputy Speaker, that that should be withdrawn.

Mr. Kaufman: The hon. Gentleman denies that he is a supporter of apartheid. I am delighted to have that on the record.

Mr. Carlisle: I am delighted to confirm that I have always made it my business on the Floor of the House and elsewhere to say that I abhor apartheid, and have always said so. I am grateful to the right hon. Gentleman for withdrawing his remark.

Mr. Kaufman: I am delighted to have that on the record.

Mr. David Winnick (Walsall, North): Although it is true that the hon. Member for Luton (Mr. Carlisle) has criticised apartheid, is it not a fact that he takes every opportunity to act as an apologist for the South African authorities?

Mr. Kaufman: If the hon. Gentleman would like also to deny that, I shall be glad to give way to him.

Mr. John Carlisle: Although the point is well out of order, I am delighted to say that I am not an apologist for any Government, even my own.

Mr. Kaufman: That was less than full-hearted dissent.

Admissions are delayed by the deliberate use of queues. In its report the CRE alleges the

"use of the queue as a deterrent to applications and as a means of restricting the rate of immigration."

The Home Secretary, in his speech to the United Kingdom immigration advisory service conference in Manchester last month, attempted to counter that CRE allegation when he said:

"I must make it clear . . . that the Government does not maintain these queues as a deliberate measure to control the flow of immigration."

That statement was simply untrue. It is shown to be untrue by an internal Home Office document, of which I have a copy. About two years ago it was submitted to the Minister for guidance. So that the House can hear what the Home Office says when it thinks that it is not being observed, I shall quote from it. As I said, it was a briefing document for the Minister. It states:

"In two significant areas a system of queues operates to regulate the flow of immigrants . . . The Foreign and Commonwealth Office is responsible for the administration of entry clearance work and shares responsibility with us for the number of Entry Clearance Officers which, in practice, is the primary regulator of the number of husbands, wives, and children, and male fiances admitted from the sub-continent in any one year. There are about 40 ECOs in the sub-continent at present. Provided the queues do not become too long, this form of administrative regulation can continue; but an acknowledged policy of deliberate delay without legislation giving power to impose quotas . . . would run risks in the domestic courts and under the European Convention of Human Rights."

Mr. Waddington: I wish to make two points. Is it not a fact that the number of ECOs in post during the period of the Labour Government was the primary regulator of the number of people who came to the United Kingdom? Is it not plain common sense that if there are any queues, it is because the Government have decided that they cannot appoint as many ECOs in the Indian sub-continent as would be necessary to clear those queues? As I have pointed out that, generally speaking, the waiting times now are shorter than they were under the Labour Government, how does the right hon. Gentleman dare to make this criticism, as if it were directed against the Conservative Government only, and if it were true, would it not be equally apt against the Labour Government?

Mr. Kaufman *rose—*

Mr. Waddington: I have not finished. I have another point. Will the right hon. Gentleman remember that the briefing paper to which he referred was apparently prepared by civil servants when they were whiling away the time during the general election campaign? Had the country suffered the misfortune of having a Labour Government returned, perhaps the right hon. Gentleman would have been asked to read the document.

Mr. Kaufman: Had that document come to me, I would have torn it into two immediately. The Minister has admitted the authenticity of the document. However, the Home Secretary said:

"I must make it clear . . . that the Government does not maintain these queues as a deliberate measure to control the flow of immigration."

The internal Home Office document states:

"In two significant areas a system of queues operates to regulate the flow of immigrants."

The Minister is now saying that the queues are used to regulate immigration, so the Home Secretary was not telling the truth.

Mr. Waddington: The right hon. Gentleman must stop talking nonsense. Of course the number of entry clearance officers regulates the number of people who are standing in the queue, and regulates the number of people who are admitted.

The right hon. Gentleman is saying that what must be inferred from that briefing paper is not a matter of fact, but a matter of intention. I am telling him that the intention is not to limit the number of people; the intention is to devote to entry clearance the resources that can be devoted to it.

The right hon. Gentleman has a nerve to raise this matter, because there are more entry clearance officers in Dacca now than there were under the Labour Government.

Mr. Kaufman: The problem is that the Home Secretary did not say what the Minister of State is saying. The Minister of State is repudiating the Home Secretary, which is par for the course, since the Home Secretary needs repudiating. But we are glad that the Minister of State has joined us in doing so and has admitted that the Government are using queues to regulate immigration into Britain—something that we had always believed in any case.

The report is clear about that. It states that the immigration rules

"have been drafted and administered in such a way as to minimise the numbers of people who may be able to benefit from them."

They are not just drafted, but administered, too.

The report repeatedly denounces the policy for being aimed at detecting the bogus at the cost of harming the genuine. It states:

"In our view, however, the emphasis on the exclusion of the ineligible has gone too far. It has resulted not only in inconvenience—serious and costly as that can be—for genuine applicants, but in an unacceptably high level of risk that applicants who are in fact genuine can fail to satisfy the officer. In effect, the system is operated as if this is the more acceptable of the two basic possible kinds of error."

The CRE is in no doubt about the result of all this. It declares that, as a result of those policies — all the phrases that I shall use are direct quotes from the report——

"the interests of race relations in the United Kingdom have been damaged,"

that this is a system

"which tends to be racially discriminatory in effect,"

that the Government's policy statements and staff guidance,

"contain built-in biases against some racial groups,"

that they create

"stress and fears among ethnic minority communities,"

and that controls operate

"to the disadvantage of some racial groups and to the detriment of race relations."

That is the verdict of the body charged with assisting in race relations.

What is more, the CRE report pins the responsibility firmly where it belongs. It states:

"It would be entirely unjustified to place on staff the responsibility for the fundamental criticisms which can be made of the administration and operation of the control; the criticisms we have made are of the system that the staff operate, and we stress that distinction . . . The essential origins of the behaviour and decisions which have given rise to allegations of racism in the controls are the procedures and instructions themselves . . . they result from staff doing what is expected of them."

What the report is saying, even if it does so delicately, is that we have a racialist system because we have racialist Ministers. Moreover, their racialism is motivated by the wish to prevent a tiny number of people—possibly no more than 5,000 in the first year and fewer after that—from coming to Britain——

Mr. Waddington: Will the right hon. Gentleman give way?

Mr. Kaufman: No.

Mr. Waddington *rose*——

Mr. Deputy Speaker (Mr. Ernest Armstrong): Order. The Minister knows that if the right hon. Gentleman does not give way he cannot intervene.

Mr. Waddington: The right hon. Gentleman has made a serious allegation. He said that the trouble was caused by racialist Ministers. He is entitled to that opinion. I believe that it is nonsense, because, as I said, the control operates in much the same way as it did under the Labour Government. Of course, I am prepared to take his abuse, but he must not imply that the report states that the trouble is caused by racialist Ministers. It says nothing of the sort.

Mr. Deputy Speaker: Order. The right hon. Gentleman is not allowed to accuse the Minister of being racialist; what he said was that, in his judgment, the report was alleging that.

Mr. Kaufman: I repeat what the report states:

"The criticisms we have made are of the system that the staff operate . . . they result from staff doing what is expected of them."

Who is expecting it? Who is in charge of the staff and who is responsible for them?

Mr. Martin M. Brandon-Bravo (Nottingham, South): Will the right hon. Gentleman give way?

Mr. Kaufman: Never to the hon. Gentleman.

The report states, albeit delicately, what I have quoted. The Minister was good enough to refer to what I said in Manchester at the UKIAS conference. I repeat it now. This system will change, and change decisively. The Labour Government who will come into office after the next election will operate firm immigration controls. All democratic countries have such controls, and from my continuing and close contact with the ethnic minorities, I know that they support such controls. We shall remove the present legislation from the statute book and replace it with an Act which will be not only non-sexist, but anti-sexist. It will be not only non-racist, but anti-racist. Racism will not be tolerated at the posts abroad, at the ports of entry here, or in the Home Office itself. We intend to ensure that once this shameful Government are removed from office, no report such as this from the CRE will be possible, because the conditions that brought it about will be eliminated. That is the pledge that I give, and that is the pledge that we are determined to fulfil.

5.7 pm

Mr. Geoff Lawler (Bradford, North): The unfortunate nature of immigration debates is that they tend to bring out the worst in some hon. Members. It is a pity that more rational terms cannot be used. Bandying insults about in the House does nothing for race relations.

Immigration policy and procedures are essential to race relations and harmony. The host community needs the reassurance that those who are not entitled to enter this country are excluded, that access to jobs and housing is protected and that the social fabric will be sustained. People who are settled here and who seek to bring in relations or have visitors also need the reassurance that the right of access for visitors and relations is protected, so that they can enter the country unhindered. Increasingly, the two groups have merged. Those seeking to bring in relations or visitors are now part of the host community, but they are part of a host community that is disproportionately affected by unemployment and inadequate housing and therefore have even more reason to ensure that the social fabric is not strained to breaking point.

For those reasons, mass primary immigration has been abolished. That is accepted by all as necessary and desirable. However, the prevention of genuine visitors from coming into the country and the separation of genuine families is not necessary or desirable. We are questioning not the immigration rules, but how they are applied and their affect. We are considering the recognition of the right of husbands to join wives, wives to join husbands and children to join their parents. Those rights are not being questioned. We should not have had this report, nor should we be holding this debate, if the procedure used to effect those rules did not impinge upon those rights. The evidence, both from this report, flawed though it may be in many respects, and from my own experience and that of many hon. Members who have substantial ethnic minority communities in their constituencies, is that some of the procedures are flawed and sometimes impinge upon those genuine rights.

For example, in the city of Bradford there are 64 divided families in the Bangladesh community. Somewhere in Bangladesh 64 men have wives and families. As they would be the first to acknowledge, some of the blame must lie with them for the fact that those families are not united. They would readily admit now that they submitted false tax claims and misleading documentation, but it is still undeniably the case that with better advice and better productivity on the part of entry clearance officers in Dhaka those families could be reunited. It is a finite number. Therefore we should help to ensure that in future their applications do not fail through lack of evidence, or insufficient documentation, or confusion at interviews. The immigration department should help to unite those families.

If a wife in Sylhet in Bangladesh goes to Dhaka for an interview she knows that her case is genuine and she may therefore naively assume that she does not need to produce huge amounts of evidence. She is convinced of her case and does not realise how much detail is needed to persuade the ECO of her case. Therefore, it is important that those who apply to ECOs should be advised of all the documentation that they need to bring with them, including the documentation which is referred to in recommendation 5 of the report:

"that which, if available, would support the claim but is not essential."

That is a crucial point. Time and time again I have come across cases where affidavits should have been obtained from important people. If the documentation that was not thought to be essential had been gathered together, confusion at interviews could have been avoided and cases

[Mr. Geoff Lawler]

could have been cleared. I hope that the immigration department will act upon that very important recommendation.

The immigration advisory services that are located in Mirpur and Sylhet have been mentioned at meetings with my hon. and learned Friend the Minister of State and assurances have been received, but it is necessary to repeat how important it is that those advisory services should be provided with adequate staff and resources. By doing so, not only are applicants helped to get it right when they come to ECOs but the time of the ECOs is saved through not having to ask people to bring back the right documents or having to conduct subsequent interviews. The time that is saved would help to ensure that other families can be reunited, to say nothing of the anguish that could be prevented by not having to refuse applications.

The report also refers to the use of tape recorders. The answers that we have received from my hon. and learned Friend on the use of tape recorders are inadequate and unworthy. I see no reason why there should not be such an experiment as that which is being conducted by police forces in this country. A great deal of confusion would be saved if tape recordings were available at appeals.

Mr. Nellist: Will the hon. Gentleman give way?

Mr. Lawler: I shall give way to the hon. Gentleman after I have finished making this point.

It is surely nonsense that in 1985 all the documents and papers relating to immigration cases at our posts overseas are kept in files. Why are computers not installed in our overseas missions? They would greatly speed up the process of dealing with applications and would allow greater flexibility and overcome one of the major objections to having further missions in Sylhet and Mirpur. Only one terminal would be needed at the immigration advisory offices in those districts to enable cases to be dealt with far more speedily.

Mr. Nellist: Is the hon. Gentleman aware that I have been pressing the Foreign and Commonwealth Office and the Home Office to introduce the tape recording of interviews? Is he also aware that there was an experiment in 1978? According to the Foreign and Commonwealth Office, who wrote to the Select Committee on Home Affairs in 1982, the reason why tape recording was not introduced generally was because

"problems of extraneous noise and of operating with inadequate facilities suggested that recording of a suitable standard could only be produced by the use of sophisticated equipment in rooms which had been soundproofed."

If those problems are encountered with tape recording, what about the problems involved in interviewing officers getting the interviews right in the first place?

Mr. Lawler: If that were a problem, I am sure that, because of the amount of extraneous noise that is generated, the proceedings of the House would not be broadcast. The hon. Gentleman's point should be re-examined by the Foreign and Commonwealth Office. It is worthy of the Government's attention.

In 1984, about 18,096 visitors were refused entry to this country. It was a tiny proportion of the total number of people who arrived. Entry was refused to about 1·1 per cent. of the total number of visitors from the Indian subcontinent. However, the figures do not indicate the number of people who are kept for a second interview and the length of time that they have to wait. I have visited terminal 3 on two occasions to see the immigration facilities. The majority of people go through the interview with no trouble. However, those who are kept for a second interview sometimes have to wait for hours and even days. That creates a great deal of anxiety not only for the visitors but for their sponsors, who are anxious and want to know what the visitors' fate will be.

Given the already generous attitude towards the granting of temporary admission—about 8,500 last year, or 47 per cent.—and given also the tiny number of those who abscond—last year 187, or 2 per cent., which was only a marginal increase on the year before—it is apparent to me that more inquiries could be made a few days after people had been admitted to this country, thus allowing the visitor to leave the airport with a sponsor. Recommendation 42 of the report asks for the removal of the distinction when allocating time limits on those visitors who are considered doubtful and those who are considered genuine. I would suggest the reverse. If all visitors who are considered doubtful were given temporary admission with a short time limit of two or three weeks to allow further inquiries to take place, they could take place locally and the final decision could be made known to them at the end of that short period. The exception to that would be those cases where the decision is immediately obvious—for example, the use of fraudulent documents, undesirable persons, and so on. Apart from the advantage of more local interviews, unnecessary waiting would be avoided for those who are eventually allowed entry into the country as genuine visitors.

Mr. John Carlisle: My hon. Friend must understand that there is a real difference between the genuine and the non-genuine visitor. He will know from his experience that some of those who are let in on temporary admission then disappear. They are not included in the official figures. If Her Majesty's Government were to follow the line advocated by my hon. Friend, whereby everybody came in for two or three weeks, does he not accept that substantial numbers could slip through the net and completely evade all immigration controls?

Mr. Lawler: I shall develop that point later and will answer my hon. Friend. However, one returns to the fact that a minute proportion of those who are given temporary admission abscond. Not the least advantage of this change of procedure would be that Members of Parliament would not be disturbed at midnight or at two o'clock in the morning by people telephoning from the airport. To contact Members of Parliament is not only highly inconvenient for hon. Members but is also grossly unfair to visitors to this country. According to the immigration authorities, about 80 or 85 per cent. of those coming from the Indian subcontinent are aware of how to contact their Member of Parliament. What about the other 15 per cent. who are not aware of the facility? Furthermore, what about the person who arrives, finds that the Member of Parliament's name and telephone number is not in his diary or that the Member of Parliament is away for the weekend, and who is due to be put on a flight back the next day?

Mr. Waddington: My hon. Friend raises an important point which worries many hon. Members, but is he aware of the legal difficulty here? People tend to imagine that

temporary admission means granting a visit. In fact, it is an alternative to detention when it has already been adjudged that the person is not a visitor. My hon. Friend must realise, therefore, that the course that he suggests would involve changing the law so that people found not to be visitors can still be admitted.

Mr. Lawler: People regarded as doubtful on arrival are usually given temporary admission as a result of representations by a Member of Parliament. We need to find a way of avoiding the need always to contact a Member of Parliament. If temporary admittance is given on a very limited basis for two or three weeks, the person's passport being marked accordingly, the inquiries could take place locally without the Member of Parliament having to be involved. It is difficult to make a considered judgment when one is telephoned at 2 am, so representations tend to be made automatically. In other words, Members of Parliament have to vouch for people whom they do not really know so as not to deny those people the right to have their cases examined. In my experience such people usually have very good reasons for being here and the vast majority prove to be genuine visitors or leave as soon as they are instructed to do so.

The number of representations that I have made must run into more than three figures, but I have been let down only once in the past two years. On that occasion, the sponsor and the local Bangladesh community association joined me in appealing for the gentleman in question to give himself up because they felt they had been betrayed.

If the admittance procedures are changed, the Home Office rather than the Member of Parliament will bear the responsibility for admitting people who may abscond. The opportunity for further investigation of a person's case should not depend on the sponsor having the Member's name in his diary and hoping that the Member is not on a delegation to Silesia and his agent on a fishing weekend.

Mr. Terry Dicks (Hayes and Harlington): My hon. Friend seems to be unaware that under the present system an incoming immigrant can apply to any Member of Parliament. Heathrow airport is in my constituency. When I have refused to intervene in a case because I do not regard it as justified, the people in question have gone to another Member who has then intervened on their behalf, so the pressure on particular Members of Parliament is non-existent.

Mr. Lawler: We have all been contacted on behalf of other hon. Members' constituents. Nevertheless, the system is grossly unfair. We know that 15 per cent. of these people do not contact any Member of Parliament. I am sure that many of them, if they cannot contact a particular Member, then get flummoxed and do not know how to get hold of another. The system clearly needs revision.

In conclusion, I appreciate the pressure-to-emigrate argument and it should not be dismissed, but it is increasingly difficult for Members of Parliament to explain to second generation members of the Asian community why they have to contact their Member of Parliament if they wish to have a visitor to this country, when they have only to look at the white friends with whom they went to school and competed for jobs to know that they pay the same taxes and have the same responsibilities so they must have the same rights.

I hope that the Government will not dismiss the report out of hand but will make a very detailed response. The report is not perfect. It has many flaws, but it deals with areas of genuine concern to a significant proportion of our citizens and it identifies procedures which in some cases may hinder people obtaining that to which they are entitled. That is why the procedure must be reviewed. The immigration rules allow genuine visitors and dependants to enter this country. We must ensure that the operation of those rules does not have the opposite effect.

Mr. Jeremy Corbyn (Islington, North): On a point of order, Mr. Deputy Speaker. Is it in order for hon. Members to take so long when so many others wish to speak in a very short debate? Will you ask Members to be brief?

Mr. Deputy Speaker: The hon. Gentleman should know that Mr. Speaker has already asked for brevity.

Hon. Members: The hon. Gentleman has only just arrived.

Mr. Corbyn: I have been here throughout the debate.

5.25 pm

Mr. Robert Litherland (Manchester, Central): I shall be extremely brief because I appreciate that many hon. Members wish to speak in this important but short debate.

Many hon. Members will have seen people who regularly attend their advice bureaux from divided families, seeking assistance. In my constituency in inner Manchester the problem is so great that it has been recognised by Manchester city council, which recently sponsored two solicitors from the law centre to investigate cases of denial of entry to fiancés or husbands.

The solicitors' report makes remarkable reading. They attended entry clearance interviews. In relation to fiancés, the report explodes the myth that people are falling over themselves in their desire to enter the country and eagerly waiting for the next plane. In fact, many were reluctant to come because it meant giving up their homes and jobs. Many were under pressure from the fiancé's family already resident in the United Kingdom, to leave their home country and be united with their loved ones. That finding is contrary to all the Home Office propaganda about fiancés being anxious to come to this country.

A more sinister aspect revealed in the report was the nature of the role played by the embassy and the Home Office in Pakistan, which appeared to cause great confusion. The solicitors found that the process for gaining entrance to the United Kingdom was never explained to anybody. The law centre representatives felt that it was in the embassy's interest to create and perpetuate confusion, which would make a refusal much easier. Even after an applicant had been refused entrance, he or she was not told how long an appeal would take. In such cases, fiancés are aggrieved because they cannot plan for the future. The two solicitors concluded that the embassy visa section regarded its role not as a processer of applications having a neutral profile but rather as an apparatus to block Pakistani immigrants coming to the United Kingdom.

The solicitors stated:

"We were frankly appalled by the organisation of the Embassy and the conduct of the ECOs. In the absence of any collective opposition in Pakistan and distanced from the opposition in the United Kingdom to immigration controls the Embassy appeared even more powerful and confident than the Home Office itself. Applicants are treated atrociously. The

[Mr. Robert Litherland]

Embassy opens at 8 am. Queues begin to form outside from about 7 am. Many people would have travelled hundreds of miles to get to the Embassy for their entry clearance interviews. Indeed a previous journey would have to have been made — as the Embassy insists that the original forms have to be completed at the Embassy itself. There are no definite appointment times. There are no facilities for children — although over half the people there are children. There are no drinks or food available in the Embassy. People in the waiting room are not informed as to what is happening. The waiting room itself is dark and tatty. It feels exactly like a police waiting room—except that on the walls there are travel posters about the beauty of Britain and the efficiency of British Airways! The waiting room itself is used by Embassy officials to attend to those people who have come to complete their application forms. A consequence of this is that everyone in the waiting room is privy to the details of the applicant's private life. After what may be several hours, those people who have come for their actual entry clearance interview are summoned to see an Entry Clearance Officer. From our own observations we can say that the 'interviews' are more in the form of an interrogation—either a subtle or a heavy interrogation. The assumption is that the applicants are always lying."

The report goes on to highlight many misgivings about the procedures involved. I have studied its observations and believe that the entry clearance officers use those procedures to cause delay, even if the law is on the side of those who apply to enter the United Kingdom. If and when the city council submits the report to the Home Office, I trust that the Home Secretary will study its findings carefully. The report is not negative but makes recommendations to alleviate a problem that causes so much human misery and involves a procedure that is quite inhumane.

5.30 pm

Mr. Nicholas Budgen (Wolverhampton, South-West): The casual observer who listened to our debates, and who heard the noise and, on occasion, the abuse—although I am sure that it would be within order—would conclude that the two great parties were vastly divided on this issue, and that when in office, they always behaved quite differently from each other. He would also conclude that there was no element of consensus and that there was never any attempt by either party to trim. But the casual observer would be all too wrong.

My hon. and learned Friend the Minister was very fair when he pointed out that, despite all the noise that the Labour party made in the 1970s, it was often much firmer when in office in imposing immigration controls than, in particular, my hon. and learned Friend's predecessor. I can see the hon. Member for Birmingham, Ladywood (Ms. Short) sitting on the Labour Benches. She was a civil servant in the Home Office, and is married to Mr. Alex Lyon. Mr. Lyon fell out with the right hon. Member for Cardiff, South and Penarth (Mr. Callaghan), because the latter was in favour of stricter immigration controls. If a casual observer listened to what the Labour party is now saying, it would be difficult for him to remember that when it was in power, it did its level best to control immigration. It did not do as much as I might have wished——

Ms. Clare Short: Perhaps the hon. Gentleman will cast his mind back to the time when my husband was a Minister at the Home Office. At that time we had a Home Secretary who failed to implement the Labour party's policy on the reform of our immigration law. Perhaps I should remind the House which party that right hon. Member now belongs to. That Home Secretary is now the right hon. Member for Glasgow, Hillhead (Mr. Jenkins). He defied Labour party policy and failed to implement it, and then left our party and joined another party that would like to claim that it has a pure record on such matters.

Mr. Budgen: The hon. Lady has made my point. When in office, Ministers come under the civilised influence of the Home Office and are away from the vulgarity of the electorate. Consequently, they start trimming towards the middle. The Labour party certainly did it, and this Government have done it, too, to a marked extent. There was a clear commitment to control immigration in certain specified ways in our 1979 manifesto. The 1980 immigration rules represented a slight deviation from the promises of 1979, while the 1983 rules represented a very substantial deviation from them. Before the 1983 rules came into effect, the Government in the last Parliament suffered its only defeat on the Floor of the House—*[Interruption.]* I played a small part in that defeat, and I do not apologise for that. In the argy-bargy that followed the defeat of those rules, there was discussion, in particular, of the position of Asian fiancés.

I was pleased to hear my hon. and learned Friend the Minister say, I think, for the first time, that he regards fiancés as being primary immigrants. That is what they are, because they have a right to bring their dependants into the country at a later stage. There was substantial discussion about whether marriage should be a reason for entry. Indeed, there was a lot of discussion about marriages of convenience and about arranged marriages. Eventually, a compromise was reached, which was a substantial derogation from the promises made before the 1979 election.

I recognise that my hon. and learned Friend the Minister was the architect of the 1983 compromise and has been the administrator of those rules. In my opinion, the compromise has worked quite well. One sign of that is that the Government Benches are not very full. If the compromise had not worked, and there was a general feeling throughout the country that immigration control had been substantially relaxed, these Benches would have been full of angry Tories——

Ms. Clare Short: If the *Daily Express* ran a campaign, they would be.

Mr. Budgen: I do not think that the *Daily Express* will run a campaign, because there is not the public concern to justify it, to make it popular or to sell more copies of the *Daily Express*.

But even my hon. and learned Friend the Minister is not wholly immune to the elevated atmosphere of the Home Office. As he comes to believe that he will be entitled to his car in the next twenty years and as he sees his friends, the senior civil servants in the Home Office, as more important and persuasive than his vulgar Back-Bench colleagues, he will no doubt begin to feel that all-pervasive pressure to trim towards the centre. My objective is to ask him not to do that, because sufficient trimming has already been done. But it is obvious that two important new forces for trimming will be exerted on him.

The first is the argument by the Member of Parliament for a bit more peace and quiet. My hon. Friend the Member for Bradford, North (Mr. Lawler) might like to listen to my next point, as it is really an answer to him. He was saying, in effect, that representing a constituency

in which many Asians are resident can sometimes be very inconvenient. It certainly can be, but no one forces us to represent such constituencies, and when we do so, we perfectly well understand that our Asian constituents may ring us up at very inconvenient times.

I operate the system as carefully and as fairly as I can, and without any prejudice against those who telephone me. Indeed, I am a frequent telephoner to the Home Office. Of course it is an inconvenient system; in some respects it is an arbitrary system. Like most things, it is not perfect. But I do not think that major relaxation of the rules, simply on the ground that the present system is inconvenient to Members of Parliament, is something that anyone would wish to sustain.

The second argument to trim is that the Asian community is becoming more and more successful, richer and richer and that they are now—I am pleased to say—becoming natural Tories. Sometimes my right hon. Friend the Prime Minister talks about the failure of the British people to live up to her shopkeeping ideals. She says that they do not work hard enough. That is true, but it is part of the splendid nature of the British people and I do not condemn them for a moment. But the very people who live up to my right hon. Friend's Victorian ideals are the Asians. I expect that an increasing number of them will vote Tory, rather in the way that in previous generations the Jews have voted Tory.

Just as the Government are perfectly able, on occasions, to disagree politely with our friends the farmers or our friends the small business men, so we can politely disagree with our friends the Asians. There is all too often an attitude in the Asian community that says, "Yes, we are in favour of strict control of immigration. Yes, we understand that that is necessary so that we may enjoy the benefits of a peaceful and cohesive society. But will you please let my daughter's boy friend in because he is a special case?" We must be firm about that. Of course we must be polite, and of course we must avoid being offensive — as we should avoid being offensive to farmers when they want rather higher prices for their cereals. We are perfectly capable of disagreeing with those who support us.

I hope that my hon. and learned Friend will reach the conclusion that the Tory party has trimmed enough, that we now have a perfectly sustainable settlement and that no matter how elevated the influences that will be brought to bear upon him, we should stick to the settlement.

5.43 pm

Mr. Max Madden (Bradford, West): Thirty out of every 100 of my constituents originate from the Indian subcontinent or from Afro-Caribbean countries. There is hardly a family among them that has not been touched by our immigration laws, rules and procedures. Each has a bitter complaint to make; each has a personal indictment of the immigration laws that we believe are racist and sexist.

We are told by the Home Secretary and other Ministers that the immigration and nationality laws are firm and fair. That has been repeated today. I refer them to a letter that has been sent to many hon. Members by the United Kingdom immigration advisory service. Commenting on the expression that firm and fair immigration controls mean good race relations, it states:

"it is essentially a view of race relations from the point of view of the white majority. What it fails to take into account is the alienation from British society felt by those who are British citizens, or lawfully settled in the United Kingdom but who find that they are unable to be united with their loved ones because of the obstacles inherent in the present operation of the immigration control procedures. Nor does the statement . . . take account of the alienation felt by sponsors, often long-established within their communities in the United Kingdom who may find themselves (far more often than those from other groups) at the 'sharp end' of an aggressive interrogation system when they go to meet relatives or visitors at Heathrow airport. Good race relations is a two-way process".

The indictment in the report that we are debating is that the authors of that valuable document believe that our current immigration control procedures are counter-productive in good race relations. It is a paradox that on the one hand the Home Office is seeking to promote good race relations, while on the other it is the political master of immigration control procedures that are acting decisively against good race relations.

The main finding of the report is that immigration control procedures place too much emphasis on preventing evasion and not enough on ensuring that genuine applicants and bona fide passengers can exercise their rights. Some of the matters to which the hon. Member for Wolverhampton, South-West (Mr. Budgen) referred are not about the convenience of Members of Parliament. When we ask for greater use of the power of temporary admission, we are not concerned about the convenience of those who seek to come here as genuine visitors. We want to improve their convenience by allowing them to escape from Heathrow airport where they are detained for hours, even for days, to enable proper inquiries to be made, which, in most cases, confirm that they are genuine visitors entitled to visit the United Kingdom to see their relatives and friends.

In arguing for a just, fair and non-discriminatory immigration policy for the many people who originate from ethnic countries, we are not doing so to sustain or support the Conservative party. Many of the policies that the Government are implementing, especially high interest rates, are hitting hardest the businesses run by the ethnic minority communities. Indeed, our debate on Monday was nothing to do with giving customers a wider choice; it was about hitting the wages and conditions of those working in retail shops. That will hit the ethnic minorities very hard. It gives the green light to large, multi-retail outlets and supermarkets to trade seven days a week.

We want immigration control and entry clearance procedures that are operated by staff who respond sensitively and faithfully to political control—and the political control stems from the Home Office and the Foreign Office, and it needs to be changed decisively. We must have immigration and entry clearance procedures that do not discriminate in the way that has been highlighted in the debate.

Unlike so many of those Conservative Members who face me, I am not a Queen's counsel or a solicitor——

Mr. Greville Janner (Leicester, West): There are some behind my hon. Friend.

Mr. Madden: Indeed. I suggest that undoubtedly the QCs and solicitors sitting behind me will agree that the primary purpose test is a grotesquely unfair administrative procedure that has been introduced deliberately to minimise the number of fiancés allowed to enter this country. The Government should remove this grotesquely

[Mr. Madden]

unfair test. We have heard much about the courts today. I am told that such leading questions would be inadmissible in court.

Mr. Janner: It is not just that the questions are unclear and misleading; they are often asked in a language that the person who is expected to answer does not understand properly, so it is often quite impossible for that person to give an acceptable answer. That is one reason why the system is grossly unfair.

Mr. Madden: I am pleased to have confirmation from a prominent QC.

Those of us who represent ethnic minorities know that current procedures encourage entry clearance officers to refuse applications on the basis of answers in response to leading questions, without making sufficient effort to get relevant evidence. The result has been that many genuine arrangements for marriage and many marriages have been thrown into tatters. The United Kingdom immigration advisory service and many other organisations believe that the primary purpose rules are unworkable in the arranged marriage system on the Indian subcontinent and should be amended so that the requirement is simply that marriages should be genuine. That is the united view of Labour Members.

The fact of divided families sits uneasily with the bland assurances of the Prime Minister and the Government about their belief in the unity of the family. Men are often separated for several years from their wives and children. I know the difficulties of trying to explain to Ministers why a man in Britain should want to bring in a middle-aged woman and several children if they are not his wife and children. The Home Office, the immigration service and entry clearance officers insist on refusing to accept that the bulk of applications are genuine. The reasons for the long delays are utterly unconvincing. The queues could be swept away if there was the political will to do that.

In the past few months, the injury has been compounded by the Government's introduction of a fee for entry clearance. People have to wait for interviews, in which they are treated in a dismissive and disparaging way, and have to pay for the privilege of being interviewed. Long delays in interviewing applicants, inquisitorial methods, scant regard to documentary evidence of relevant issues and extremely unsatisfactory methods of reporting interviews are factors which unjustifiably enhance the restrictiveness of the immigration rules applicable to wives and children. Most applicants are assumed to be bogus. I have been told that many immigration and entry clearance officers work from the premise of applicants being deceitful and dishonest.

I support those hon. Members who have urged the tape recording of interviews. The arguments that have been used opposing my representations on this matter are utterly unconvincing. I hope that there will be progress with the tape recording of interviews and that, in the meantime, notes of entry clearance officers will be readily available, especially for appeal procedures. I am glad that the CRE has recommended that arrangements should be made for tape recordings, as did the Select Committee on Home Affairs several years ago.

I should like to do some special pleading. In Yorkshire, we have many people in the ethnic minorities, particularly from the Indian subcontinent. Many of them face great difficulties as a result of the present arrangements. I hope that the Home Office can look sympathetically at the possibility of designating Leeds-Bradford airport as a port of entry. In that event, more flexible temporary admission rules would enable interviews to be conducted at Leeds-Bradford if we had more immigration officers there.

I should like more funds to be made available to the United Kingdom immigration advisory service so that it can expand its office in Leeds or a second office elsewhere in Yorkshire. We have heard much about the Government's views and their support for non-discrimination. All their appeals and statements will fall on stony ground, however, unless they respond much more willingly to the recommendations of the CRE report.

I welcome the debate, but I am sorry that the Minister of State rushed to the television studios before the ink on the report was dry to condemn it forthrightly. He described it as utterly flawed and unrealistic. He started with restraint, but his basic instincts took over later in his speech and in some of his interventions. I regret that, and it will be bad news for some of his hon. Friends who assiduously seek electoral support from the Asian community.

In a speech to the Monday Club, the Home Secretary said:

> "We utterly reject racialism, or cruel, discriminatory conduct of any kind against any human being".

The joint council for the welfare of immigrants says in a briefing which has been sent to all hon. Members:

> "These public statements, and the government's other commitments to preserve family life and the rights of the individual, need to be backed up by action to prevent the rights of black and Asian settlers here from being diminished by administrative means."

That is the indictment in the report. The Government are discriminating against black and Asian people, especially women, by administrative means. I urge the Government to respond sympathetically to the CRE's recommendations and, above all, to the appeals of Labour and some Conservative Members. These matters lie at the heart of good race relations. We need not crocodile tears and soggy speeches from the Home Secretary but decisive action to implement recommendations which would radically improve race relations and do a great deal to repair the lamentable performance of successive Governments. It is not our task to apologise for the deeds of past Labour Governments.

Mr. Brandon-Bravo: Why not?

Mr. Madden: Because we are pledged to the commitments which the shadow Home Secretary made today. I assure the ethnic minorities that we are pledged to those commitments. Given success at the next general election, we shall carry them out.

6 pm

Mr. Warren Hawksley (The Wrekin): I have a constituency interest in the problems of immigration. There are about 4,000 immigrants in my area, but before becoming the hon. Member for The Wrekin, I fought the constituency of Wolverhampton, North-East on two occasions, so I have some insight into the problems that we are debating.

In discussing this issue, we should at the outset thank the Minister and the officials of his Department for the way in which these matters are dealt with. The immigration officers, particularly at Heathrow No. 3 terminal also

deserve our thanks. It is my experience, when taking up cases with them, that they are extremely helpful. They do a difficult job to the best of their ability.

I welcome hon. Members being involved in these issues and I sympathise with my hon. Friend the Member for Bradford, North (Mr. Lawler) who said that he did not welcome being woken up during the night to have to deal with such problems. The Minister was right to say that all the aeroplanes seem to arrive at the same time. Indeed, they all seem to arrive during bank holidays. Problems seem to arise at inconvenient times.

I hold two strong views on this issue. First, immigration should be restricted more than it is at present. Considering that we live in a crowded island and have 3 million unemployed, we should take a stronger, rather than a weaker, line. Secondly, in terms of the race industry, as I call it, the report of the Commission for Racial Equality does more harm than good. Using the law, bullying and threatening does not make anybody love his or her neighbour. Indeed, the indigenous population can think that they are becoming second-class citizens. Such action is harmful to race relations.

What was the cost of the report? It seems to go beyond the ambit of what I expected the CRE to do. The bias of the report could result in it being used as a nail in the coffin of the commission, a body which costs £10 million of taxpayers' money every year. I hope that we shall see, as a result of the report, a slashing of its budget.

The report implies, wrongly, that good race relations can be brought about by allowing in large numbers of immigrants or by being soft on illegal immigrants and overstayers. That is not true. Many immigrants in my constituency with whom I have spoken support my immigration views. They want no additional protection under the law beyond that given to the indigenous population, and they do not want illegal immigrants to be let off. They want them found and returned to their countries of origin. They believe that that is the way forward if we are to have harmony, and they are right.

I recently dealt with a case which the Minister may recall. The immigration authorities suddenly arrested the local imam from the mosque in my constituency. When I investigated the case, he admitted that, under another name, he had been deported by the last Labour Home Secretary and that in yet another name he had tried to re-enter the country. He then turned up in Telford as the local imam. It was a fascinating case because he was apprehended not by the police but by his own community. Members of the mosque made a complaint to the immigration authorities about him being an illegal immigrant.

That shows how important it is to apprehend illegal immigrants and overstayers. The Government are wrong to step back slightly. They should use the police to carry out that type of work. The Government should use all agencies to enforce the law because better race relations are brought about by the enforcement of the law and by returning illegal immigrants and overstayers.

Ms. Clare Short: Has the hon. Gentleman read the CRE report that he denounces so roundly? Is he aware that it makes no reference to illegal immigrants and does not appeal for such immigrants to be given additional rights? It appeals for the decent treatment of people who, in theory, have the right to visit their families, to marry or to join their families here. He denounces the report but speaks only of illegal immigrants, when the report is not about that issue.

Mr. Hawksley: The hon. Lady appears not to have read the report. The recommendation at page 108 is clear:

"The interests of race and community relations should weigh heavily on the planning and conduct of large-scale action carried out to trace overstayers and illegal entrants."

I am not saying that the report is desirable. Recommendation 50 suggests that we should go soft on catching illegal immigrants and overstayers.

Mr. Janner: It is unfair on the commission for the hon. Gentleman to read only those parts of a passage that suit his case. At page 108, the report adds:

"In saying this, we are not seeking to protect people who enter or remain in the United Kingdom illegally from discovery or from other adverse consequences of their actions."

Why is the hon. Gentleman trying to mislead the House about the views of the CRE?

Mr. Hawksley: I was answering the intervention of the hon. Member for Birmingham, Ladywood (Ms. Short) who claimed that the report did not mention illegal immigrants and overstayers. I showed that it did.

Ms. Clare Short *rose*——

Mr. Hawksley: I will not give way to the hon. Lady again because time is limited and Mr. Speaker has urged us to be as brief as possible.

I have shown the hon. Lady where the report deals with these issues, even though, in my view, the report is wrong. It is also wrong to try to exclude pressure-to-emigrate countries from special attention because it is realistic for the Government to explain that that is where the problems originate. It is logical, therefore, that we should put our resources into trying to catch those who are defying the law.

Two points have arisen in cases that I have taken up. Immigration officers might take more notice of those who, on coming in, are particularly frightened and nervous. An example of such a person came to my attention last weekend. An Indian arrived and claimed to be married. Everybody knew that he was not married——

Ms. Clare Short: Everybody?

Mr. Hawksley: ——and when challenged, he said that the only reason why he had said he was married was that a fellow passenger on the plane had told him, "If you have any problems with immigration control, do not worry. Just say you are married and you will get in." He did that, and was led into great difficulty as a result. Hon. Members should do more to explain, particularly to the sponsors, that they must ensure that those who are coming as visitors and immigrants must be totally honest and not give answers which they think the immigration officers want to hear.

The second problem is that of language. There are occasions when interpreters are not sufficiently expert. I do not have a strong view on the question whether tape recorders should be used, but we should ensure that facilities are provided which enable interpreters to respond to all the dialects with which they are likely to come into contact.

When something goes wrong and there is trouble with visitors or immigrants, are the respective Members of Parliament informed of developments? I ask that because in the six years that I have been a Member of Parliament

[Mr. Hawksley]

there has been only one occasion when the Home Office told me that someone, whose case I had taken up, had absconded and disappeared. I got hold of the sponsor and within 24 hours he had frogmarched the person down to the police station. In fact, he had escaped from detention. I hope that the Department advises the Member of Parliament who has made representations when a case goes wrong, and whether the person overstays or, if called back, does not appear. It would be helpful to us to have that information.

The present procedures are right. The way forward is to support them. The report should be ignored, and we should go forward supporting the Government's proposals, which are fair and will lead to better race relations all around.

Several Hon. Members *rose*——

Mr. Speaker: Order. Before I call the next speaker it may be for the convenience of the House to know that the Opposition Front Bench spokesman will seek to catch my eye at 6.40 pm. There have been some rather long speeches. I ask those who follow to be brief.

6.11 pm

Mr. Simon Hughes (Southwark and Bermondsey): The hon. Member for Wolverhampton, South-West (Mr. Budgen) spoke of the two great parties, and the increase in the number of people in immigrant communities who are moving towards being natural Tory voters. It rang a little hollow on a day when one of the parties to which I presume he was referring is lying third behind the other two in the opinion polls. I am forced to the conclusion that the two great parties that the hon. Gentleman talked about exclude the Conservatives.

I approach the debate on the following premise. In the community that is the United Kingdom, or in the community of a constituency—that applies to almost everybody's constituency, certainly my own of Southwark and Bermondsey just over the river—the majority of people are white and are not immigrants. Yet almost every single case that comes before us, which raises questions of immigration procedures, concerns someone from Asia, Africa or the Caribbean—certainly someone who is not white—who has to go to his family's Member of Parliament so that the matter may be considered.

The history so far of my relatively short time in the House shows that, with one or two exceptions only, it is clear that there is injustice, discrimination and unfair and unjustifiable treatment primarily to immigrants from the poorest Commonwealth and other countries, and primarily to communities that are black or brown—the Asian or African communities.

Nobody has advocated that controls should not be required. The CRE report does not suggest that for a moment. It is amazing to hear the sort of comment that we heard from the hon. Member for The Wrekin (Mr. Hawksley). He showed his true colours, arguing that the CRE should be abolished. He believes that race equality in Britain is now so perfect that no watchdog body which is independent of Government is required to stand up for the minority ethnic communities. That is an appalling position to take up when there is blatant discrimination against them on every day of every week and every year.

Ms. Clare Short: Will the hon. Gentleman give way?

Mr. Hughes: Let me press on. The hon. Lady might get a chance to speak in a second.

Ms. Short: No chance.

Mr. Hughes: The next thing that is clear is that the report was born because there was a need for an objective report. It was a good and thorough piece of work, and in no way produced conclusions that are extremist, unreasonable or unsupported. To argue that the Government should not be disposed to accept what is proposed as a set of recommendations, and for the Government to try to resist what is in every way a reasonable set of proposals is a wholly unacceptable attitude.

I have to say this, and Labour Members have confirmed it. Governments of both parties have not lived up to their pledges. In the interests of the immigrant communities, I hope that in future Governments will live up to the pledges that they make. However, as long as they confuse immigration laws with nationality, that will never be possible. The starting point for putting right what is wrong is getting our law on nationality into good order and dealing with immigration controls in the way that was intended.

There is no reason why treatment of the community of people who are our European neighbours and partners, and their families and relatives, with their rights to bring their families in and out of this country, should not be the same as for the community of people who are our Commonwealth partners. There is an illogicality in believing that the community that has been established longer should be treated less favourably than the Community to which we have given access more recently.

The report argues clearly that people who come here as immigrants, whether as visitors, to join their families or, in the normal course of events, to settle here, should be treated as individuals with rights, and fairly and decently. They should be treated free of bias, and in a way that takes into account where they come from, but does not determine their treatment. They should not be treated in a stereotyped manner because they come from Dhaka, Bangladesh, India, Sri Lanka, or because they are Tamils, and so on, of which there is evidence. It is unacceptable for the presumption often to be that if somebody happens to be unable to speak English and comes from a certain country, and cannot easily present his case, he should get a much less fair deal than many others who come to our ports of entry.

As the commission rightly says, at the end of the day there must be discretion by the Government. However, my colleagues and I entirely support the CRE's conclusion that that discretion must be limited as far as possible, and that

"the more clear-cut the expression of rights in the rules is, and the less hedged about with provisos and limitations they are, the better."

People need to have rights and to know what the rights are.

The other essential point is that, if unfair discrimination is to be avoided, decisions about individuals should not be prejudiced by judgments about the groups of which they are members or with which they are associated, even if those judgments appear well founded. It is unfair to presume that people are bogus or dishonest applicants. As every hon. Member who has argued this case has said—even those from the right of the political spectrum—the number of people who come here and abuse their

entitlement is minuscule. In the two and a quarter years since I have been in the House, I have heard of only one such person. The matter came up last Friday at my advice centre. The person to whom I wrote asking whether he could help me find a woman who had gone to ground said that he and his relatives were going out twice daily to try to ensure that she was returned home. Those people know that what they do reflects on their community. In the interests of good race relations, they want to make sure that others appreciate the diversity of races, and respect them, and do not regard them as abusers of the law and the rules.

The primary purpose rule has been condemned. It has been proved to be ludicrous on many occasions. There is the case of the British wife and the Moroccan husband, which the Minister knows. She tried almost everything to try to show that the primary purpose of getting married was not just to get him into this country, but they wanted to get married because they loved each other. How can she prove that, when at the same time the rules are reversed, as it were, when a British husband is trying to get his foreign wife into this country. Next Tuesday the European Court of Human Rights should make a judgment that will condemn the Government yet again for being inconsistent and discriminatory on grounds of sex. The court will say that the Government have to change the law. I hope that they will respond much more quickly than the Home Office normally does when, yet again, it has been found to be at fault. The sooner we have a Bill of Rights, the less regularly will we have such ludicrous discrimination.

That case brought one other thing to light. It brought to light an example — there are many — of the most appalling discriminatory treatment by a member of the Home Office staff. Of course, it does not happen every day, and I do not tar everyone with the same brush. However, allegations were made that that official said things such as, "I do not like north Africans," and, "I do not like your husband."

It has also now been accepted by the Home Office that the person's attitude, and the way in which his investigation was carried out, was "indiscreet and over-zealous".

Those words were used by someone in the Home Office. Such an attitude is unacceptable. For as long as the immigration service includes officials who behave in that way, is it surprising that the immigrant communities feel that they are not treated fairly? Is it surprising that we complain when a British woman who is married to a Turk has her house visited in the middle of the night by officials to ascertain whether she is living with her husband? Is that the type of treatment that we believe reflects the civilised democracy to which we lay so regular a claim? Is it fair that the treatment of a man who wants to marry someone from, say, Mauritius is much less good than if each of the partners was in that country when they first decided to marry? In every case, those who come, whether as students or visitors, abide by the rules. They come here for good reasons. *[Interruption.]* In nearly every case they are let in only because Members of Parliament are telephoned about the matter and decide to make representations. By the time those representations have been made and considered, the two or three-week holiday has passed or the study visit has been achieved.

Post-entry controls work in an unfair and discriminatory manner. One of my constituents was arrested and held for a considerable time because the officials believed that he was his brother. They did not bother to check the details accurately at the beginning of the case to discover that the two people lived at different addresses. It is not right that one community should have this type of specific control when other communities would in no way accept that control.

The report is about good relations. The Minister talks about exercising discretion. Take the case of a woman who was admitted to Britain as a visitor and married a man, who had a right to be here, who deserted her, leaving with two children who had been born and brought up here. She lives in a community which is almost entirely white, as parts of my constituency in Rotherhithe are, which says, "In the interests of a good community, this Ugandan lady should not be sent home." Yet, so far at least, the discretion of the Home Office has not been exercised in favour of that family.

The sooner we respect the rights of the less privileged to have equal treatment and realise that the comments of other people should be listened to seriously and with interest, the better. I hope that the Home Office will realise that the sooner it is regarded as the upholder of the rights and privileges of all citizens, and not just those best able to argue for themselves, the better.

6.22 pm

Mr. Martin M. Brandon-Bravo (Nottingham, South): The saddest aspect of this subject is that, unless one follows current convention and swallows without question the endless outpourings of the race relations industry, one is, at best, bombarded with unpleasant epithets and, at worst, one fears for family and self.

There is a large ethnic minority in my constituency, and our city of Nottingham is multi-origin, multinational and multi-creed. It is a great and colourful city. It has problems with sections of some — I stress the word "some" — of those minority groups. Those troubles lie with only a minority of a minority and they must not be allowed to be blown up out of all proportion. In a thoughtful article, Mr. Tom Hastie, a former ILEA officer, said:

> "The level of alleged racism in any given society will vary in direct proportion to the number of people handsomely paid to find it."

Sadly, that is our experience in Nottingham where such people revel in the inanimate title of "chair".

We heard from the Opposition Front Bench the most cynical manipulation of human expectations for purely party political purposes — regardless of the damage to general harmony or to the welfare of the minority communities. Saddest of all is the distress that is caused to those within the minority communities who seek only to be part of, to contribute to and to be accepted by the host community.

Mr. Janner: Host?

Mr. Brandon-Bravo: The host community.

The debate should be not on the law as it is but on how it is applied and whether it is fairly applied. I believe that, in general, the people charged with applying the law try to be fair. But they, too, are human beings. I doubt whether any hon. Member, whatever the side of the House from which he speaks, would do an immigration officer's job day in day out without making an error and without tapping pencils on desks. They are, indeed, human beings.

There was much of merit in the report. I share the views of colleagues who urge Ministers not to dismiss it in its

[Mr. Brandon-Bravo]

entirety. Let us take from that report that which is good. Equally, there is much in the report that I beg to question. From my experience in Nottingham, I cannot understand why the report referred to "no contact" with Inland Revenue. The Inland Revenue has ready access to the rest of us. It seems perfectly reasonable to ask for the names of children and family trees. The sooner we obtain the truth about a case, the better.

I have been asked, "Please, Mr. Brandon-Bravo, I would like a three-month holiday." On application to the Minister, that three-month holiday has been granted, only for me to receive, eight or nine weeks later, the request, "May I have another six months?" These matters cause doubt and concern, and it is not unreasonable for people to be suspicious.

The right hon. Member for Manchester, Gorton (Mr. Kaufman) asked three questions as though, in some way, none of us has ever been faced with the problem of dealing with sham marriages. I refer the right hon. Gentleman to page 183 of the report.

In annex B the immigration service rightly concludes:

"There is no reason to believe that the incidence of evasion will decrease to any marked extent, for while the pressure to emigrate for economic reasons from Third World countries remains, developed countries will continue to be subjected to determined efforts at settlement by unentitled potential immigrants."

That is not an unreasonable statement, and we cannot simply ignore it.

On Tuesday there was a mass lobby in Parliament which was supported by the Opposition parties. I do not believe that the total abolition of our immigration laws would be in the best interests of the population as a whole.

Mr. Alfred Dubs (Battersea): We never said that.

Mr. Brandon-Bravo: I know that it is not in the interests of our minority communities either.

6.28 pm

Mr. Sydney Bidwell (Ealing, Southall): As hon. Members know, I am involved, perhaps more than any other hon. Member, in immigration questions. The Minister must be a little weary of writing my name almost daily. I have said to the hon. and learned Gentleman that I have always regarded the job of immigration Minister as a tough job, whatever the Government. The Minister must not just allay the fears of one section of the Conservative party. Conservative Members are not here in great numbers but, on the equality of spouses, they have shown themselves in previous debates to be sexist and anti-women's rights. That is the way in which they have addressed the problem concerning the unity of the sexes — whether a woman may decide. This principle is enshrined in the European convention on human rights. The changes in the rules are due more to that convention than to the magnanimity of the Minister of State or the Prime Minister. It was observed that there were prima facie cases of a contravention of the European Convention on Human Rights. In order to put that right, there has been a reversion — in a fashion — to the concept of the equality of the spouses. As a result, a number of people have entered the country.

I asked on one occasion whether priority would be given to husbands as a result. The question of the primary purpose of the union was less difficult to answer in such cases, especially when children had been produced. A wife who was living here might well have met her mate on a visit overseas. Those who work for British Airways or Air India find it easy to obtain cheap flights back to the land of their parents or grandparents, and unions may be made in that way. In my view, there is a strong movement away from the old-fashioned concept of the arranged marriage. It is a rule that the couple are required to have met each other before marriage, but there is evidence of blockage in cases where there has been considerable correspondence between the male and the female.

The Minister says, quite fairly, that this debate will have some bearing on the Home Secretary's response to the CRE's report. The CRE is closely involved with the matter, and I hope that the Minister will listen to the views expressed on both sides of the House. I have never approached this question in a partisan way. I have written a book on the question and I was involved some years back with the Race Relations and Immigration Sub-Committee. The Committee struggled to achieve unanimity. My prime purpose at that time was to take the question out of the cockpit of party antagonism.

The Minister is right. There has been no fundamental difference on the matter. I ask the Minister to take a cool look at the matter. He is charged with responsibility not only for the administration of the immigration rules, but for race relations. The Minister has made it clear that he does not wholly agree with the report—some people are sceptical about some of the phrases used in it—but he must take note of the report and the attitude of the United Kingdom immigration advisory service, which is funded by the Home Office to advise people in this country and overseas on their lawful rights.

The CRE was set up under the Labour Government's Race Relations Act 1976. The two parties were united about the basic ideas in the Act, although there were some differences. Lord Whitelaw, who was then Home Secretary, accepted many of the arguments put forward by the Opposition. The cut and thrust of debate led to the establishment of a more civilised system.

The Minister achieves nothing when he says how harsh the Labour Administration could be. He is, of course, quite right. One has only to look at the Commonwealth Immigrants Act 1968 which was a forerunner of later things. One has only to look at the attitude of my right hon. Friend the Member for Cardiff, South and Penarth (Mr. Callaghan) at that time towards the then Minister of State, Mr. Alex Lyon. Mr. Lyon was sacked. I protested about that sacking. I thought that Mr. Lyon had shown a decent and humanitarian attitude towards black and brown people in this country. He seemed to be taking an objective view and acting in a proper way, and was most approachable. I have not had any difficulty in gaining access to the present Minister of State either. I do not wish to dub him a racialist, as he has been called. That is no way to achieve the shift of attitude that the bulk of the House — including a number of hon. Members who are not present this evening—seems to desire.

Mr. Pavitt: I too have been involved with this issue over the past 25 years. The first director of the CRE, Mr. David Lane, was one of the best of traditional Tories in the Macmillan-Macleod line. The Conservative Government have always been antagonistic towards the CRE, and Mr. Lane was given a rough ride by the Tories.

Mr. Bidwell: The CRE cares and worries about ethnic minority rights and related questions nearly all the time, and it would be fair to assume that it would respond in a very sympathetic and penetrating way. The report shows that it has done so. I would not say that I agreed with every syllable of the report, but the Minister should not ignore the grave disquiet that it exhibits about the racial minorities.

The Minister referred to adding to the numbers administering the rules. He must do better than that. There is undoubtedly an inbuilt delay system. When I went overseas with the Sub-Committee, I asked immigration controllers in all three countries in the Indian subcontinent about these matters and they frankly agreed that the system is designed so that people should only trickle through. That is not surprising. The inbuilt delay system was attendant upon the 1968 Act. British passport holders were excluded from being considered for immediate admission. That situation still exists.

The report of that Sub-Committee is well worth studying. We recommended speeding up the interviewing system. We suggested that British officers should be sent to the pocket area of migration in Bangladesh, south of Bombay, to deal with the Gujerati question and to Jullunder, where many of the settlers in my constituency have come from. That immigration in my constituency caused some initial alarm, but many friendships have since been formed, and there is much mutual concern and care among the communities.

The Minister should talk to the second and third generation—the babies of the babies—in order to get at the guts of the matter. There is a language difficulty, but that is what the Minister should do, and he should make some more substantial proposals than those that we have heard today.

6.38 pm

Ms. Clare Short (Birmingham, Ladywood): I am grateful for the chance to speak, but somewhat flummoxed by the shortness of the time available to me.

The CRE has done a fine job in giving all the details of the discriminatory practices that, as all hon. Members who represent substantial black communities know, are encountered from day to day by members of those communities when they ask family members to stay with them or to take care of their elderly parents in their dying years. One of the most disgraceful and disreputable elements of our immigration control system is that people are not allowed to bring their elderly mothers, or fathers — perhaps aged over 70 — to live with them, even though they have the necessary housing and income. No one can say that this is pressure-to-immigrate, or that such people will take jobs or anything else, but we do not allow them entry.

The other disgraceful operation of our immigration control is the refusal to allow our Asian women the same rights to marry whom they wish as our white women. The operation of the primary purpose rule is deliberately, continually and crudely racist. It removes some rights from Asian women, many of whom I have met and talked to in my constituency. Many of these women have been to the subcontinent and met men whom they have decided they wanted to marry. They have married there and stayed for a year, thinking that they would wait together in the year-long queue before the interview, after which they would come back to the United Kingdom together.

In a number of cases, the women have found themselves pregnant and come home—as they always say—for decent health care for their baby. Then, the Minister's immigration officials, applying the rule that he defends so passionately, have refused the husbands the right to come to join wives in the United Kingdom. In Ladywood alone, 12 children of such marriages have never seen their father. That is a shame and a blot, and, from a party that denounces countries such as the Soviet Union because of its treatment of families and its separation of family members, it is extremely hypocritical.

The Minister's pressure-to-immigrate argument is a deep insult to the black communities of Britain. He looks at the world and suggests that anybody who comes to Britain from France, America or Canada, for example, will be authentic, decent and properly qualified. However, anybody who seeks to come here from a poorer country, the Third world or a developing country is somehow disreputable. He looks at the whole group, and, whatever the individual circumstances of the family or their entitlement, treats them as second-class applicants. He assumes that a person who is married to someone from India has lesser rights than a person who is married to someone who comes from America. The same is true about visitors and elderly parents.

This is a disgraceful and disreputable argument. Superficially, it sounds acceptable, but in practice it is wrong. Many poor countries have no contact with Britain, and no pressure to emigrate here. Not many people from China, for example, wish to come to Britain. People do not wish to come here from all over India or from all over Bangladesh. Those who want to come are relatives of people who came legally to Britain when Britain wanted workers, and they want to join their families as wives and children, as elderly parents or married partners. To treat all of them as inferior applicants because the country from which they have originated is poor is racist in the extreme, and deeply unacceptable.

The Minister constantly compares his record with that of the Labour Government. However, everyone in the Government of which he is a member disdains and rejects the economic policies of previous Conservative Governments. None of us would be in politics if we thought that everything that had been done in the past was perfect. The record of Labour and Conservative Governments has not been identical. The Conservative party has always had a much more deeply racist element within it, which has called much more passionately— *[Interruption.]* There is no doubt about it, and Conservative Members know it, and some members of that element have participated in the debate tonight. We saw it in the revolt on the primary purpose rule in 1983. The records of which party passed what legislation are different.

My party's record is deeply blemished and not good enough. We have had a major argument within the party about that and we have now committed ourselves, through our conference and through our Front Bench spokesmen, both the present one and the previous one, to improve on our record. We mean it, and we shall do it. We are ashamed of the things that we did wrong in the past and we shall make sure that we do better next time.

6.44 pm

Mr. Alfred Dubs (Battersea): I congratulate the CRE on its excellent report, professionally carried out, and with

[Mr. Alfred Dubs]

conclusions that are important to all hon. Members and the people. It is a tribute to the CRE that such a high standard of work has come from it. It is no wonder, given the Minister's attitudes, that his Department did its best to stifle the report before it got started. We know the history of the legal attempts made by the Government to prevent the CRE from continuing with the report.

The report is limited in scope and moderate in its language and conclusion—after all, it talks only about administrative improvements in the procedures. If every recommendation were to be accepted, there would be no new immigration commitment. Some hon. Members seem not to be aware of that, so I shall repeat it. Every recommendation in the report added together would not represent a single new immigration commitment.

What we need, and what we have the right to ask for, is a detailed response by the Minister to each and every one of the report's recommendations. We have had the odd one turned down, a comment about one or two suggesting a possibly sympathetic response and nothing much about the rest of it. The Minister owes it to the people who have put a lot of work into the report, to Members of Parliament and to the country as a whole, to say what he and his Department think of each of those recommendations.

The Minister, both today and in speeches made outside the House, has not denied any of the evidence in the report of maladministration in immigration procedures, of rudeness to applicants or of racial discrimination against people who have had dealings with ECOs or immigration officers. He said that he had priced the immigration implications of something that I had said on a previous occasion and not in the context of the report. If the Minister's attitude is to say that principles do not matter, and he will look simply at the numbers involved before making any decisions, that suggests that his policy is even more squalid than most of us had thought.

I have a word of welcome for three things that the Minister said. He suggested that he agreed with the recommendation that there should be some training for new ECOs. He said that there is a possibility that he will consider publicising instructions to ECOs and that he would make a small temporary increase in the number of ECOs in Dhaka and Bangladesh.

However, the Minister did not say whether he accepted the key point on the report, which has already been referred to by my hon. Friends, but which I shall quote again. The report says:

"it is far worse wrongly to refuse a genuine applicant than to admit a bogus one; and it is far worse to delay the exercise of their rights by genuine applicants than to allow a bogus applicant through the net in efforts to avoid delays."

A great deal hangs on the Minister's answer to the question whether he accepts that.

Much of the thrust of the report concerns the manner in which interviews are carried out, with people seeking to exercise their rights under immigration rules and Acts. There was one telling quotation from an ECO who said, either to the interviewer or in written evidence:

"Ask the sponsor if he can explain the gap in his child-fathering between (first child) and (second child). It was during this period that he first went to the UK, but he made a visit back to Bangladesh . . . yet no children were born as a result of that visit."

The implication of that statement is that the sex lives of these people are relevant to whether they are entitled to come to this country. The point seems to be whether sex was taking place between the couple because, if it was not, there was a doubt as to whether the wife had a right to join her husband over here. That is a shameful approach, which the Minister should repudiate without question, and I hope he will do so.

Attention has been paid by my hon. Friends to the interviewing of people under the primary purpose rule. I do not want to go through the whole argument but entry clearance officers are asking questions about the motives for marriage of people who wish to come together in this country. I question whether any couple subject to that sort of scrutiny could produce the answers every time which would allow an ECO to agree to entry. ECOs are not qualified to pry into marriages, yet the primary purpose rule seems to be an excuse for them to do so.

Mr. Nellist *rose*——

Mr. Dubs: A couple of years ago when I was on a visit with a Select Committee I sat in on some interviews. Let me tell the Minister about one line of questioning. A woman whose husband was here was being questioned. She was asked, "When did your husband last visit you?" She answered, "About a year and a half ago." The next question was, "When he last visited you how many people were in the compound when he arrived?" I had been in a compound near Sylhet the day before and I could not remember how many people had been there when I arrived. That woman, who came from a culture not as obsessed as we are with times, dates, places and numbers, must have found that a very difficult question. The reason for her being asked the question was that other Home Office officials here could ask her husband the same question and then check to see whether the answers were identical.

That type of questioning is unprincipled and shameful, and should be no part of our procedures. That is why I deeply regret that the Minister or one of his colleagues has said that there is no question of having a tape recording of the interviews. Tape recordings would provide a basic safeguard for what is being done in our name at interviews in Dhaka, Islamabad and elsewhere.

Mr. Nellist: On my hon. Friend's second point about the primary purpose rule, does he not agree that, apart from the legislation with regard to prevention of terrorism, under no other British legislation is a person presumed to be guilty with the obligation to prove himself innocent? The reverse is always true, supposedly, in British courts. When an entry clearance officer is making a decision under the primary purpose rule the assumption is that the marriage is not genuine, and the couple have to prove themselves innocent. Is that not so?

Mr. Dubs: I agree with my hon. Friend that the burden of proof is put on the applicant in a way that would be unacceptable in courts in this country. It is unacceptable to the majority of people here, especially when it is explained to them what is being done in our name.

When the report first came out, the Minister laid great emphasis on what he called the concept of pressure to emigrate. That is a circular argument. If the Home Office decides that there are certain countries from which there is no pressure to emigrate, those countries are not under the same scrutiny, and there is no problem about them. Since the Home Office decided that the West Indies was

not in the category of pressure to emigrate, that argument has not applied to Jamaica, Guyana and other parts of the West Indies. Because the Minister and his officials start from different assumptions in relation to other countries, they examine more closely what is going on there and arrive at different conclusions.

One has only to consider the figures quoted in the report for refusals of visitors. I was at Heathrow a couple of Saturdays ago and every person who was stopped that morning was non-white. That may have been coincidence, but the figures in the report bear it out. The refusal rates for visitors are 1 in 44 for Ghanaians, 1 in 80 for Pakistanis, 1 in 2,800 for Americans and 1 in 4,300 for Australians.

Other hon. Members have quoted racial stereotypes from the report. It is said that Moroccans from immigrant areas seem to be both simple and cunning. There are stereotypes about Ghanaians and Nigerians and about what people look like. We have seen the comment in the report:

"I want to do this re-interview myself. Hands off. This must be this year's strongest refusal".

Has the Minister taken any action about officials representing his Department who take such an attitude?

My right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) has already quoted the secret directive which says clearly — as the Minister has admitted—that delays and bureaucratic procedures are an attempt to regulate the flow of immigrants. I hope he will publish that directive in full. I am glad that the Minister was candid enough to repudiate what the Home Secretary said at a conference in Manchester recently, and honest enough to say that these are deliberate delays and that the method is being used in this way.

Mr. Waddington *rose*——

Mr. Dubs: I would rather not give way at the moment because I have one other point to make.

The Minister has used statistics incorrectly. The evidence is that in new Delhi the waiting time when the Labour Government left office was six months. Now it is 12 months. The waiting time in Bombay is not what the Minister said. According to the *Hansard* of the House of Lords of 24 May 1979, the queue for main settlement in Bombay was four and a quarter months in March 1979. The evidence is that when the Labour Government left office there were in Dhaka 15 ECOs, with two additional officers for seasonal relief. The number of ECOs is the same now.

Comparing 1977-79 with the period since then, the number of applications has gone down from 24,500 per year to 16,000. The number of applications processed in the last two years of the Labour Government was nearly 28,000 per year. It is now just over 19,000. In other words, efficiency is lacking. Far fewer applications are being processed. The Government's record is shameful. What is being done on our behalf is a disgrace to the name of Britain. I was not a Member of Parliament in 1977-79 but I criticised the record of the Labour Government. However, their record was a great deal better than the record of this Government. I say bluntly and without equivocation that if my right hon. Friend the Member for Gorton and I have the privilege of occupying the equivalent posts in the next Labour Government we will make certain that the promises and commitments we have entered into will be kept.

Mr. Waddington *rose*——

Mr. Nellist: On a point of order, Mr. Speaker. Can you advise me on a matter of procedure? Am I right in understanding that if the Government do not move the closure motion on this debate before 7 o'clock we will automatically discuss the private business in regard to the GLC which is set down for 7 o'clock and then, should that debate not take the full three hours allocated to it, we can return to this debate? I have 10,000 people who wish to be represented in the debate. Other hon. Members wish to discuss the matter again after the GLC business. Will that be the procedure unless the Tory Government decide to close the debate?

Mr. Speaker: The hon. Gentleman has got it absolutely right. If the closure is not moved and if the private business folds up before 10 o'clock we will come back to this business.

Mr. Harry Cohen (Leyton): On a point of order, Mr. Speaker. In view of our debate on the Interception of Communications Bill——

Mr. Speaker: Order. The House is not dealing with that Bill.

Mr. Cohen: Further to that point of order, Mr. Speaker. In view of that, is the Minister making policy on his feet when he talks about the question——

Mr. Speaker: Order. That has nothing to do with the matter.

Mr. Norman Hogg (Cumbernauld and Kilsyth) *rose in his place and claimed to move*, That the Question be now put.

Question, That the Question be now put, *put and agreed to*.

Question put accordingly, That this House do now adjourn:—

The House divided: Ayes 140, Noes 219.

Division No. 223] **[7.2 pm**

AYES

Ashdown, Paddy	Crowther, Stan
Banks, Tony *(Newham NW)*	Cunningham, Dr John
Barnett, Guy	Davies, Rt Hon Denzil *(L'lli)*
Beckett, Mrs Margaret	Davis, Terry *(B'ham, H'ge H'l)*
Beith, A. J.	Deakins, Eric
Bell, Stuart	Dewar, Donald
Bermingham, Gerald	Dixon, Donald
Bidwell, Sydney	Dobson, Frank
Blair, Anthony	Dormand, Jack
Boyes, Roland	Dubs, Alfred
Bray, Dr Jeremy	Duffy, A. E. P.
Brown, Gordon *(D'f'mline E)*	Dunwoody, Hon Mrs G.
Brown, N. *(N'c'tle-u-Tyne E)*	Eadie, Alex
Brown, Ron *(E'burgh, Leith)*	Eastham, Ken
Bruce, Malcolm	Fatchett, Derek
Buchan, Norman	Faulds, Andrew
Callaghan, Jim *(Heyw'd & M)*	Field, Frank *(Birkenhead)*
Campbell-Savours, Dale	Fields, T. *(L'pool Broad Gn)*
Canavan, Dennis	Fisher, Mark
Cartwright, John	Foot, Rt Hon Michael
Clark, Dr David *(S Shields)*	Forrester, John
Clarke, Thomas	Foster, Derek
Clay, Robert	Foulkes, George
Clwyd, Mrs Ann	Fraser, J. *(Norwood)*
Cocks, Rt Hon M. *(Bristol S.)*	Freeson, Rt Hon Reginald
Cohen, Harry	Garrett, W. E.
Cook, Frank *(Stockton North)*	George, Bruce
Cook, Robin F. *(Livingston)*	Godman, Dr Norman
Corbyn, Jeremy	Golding, John
Cowans, Harry	Gould, Bryan
Cox, Thomas *(Tooting)*	Hamilton, W. W. *(Central Fife)*
Craigen, J. M.	Harman, Ms Harriet

Hart, Rt Hon Dame Judith
Hattersley, Rt Hon Roy
Healey, Rt Hon Denis
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart *(Vauxhall)*
Home Robertson, John
Hoyle, Douglas
Hughes, Dr. Mark *(Durham)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Hughes, Simon *(Southwark)*
Janner, Hon Greville
John, Brynmor
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Kilroy-Silk, Robert
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lamond, James
Leadbitter, Ted
Leighton, Ronald
Lewis, Ron *(Carlisle)*
Litherland, Robert
Lloyd, Tony *(Stretford)*
McCartney, Hugh
McDonald, Dr Oonagh
McKelvey, William
MacKenzie, Rt Hon Gregor
McTaggart, Robert
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Maxton, John
Maynard, Miss Joan
Meadowcroft, Michael
Michie, William
Mikardo, Ian
Millan, Rt Hon Bruce
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Nellist, David
O'Neill, Martin
Orme, Rt Hon Stanley
Patchett, Terry
Pavitt, Laurie
Pike, Peter
Prescott, John
Radice, Giles
Randall, Stuart
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Roberts, Ernest *(Hackney N)*
Rooker, J. W.
Ross, Stephen *(Isle of Wight)*
Rowlands, Ted
Ryman, John
Sedgemore, Brian
Sheerman, Barry
Shore, Rt Hon Peter
Short, Ms Clare *(Ladywood)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, C.*(Isl'ton S & F'bury)*
Soley, Clive
Spearing, Nigel
Stott, Roger
Straw, Jack
Thompson, J. *(Wansbeck)*
Tinn, James
Wainwright, R.
Wallace, James
Weetch, Ken
Williams, Rt Hon A.
Winnick, David

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. John McWilliam.

NOES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Amery, Rt Hon Julian
Amess, David
Ancram, Michael
Arnold, Tom
Ashby, David
Atkins, Rt Hon Sir H.
Baker, Rt Hon K. *(Mole Vall'y)*
Baker, Nicholas *(N Dorset)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Bendall, Vivian
Benyon, William
Best, Keith
Biffen, Rt Hon John
Biggs-Davison, Sir John
Blaker, Rt Hon Sir Peter
Body, Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Bottomley, Peter
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Boyson, Dr Rhodes
Brandon-Bravo, Martin
Bright, Graham
Brittan, Rt Hon Leon
Brown, M. *(Brigg & Cl'thpes)*
Bruinvels, Peter
Buck, Sir Antony
Budgen, Nick
Burt, Alistair
Butterfill, John
Carlisle, John *(N Luton)*
Carlisle, Rt Hon M. *(W'ton S)*
Carttiss, Michael
Cash, William
Chapman, Sydney
Chope, Christopher
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Simon
Cope, John
Cormack, Patrick
Cranborne, Viscount
Crouch, David
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord J.
du Cann, Rt Hon Sir Edward
Durant, Tony
Dykes, Hugh
Edwards, Rt Hon N. *(P'broke)*
Eggar, Tim
Evennett, David
Eyre, Sir Reginald
Fallon, Michael
Farr, Sir John
Fenner, Mrs Peggy
Fookes, Miss Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
Freeman, Roger
Fry, Peter
Gorst, John
Gregory, Conal
Grylls, Michael
Gummer, John Selwyn
Hamilton, Hon A. *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hawksley, Warren
Hayhoe, Barney
Heathcoat-Amory, David
Heddle, John
Heseltine, Rt Hon Michael
Hickmet, Richard
Higgins, Rt Hon Terence L.
Hirst, Michael
Hordern, Peter
Howard, Michael
Howarth, Gerald *(Cannock)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irving, Charles
Jackson, Robert
Jones, Robert *(W Herts)*
Kershaw, Sir Anthony
Key, Robert
Lang, Ian
Lawler, Geoffrey
Lawrence, Ivan
Lennox-Boyd, Hon Mark
Lester, Jim
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lilley, Peter
Lloyd, Ian *(Havant)*
Lloyd, Peter, *(Fareham)*
Lord, Michael
Luce, Richard
Lyell, Nicholas
McCurley, Mrs Anna
Macfarlane, Neil
MacGregor, John
MacKay, Andrew *(Berkshire)*
Maclean, David John
McQuarrie, Albert
Major, John
Malins, Humfrey
Malone, Gerald
Maples, John
Marland, Paul
Marshall, Michael *(Arundel)*
Mates, Michael
Mather, Carol
Maude, Hon Francis
Mawhinney, Dr Brian
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Miller, Hal *(B'grove)*
Mitchell, David *(NW Hants)*
Moate, Roger
Montgomery, Sir Fergus
Moore, John
Morris, M. *(N'hampton, S)*
Morrison, Hon C. *(Devizes)*
Morrison, Hon P. *(Chester)*
Moynihan, Hon C.
Murphy, Christopher
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Norris, Steven
Oppenheim, Phillip
Osborn, Sir John
Page, Sir John *(Harrow W)*
Page, Richard *(Herts SW)*
Parkinson, Rt Hon Cecil
Parris, Matthew
Patten, Christopher *(Bath)*
Patten, J. *(Oxf W & Abdgn)*
Pattie, Geoffrey
Pollock, Alexander
Powell, William *(Corby)*
Powley, John
Prentice, Rt Hon Reg
Price, Sir David
Proctor, K. Harvey
Rathbone, Tim
Renton, Tim
Rhodes James, Robert
Ridsdale, Sir Julian
Rifkind, Malcolm
Robinson, Mark *(N'port W)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Thomas
Sayeed, Jonathan
Shaw, Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Silvester, Fred
Sims, Roger
Skeet, T. H. H.
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spence, John
Spencer, Derek
Spicer, Jim *(W Dorset)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Steen, Anthony
Stern, Michael
Stevens, Martin *(Fulham)*
Stewart, Allan *(Eastwood)*
Stewart, Andrew *(Sherwood)*
Stewart, Ian *(N Hertf'dshire)*
Stradling Thomas, J.
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
van Straubenzee, Sir W.
Viggers, Peter
Waddington, David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Walker, Bill *(T'side N)*
Walker, Rt Hon P. *(W'cester)*
Waller, Gary
Ward, John
Wardle, C. *(Bexhill)*
Watson, John
Watts, John
Wells, Bowen *(Hertford)*
Wheeler, John
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Yeo, Tim

Tellers for the Noes:
Mr. Michael Neubert and
Mr. Tim Sainsbury.

Question accordingly negatived.

Greater London Council (General Powers) Bill (*By Order*)

Order for Second Reading read.

Mr. Speaker: I have selected for debate with the Second Reading instruction No. 1—

That it be an Instruction to the Committee on the Bill to insert a clause preserving any pre-existing rights of succession vested in street traders and that, subject to such rights, any vacancies for street trading licences be advertised—

and instruction No. 4—

That it be an Instruction to the Committee on the Bill to leave out Part V, Clause 54 and Schedule 2.

7.14 pm

Mr. Tony Banks (Newham, North-West): I beg to move, That the Bill be now read a Second time.

It falls to me to move the Second Reading of the Bill, which is not a task I undertake with great relish. Perhaps I can make a few points by way of preamble. First, it should be noted that I am the first chairman of the GLC to move such a Bill in the House, and I trust that I shall not be the last.

Mr. Eric Forth (Mid-Worcestershire): You will.

Mr. Banks: Although the Greater London council is officially the promoter of the Bill, it is acting only as an agent, so hon. Members should direct their barbs not at me, but through me to the boroughs which introduced the Bill. The GLC has a direct link only with clauses 3 and 4. All other clauses have been inserted at the request of the London boroughs by the Association of London Authorities and the London Boroughs Association.

Under the terms of the Local Government Bill being discussed in another place, this could be the last Greater London Council (General Powers) Bill. If it is, the London boroughs will lose an efficient and convenient method of promoting legislation. Indeed, clause 85 of the Local Government Bill removes the effective realisation of Londonwide legislation. If that Bill becomes law, it is likely that the House will be presented with a hotch-potch of legislation promoted by anyone or any combination of 33 London boroughs. Clearly, the Government are no more interested in the efficient promotion of private Bills than they are in the efficient local government of London.

Most of the Bill is non-contentious. Hon. Members will have received a letter from the head of the GLC's administrative, law and parliamentary branch setting out in clear detail its provisions. Therefore, I shall mention those clauses only briefly. Clause 3 seeks powers to make a charge for dealing with applications for varying the terms, conditions or restrictions to existing entertainment licences. Clause 4 seeks new powers to serve a notice on each property owner and occupier on whose land adopted flood defences are situated to incorporate the adopted features into the flood defences of London so that alterations may be controlled. There are rights of appeal under the clause, and payment of compensation where appropriate. The GLC and its predecessor authority, the London county council, have done excellent work in flood prevention in London, and the Thames barrier is a unique technological tribute to both authorities.

Clauses 5 to 9 were inserted at the request of the LBA, supported by the ALA, and are designed to help to prevent footway collapse in London's streets, which include many vaults and cellars. Unfortunately, this is happening too often now as heavier and heavier lorries use our streets.

Clause 10 seeks to exempt from the licensing codes that control massage establishments premises which are run —*[Interruption.]* I am sorry, Mr. Deputy Speaker, but I must stand somewhere else, because it is a little difficult to concentrate in view of what appear to be interesting conversations being held just below the Gangway. Clause 10 seeks to exempt from the licensing codes that control massage establishments premises that are run by persons registered under the Professions Supplementary to Medicine Act 1960 or by registered medical practitioners. Since the Greater London Council (General Powers) Act 1984, the LBA and the ALA have accepted that premises used by members of bodies which specify qualifications and require their members to observe professional standards for the practice of chiropractic, osteopathy, naturopathy or acupuncture should also be exempted, and clause 10 provides that.

As for clause 11, the London Boroughs Association, primarily at the prompting of Westminster council, seeks to make amendments to schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 which relates to the licensing of sex establishments. I understand that the Home Office has objected. Rather belatedly, the London boroughs have submitted evidence to the Home Office to justify the provisions contained in the clause. I believe that that evidence will convince the Ministers. If not, they will make their feelings known in Committee.

The Greater London council is not involved in this part of the Bill and has no evidence to offer in support of the boroughs. Clause 11 seeks to establish control over the sex-related use of premises—for example, sex encounter establishments. These are establishments with which I am sure neither you, Mr. Deputy Speaker, nor I am acquainted. Clause 11 brings them within the provisions of schedule 3 to the 1982 Act. I shall leave hon. Members to read in the Bill the definitions of a sex encounter establishment. Because of my sheltered upbringing I could not bring myself to read them.

Secondly, the 1982 Act referred to premises which were involved "to a significant degree" in the selling or hiring of sex articles. The definition of "to a significant degree" has led to a considerable amount of argument, mostly between lawyers, at great expense to the ratepayers. One thinks of bookshops and video shops which sell some sex articles but which at the moment are able to avoid control under schedule 3 to the 1982 Act. The London boroughs wish to delete "to a significant degree" and substitute "includes the" in order to provide for the control of shops selling some sex articles.

Thirdly, the London boroughs want, quite rightly, to charge licensing fees in order to cover the reasonable cost of inspecting sex premises. Fourthly, the boroughs wish to have the same powers of forfeiture and seizure of apparatus and equipment — the mind boggles at that point — under schedule 3 to the 1982 Act as are currently provided under the Cinematograph Acts. Fifthly, the boroughs seek to allow a sex establishment to continue only until a licence determination has been made but not until an appeal has been completed. Hon. Members will be delighted to know that part IV will be withdrawn. If the House gives a Second Reading to the Bill, the necessary amendments will be included in the filled-up Bill to be placed before the Committee. A working party has been set up to examine the nature of part IV. I hope that it will produce an agreed report at a later stage.

[Mr. Banks]

I now turn to part V, about which hon. Members have made representations to me. It deals with the regulation of street trading. I spent a little time upon describing the earlier parts of the Bill in order to demonstrate that it contains much that is worthy and commendable. However, part V has led to controversy. Market traders have expressed considerable opposition to it. I congratulate their organisations upon their assiduous campaigning. The London boroughs have made a very good case for the rationalisation of the street trading laws. If one looks at schedule 2 to the Bill, one sees there is a widely different pattern of street trading regulations throughout London. Therefore, some conformity in the regulations is necessary.

Mr. John Gorst (Hendon, North): Is the hon. Gentleman prepared at a later stage, if the Bill is given a Second Reading, to make amendments in order to cover the arguments and representations which have been made? This would help hon. Members to know what the prospects at a later stage might be.

Mr. Banks: I am grateful to the hon. Gentleman for his intervention. I hope to be able to answer on behalf of the sponsors most of the objections that have been raised by right hon. and hon. Members. This is a matter upon which the House will wish to express a view. I shall listen very carefully to hon. Members. I have full authority to give assurances before Committee. This is one of those rare opportunities when the House can influence legislation in a real way, perhaps by means of the strength of the arguments advanced by hon. Members.

As I have already pointed out, part V is highly contentious and a number of representations have been made. As a result of the detailed discussions I have had with my hon. Friends the Members for Norwood (Mr. Fraser), for Peckham (Ms. Harman), for Islington, South and Finsbury (Mr. Smith) and for Greenwich (Mr. Barnett) and with traders in my own borough, Newham, I can signify on behalf of the sponsors their acceptance of the first instruction relating to the rights of inheritance and advertising. It seems to us to be perfectly reasonable that there should be a right of inheritance over market trading. The necessary amendments will be tabled in Committee. The first instruction is therefore acceptable.

Mr. John Wheeler (Westminster, North): I am sure that the hon. Gentleman realises that it is very important for him to set out, for the convenience of the House, the extent of the inheritance provisions.

Mr. Banks: I am accepting on behalf of the sponsors the first instruction on the Order Paper. There will be further discussions between the representatives of the market traders and the boroughs to secure an acceptable form of wording before Committee and they will take place in the light of the first instruction. It is not for me to set out the extent of those provisions. It is for the representatives of the boroughs and the market traders to reach agreement. We accept that it is the principle of inheritance which has most exercised the market traders.

Mr. Hugh Dykes (Harrow, East): Following the earlier interventions, I hope that the hon. Gentleman will forgive me if I press this point a little further, because it causes immense anxiety among those who are most directly concerned. The proposals involve a break in tradition. Therefore, the hon. Gentleman's assurance needs to be couched in more precise language. Just to say that acceptance of the principle is hereby acknowledged is not sufficient at this stage. The hon. Gentleman understands that this issue crosses party lines and that anxiety is felt on both sides of the House. Therefore, I am sure that he wishes to help the House with a much more concrete assurance which specifically states that the rights of direct inheritance and succession will be restored.

Mr. Banks: I thought that I had already said that. I can only accept what appears on the Order Paper in terms of the wording of the first instruction. There is nothing else for me to accept, apart from the first instruction and the principle that there will be the ability to pass on through the families of the traders the market licence for the market stalls. That seems to me to be a perfectly reasonable assurance.

Mr. John Cartwright (Woolwich): I know only too well that the hon. Gentleman is seeking to be helpful on this issue. However, as I read the first instruction it puts the situation back to what it was before the Bill was introduced. It refers to the pre-existing rights of succession. If that is the case, many hon. Members will be satisfied. However, the hon. Gentleman muddied the waters more than a little by going on to say that these matters will be discussed between the promoters of the Bill and the market traders. If the law is not to be changed, is there any need for discussion?

Mr. Banks: The need for further discussion seems to be that hon. Members have not fully understood what I have said. I have said that we accept instruction No. 1. That must be comprehensible to all hon. Members as I assume that the words in the instruction mean the same to everyone. It means that we can go back to the pre-existing position. What else do hon. Members want?

Mr. Vivian Bendall (Ilford, North): I am a little confused. Perhaps the hon. Gentleman can enlighten me. Why, then, is further discussion needed?

Mr. Banks: Because it is in the Bill and I am introducing the Second Reading debate. I have said that we accept instruction No. 1. I do not know what more the hon. Gentleman wants. I want to get on, but I am being delayed by all these interruptions. If we are accepting instruction No. 1, someone will have to produce the necessary amendments for the Committee stage. I should have thought that even the hon. Gentleman could understand that.

Ms. Harriet Harman (Peckham): I understand that my hon. Friend has accepted the instruction in my name and those of my hon. Friend the Member for Norwood (Mr. Fraser) and others to the effect that the pre-existing rights to succession vested in street traders will be preserved. That is the principle that we want but it is not in the clause. Discussions will therefore have to take place to ensure that provisions are drafted to meet that principle. I think that we should be satisfied with that.

Mr. Banks: I am grateful to my hon. Friend for spelling this out so that everyone can understand. The Bill is silent on the subject of inheritance. Amendments will be needed in Committee because we have said that we are

restoring and preserving inheritance. There should be no doubt in anyone's mind but that the boroughs have entirely conceded the market traders' case in this respect.

I cannot accept instruction No. 4 in the same unqualified way, but I hope to satisfy the hon. Members for Southwark and Bermondsey (Mr. Hughes) and for Woolwich (Mr. Cartwright) that it is unnecessary. Personally, I do not believe that the boroughs consulted the market traders adequately. From the evidence that I have, there seems to have been scant consultation with the London-based Federation of Street Traders Unions and little, if any, consultation with the National Market Traders Federation. *[Interruption.]* I do not wish to break up any cross-Chamber discussions, but I should like to continue.

Representatives of the London boroughs have told me that they sought consultation on the London Boroughs Association working party report in June 1983 but received no response and that they also received no response when they produced the draft Bill. I do not know exactly where the breakdown in communications occurred or whose fault it was, but there has been considerable muddying of the waters and possibly some misunderstanding. The market traders seem to have been left in the dark for rather a long time, which no doubt exacerbated certain unnecessary fears on their part. I am sure that most of them, as honest, hard-working traders, accept the need for some regulation for the benefit of both traders and shoppers.

The GLC has tried to act as an honest broker to bring the various parties together and I believe that we have made considerable progress. With a little more time, I know that we can reach an overall agreement, so I hope that the House will give the Bill a fair wind today.

Many of the clauses in part V of the Bill are unexceptionable but necessary and, I believe, could be accepted by boroughs and market traders alike with certain amendments. It would be a great shame to lose perhaps the last chance to achieve some rationalisation of street trading in London by throwing out the whole of part V. Clause 37 deals with definitions, clause 38 excludes the City of London and clause 39 concerns offences for trading without a licence. All those provisions have been agreed, so there seems to be no problem there.

Clause 40 deals with the designation of streets. At present, in inner London there is a right of appeal to the Home Secretary. If the clause is passed as it stands that right of appeal will be removed. We have a Minister from the Home Office with us today and we understand that the Home Office does not wish to be the appeals authority for the whole of London. In fact, appeals are rarely made, but market traders in inner London see the right of appeal as an insurance policy. I am sure that no one wants the Bill to go through without making provision for an appeals authority. Speaking from years of experience of local government, I would not wish to leave it at local council level, but I believe that there must be a right of appeal. This will be a matter for discussion between the traders and the boroughs, but I have the authority to say that the clause will be amended in Committee to preserve the right of appeal.

The Home Office, of course, may object. It would help, therefore, if the Minister of State will tell us today whether the Home Office is prepared to accept a responsibility which has not proved particularly onerous in relation to inner London.

Mr. Simon Hughes (Southwark and Bermondsey): Will the hon. Gentleman be more explicit and make it clear that the Bill will not go through unless there is a right of appeal? If the Home Office will not accept responsibility, who will do so if the GLC no longer exists? Unless the hon. Gentleman can give those assurances, my hon. Friends and I will not be satisfied.

Mr. Banks: I should very much like to answer that directly, but it is not in my power to do so at present. I have invited the Minister to comment and I hope that he will do so. The Home Office would not be taking on a great deal of responsibility. I am sure that the Minister does not wish to jeopardise the Bill, in view of what the hon. Member for Southwark and Bermondsey has said.

The Minister of State, Home Office (Mr. Giles Shaw): In general, the Government's view is that an appellate power devolved on the Home Secretary is a rather unnecessary way to handle an appeals procedure which should be dealt with at a much more local level. That there should be an appeals procedure in the Bill, however, will no doubt be hotly debated in Committee.

Mr. Banks: The appeal could be through the Greater London Council. It would delight me no end if the Minister could tell us that the Government intend to drop their proposal to abolish the GLC. There would then be ample machinery for appeals. I hope that that deals with the fears expressed by the hon. Member for Southwark and Bermondsey. I see the hon. Gentleman shaking his head. Apparently he is not satisfied, so the Government are now jeopardising the Bill.

Ms. Harman: If the Home Office will not accept the responsibilities that it ought to accept and refuses to allow the right of appeal to the Home Office, will my hon. Friend assure the House that the clause will not go through unless an appeals procedure can be achieved with the designation of a body agreed by the street traders associations and the sponsors of the Bill. It must be an independent procedure which commands the support of the street traders. Will my hon. Friend assure the House that the right of appeal will not fall if the Home Office reneges on its responsibilities?

Mr. Banks: Yes, I am empowered to give such an assurance, which will undoubtedly meet the point made by the hon. Member for Southwark and Bermondsey. I still believe, however, that the appeals procedure would be better exercised through the Home Office. If the Home Office refuses to extend its present appeals function in inner London to cover greater London, that will be a great pity—but if that happens we shall certainly table the necessary amendments in Committee to satisfy traders that there will be some form of independent appeal.

Mr. Simon Hughes: It is important to get this point clear. Will the hon. Gentleman give an assurance that unless that can be agreed between the sponsors and the traders clause 40 will go?

Mr. Banks: The hon. Gentleman has a funny idea of what negotiation is all about. He seems to be saying that, if we do not entirely accept what the market traders are likely to put to us, the whole clause should go. I believe that we should find a mutually acceptable appeals procedure. It is a very strange appeals procedure which does not satisfy all those likely to appeal to it. The hon. Gentleman is pushing us rather hard, especially as it is not

[Mr. Banks]

for me to negotiate the fine print while on my feet. I should have thought that my acceptance of the principle would satisfy the hon. Gentleman.

Mr. Bendall: For many years there has been a problem in the licensed taxi trade about not having a right of appeal. The Transport Bill has just dealt with the matter, and the clause involved an appeal to the magistrates court. Could the hon. Gentleman give us an assurance perhaps in that direction?

Mr. Banks: On the surface of it, having just had that idea bounced at me, a form of legal appeal would seem to be acceptable. However, I ask hon. Members to be reasonable. Such things would need to be considered. I am not trying to be evasive and I am not trying to duck the issue. I am trying hard to concede the principle without crossing the "t's" and dotting the "i's" here. Clearly one is not in a very good position to do that now.

Sir John Biggs-Davison (Epping Forest): Does the hon. Gentleman have in mind an appeal to the courts, or a judicial form of appeal?

Mr. Banks: In the final analysis, an appeal that ends up in the courts is better than an appeal that stops short of them. That must be true for all appeals. We all have our own opinions about the independence of the judiciary, but by and large it seems to be more independent than most other institutions that I can think of immediately unless there is to be an appeal to the GLC. However, we might not be around to hear it. But of course I accept the hon. Gentleman's point.

Clause 41 relates to applications for licences. With regard to subsection (3), the boroughs concede the case against the countersigning of photographs. They consider that to be unnecessary, so that also will be removed from the Bill. Subsection (4)*(a)* refers to a licence being granted only to someone aged 18 or over. The market traders want to see a reduction to the age of 17. There is, of course, a problem, because the age of legal majority is 18. However, I understand that in miscellaneous provisions the Government seem to concede the age of 17, so it seems only reasonable to accept that age. After all, market trading is an arduous business and if someone can pass the business on to a son or daughter at an earlier age he or she can no doubt then enjoy some well-deserved retirement. Therefore, that, too, will be conceded. With regard to subsection (6)*(e)*, the boroughs have conceded the point about on-storage facilities.

Clause 42 relates to the duration and terms of licences. Unfortunately, this is another sticky one. At present, those conditions are covered by byelaws. I understand that under the Bill it is proposed that the boroughs should specify the conditions. I hope that hon. Members have noticed that licences in general will be extended from the present one year to three years. That is clearly welcomed by the market traders. But, of course, the market traders want to retain terms and conditions that are determined by byelaws. The boroughs have not yet conceded that point, but in my discussions with them I have been assured that if more time is given for consultation there will be an amicable outcome. It is a generalised statement, but I am convinced that there is good will here to meet the point. If hon. Members want my personal opinion, it is that I have sympathy with those who want to see the conditions retained through byelaws, as that seems to be a much neater and more precise way of dealing with this aspect of the Bill.

Mr. Simon Hughes: As the hon. Gentleman knows, the difference between the byelaw procedure and the regulations procedure is that the byelaw procedure has an appeal system built into it. I should like him to say that by the time the Bill leaves Committee the clause will have settled for the byelaw rather than the regulation procedure. We need to know that there is an appeals system under this clause, just as we have been told that there will be one in the other clause.

Mr. Banks: I can gladly help the hon. Gentleman. In everything that we do, there must be an adequate and acceptable appeals procedure, so I accept that. However, I ask hon. Members to give the boroughs and market traders a little more time in which to come up with something that is mutually satisfactory. But in principle I should like to see appeals procedures written into the Bill throughout. That is the only way that hon. Members can be satisfied that the Bill has a fail-safe mechanism.

Clause 43 deals with the revocation of licences. It is generally acceptable—this goes back to instruction No. 1—with the exception of the silence on inheritance. I have said that we have accepted instruction No. 1, so it has been restored. In those circumstances, I hope that we shall not have to go over the ground again.

Mr. Bendall: What sort of convictions does the hon. Gentleman anticipate under paragraph *(e)*? The words used leave it very wide, and could mean that for drunken driving the trader would lose not only his driving licence but his licence to trade.

Mr. Banks: I cannot be as precise as the hon. Gentleman would like me to be. However, I should have thought that in principle we would want those trading commercially to be of a fit and proper character in all respects. We know that there are certain criminal offences that preclude applicants from securing other licences. However, I cannot be more precise than that. We should not want invidious requirements to be written into this part of the Bill that are not normal in other areas of licensing where there are certain disqualifications.

Mr. Bendall: Perhaps the phrase "serious criminal offence" might be better.

Mr. Banks: It is a very interesting point. Some would take issue with the phrase "serious criminal offence". There would be instant divisions in the House if hon. Members started talking about what constituted a serious offence during the miners' dispute. This is a difficult area. The hon. Gentleman is reaching out towards a solution, but we have not yet reached it.

Mr. Ian Mikardo (Bow and Popular): I was involved in a campaign to ask a local authority not to renew the licence of a trader who had been committing the offence of selling racist literature and of inciting racial hatred. I should not want a situation in which such a refusal to renew the licence was impossible.

Ms. Harman *rose*——

Mr. Banks: I give way to my hon. Friend.

Mr. Deputy Speaker (Mr. Harold Walker): Order. Hon. Members must not intervene in the interventions of hon. Members.

Mr. Banks: I am sorry, Mr. Deputy Speaker, but I gave way immediately. However, if you wish me to preface my giving way with a few sentences, I shall do so.

Ms. Harman: Will my hon. Friend give way?

Mr. Banks: I give way to my hon. Friend.

Ms. Harman: My hon. Friend started by saying that in general he thought that clause 43 was acceptable. Paragraphs *(a)*, *(b)* and *(c)* deal with revoking licences if there is not enough space, if the trader is trading in a class of articles that is not approved, or if a licence holder has persistently failed to trade for the number of days specified in every week. But clause 45(1)*(c)*(ii) seems to say that it is impossible to appeal against those three grounds of revocation. That is a genuine query. If there is not the same right of appeal, there should be.

Mr. Banks: I am being asked some very detailed questions. While hon. Members make their speeches, I shall seek advice and answer the points raised when I reply to the debate. I hope that hon. Members will bear in mind that I shall reply to their points later.

Ms. Harman: Does my hon. Friend accept that a provision to revoke a licence on the ground of a person having committed an offence that makes him unsuitable is rather vague? It is always best to have a schedule that will lay down which offences render someone unsuitable. Everything that is not scheduled would not render someone unsuitable. That would be better than having subjective definitions of such words as "serious".

Mr. Banks: I am sympathetic to my hon. Friend's suggestion. Perhaps we could start with the Ten Commandments and then work our way through the various other crimes enshrined in the criminal code. However, I accept that we cannot leave the matter open by using a word like "serious". These are matters of detail that can be settled in Committee. My hon. Friend's suggestion of a schedule that specifies every offence would mean a rather large Bill.

Mr. Colin Moynihan (Lewisham, East): A more general but important point that has worried street traders is that clause 43 (1)*(e)* contains the words

"or for any other reason."

Surely with that phrase in the Bill, there is no point traders in appealing to a court.

Mr. Banks *rose*——

Mr. Deputy Speaker: Order. The debate seems to be turning into a prolonged Committee stage. It might be better if we were to proceed in our usual fashion, which is for hon. Members to have the opportunity to make their own speeches and for the hon. Member for Newham, North-West (Mr. Banks) to have the opportunity at the end of the debate to reply to the points raised.

Mr. Banks: For that relief, much thanks Mr. Deputy Speaker. I am trying to be as reasonable and as accommodating as possible so that the House can give the Bill a Second Reading.

I agree with the hon. Member for Lewisham, East (Mr. Moynihan) that all legislation should be as precise as possible and not open to wide interpretation. Although a Minister might say, "This is in my mind," unless it is enshrined in legislation someone else will come along with a different interpretation that was not in the Minister's mind. Therefore, we want the Bill to be as precise as possible and not contain the vague generalities contained in this clause.

Further discussions are being held on clause 44, which relates to the grant, renewal or revocation of licences. The differences of opinion are not great and I am confident that the discussions will prove satisfactory.

Mr. Dykes: I hope that you will accept my apologies, Mr. Deputy Speaker, for rising when you have suggested that we follow the normal procedure. However, an important point arises on this clause. I am grateful to the hon. Member for Newham, North-West (Mr. Banks) for tolerating such a large number of interventions.

There is anxiety among street traders that, although clause 45 sets out the appeal's procedure—I am not grumbling about that — it nevertheless contains a provision that the borough councils would not be obliged to conduct a hearing at the request of the aggrieved party. It may be going too far to reverse that completely, but will the hon. Gentleman give a partial undertaking that that wording will be reconsidered following discussions with the agencies concerned so that the hearing can be rendered permissive at the request of the aggrieved party?

Mr. Banks: I shall come back to that point when I reply to the debate. The principle appears to be a good one. After all, we are dealing with people's livelihoods. They should have ample opportunity to put their case to, and to be satisfied that their case has been heard by, an independent body.

Clause 46, dealing with temporary licences, is acceptable to the traders—unless hon. Members have information that has not been given to me.

On clause 47, the market traders rightly thought that the use of waiting lists offered the possibility of corruption. The boroughs have agreed to withdraw that. It is tied in with instruction No. 1, which allows for inheritance and advertising. Therefore, in a way, clause 47 is now redundant.

Clause 48 deals with fees and charges. The boroughs expressed a wish to vary fees, but the market traders believed that that would lead to an administrative nightmare and they strongly objected to it. I understand that the boroughs have offered to drop the differential charges based on goods sold. That should meet the traders' objections. However, it will be subject to further discussion under clause 48(1)*(c)*.

We come now to the exciting bit—clause 49, which deals with receptacles and containers. The boroughs are willing to concede the traders' request that they do not have to use only the receptacles provided by the boroughs. The boroughs have realised that this is unreasonable.

Mr. Simon Hughes: Will the hon. Gentleman confirm that the provision in clause 48 for differential charges to be based on goods has been dropped?

Mr. Banks: I have dealt with that, but I think the hon. Gentleman was talking at the time, or being talked to or at. He missed what I said, which was that my latest information is that the boroughs have offered to drop differential charging based on goods sold.

Clause 50, dealing with offences, provides new powers to deal with unlicensed trading. That is as much in the

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interests of the market traders as it is in the interests of the local authority. There have been some objections to subsection (1)*(e)*, which requires traders to produce their licences, duly signed and bearing a photograph, if requested by an authorised council officer or a constable. But, of course, that subsection provides for a reasonable excuse for not being able to comply with subsection (1)*(e)*. Again, "reasonable" is the word that lawyers love to hear because it means fat fees. Indeed, the lawyers tell me that that is true. The Bill is designed to help local authorities and market traders, not lawyers. The boroughs have offered to amend clause 50 so that market traders are required to produce their licence only when they are trading. There was some thought that they might get knocked up at 3 am by a police officer or an inquisitive council officer and be asked to produce their licence. The clause also allows a reasonable excuse to be offered.

Clause 51 concerns the power to remove receptacles and I understand that there is no problem with it. Clause 52 concerns the employment of assistants. Clause 52(1) provides for licence holders to employ an assistant provided that the licence holder is in attendance. On the face of it, that seems unreasonable, as the hon. Member for Woolwich (Mr. Cartwright) told me elsewhere. The clause is designed to prevent traders from holding several market licences in different London markets and therefore trading at different times and places. That is all the more likely if we are restoring inheritance.

Traders who trade at different times and at different markets deprive local consumers of a service and deny access to others who might wish to trade but cannot because the local authority tells them that all the pitches are notionally full. The stalls at Stratford market in my constituency are always present on Friday and Saturday, but they are not on other days when they might be. The traders might be trading elsewhere. That is to the disbenefit of local consumers. There is a danger here because we have agreed on instruction No. 1. The boroughs have a strong case, but they are making it badly. However, what they are trying to achieve is reasonable.

Mr. Cartwright: I am grateful for the reasonable way in which the hon. Gentleman has presented clause 52, but I am worried about it, as are street traders. It gives the local authority a sweeping power, as does clause 43(1)*(d)* which provides that a trader might lose his licence if he has "without reasonable excuse failed personally to attend at the fixed position to which his licence refers at all reasonable times". What is a "reasonable excuse"? What are "reasonable times"? Does the hon. Gentleman agree that these are sweeping powers and that there might be better ways in which to deal with the problem?

Mr. Banks: I can only agree with the hon. Gentleman. I have said all along that the use of such words leads to insecurity and doubt. Perhaps I may return to that matter later. If the House concedes that the boroughs have a good case, it must be possible to produce acceptable wording in Committee. The boroughs have a case, but it is not well put in the Bill. I am not responsible for the Bill's wording, and I am grateful for that.

Clause 53 concerns savings and clause 54 deals with the repeal of local enactments relating to street trading. I understand that traders are worried about the transitional period and that the boroughs are more than ready to extend it. That is a matter for discussion. Schedule 2 demonstrates far better than I can the patchwork of current street trading regulations in London. We should not allow that to continue. If the GLC is abolished, this is perhaps the last opportunity that we shall have to get some form of regulation.

Street trading is an essential and colourful feature of commercial life in London. Part V introduces a more coherent pattern of trading. I hope that the answers that I have given on the hoof satisfy hon. Members that the Bill should be given a Second Reading, although I shall endeavour to answer hon. Members' questions. I have mixed pleasure in moving the Bill's Second Reading, but I can say one thing with great confidence—that the GLC still remains the finest and most progressive local authority in the land.

8.5 pm

Mr. Harry Greenway (Ealing, North): I cannot go along with the latter comments of the hon. Member for Newham, North-West (Mr. Banks), but I congratulate him on being elected the final chairman of the GLC and on his distinction in moving the Bill's Second Reading in that capacity. I understand that Winston Churchill said that a majority of one is enough.

I take issue with the hon. Gentleman's assertion that one of the great benefits of the Bill is that it will standardise street trading in London. East London is different from south-east London, which is quite different from west London. To impose a common approach is a great mistake and characteristic of the present GLC.

Instruction No. 1 should not have been necessary. We are all suspicious of the Bill. It should not have been allowed to be presented in its present form. There were no consultations between the GLC, national bodies and street traders until the Bill was produced.

Mr. Nigel Spearing (Newham, South): Will the hon. Gentleman give way?

Mr. Greenway: No.

Ms. Harman: Will the hon. Gentleman give way on that point?

Mr. Greenway: I shall give way on no point. It is difficult for the hon. Member for Newham North-West to negotiate on his feet, but I must congratulate him. He did awfully well. He was put in a most difficult position by the GLC. The GLC must take responsibility. The Bill has been before Parliament for a long time—I have had a blocking motion on it for well over six months.

Mr. Spearing: Will the hon. Gentleman reconsider his earlier decision?

Mr. Greenway: No.

Even on Tuesday, the GLC told the street traders that it was prepared to make concessions, but it was not prepared to give them anything in writing. That is what has upset street traders so much, and rightly. It is quite wrong that this Second Reading debate should be turned into a Committee stage, as it would have been but for your ruling, Mr. Deputy Speaker, simply because preparation for the Bill has been so bad.

Mr. Clive Soley (Hammersmith): Will the hon. Gentleman give way?

Mr. Greenway: I shall not give way to anybody.

Mr. Mikardo: The hon. Gentleman is being churlish.

Mr. Greenway: I have undertaken not to speak for too long because many others wish to get in. The hon. Member for Bow and Poplar (Mr. Mikardo) has known me long enough to know that I am not churlish. I am trying to make a fairly rapid speech so that others can speak.

My attitude to the Bill is mixed. The measure has some good points, but I am strongly opposed to parts V and VI in relation to street trading. Unless the promoters are prepared to withdraw those parts, I shall divide the House against the Bill, and I warn them to watch out.

I am concerned at the failure of the Bill to tackle other areas which could have been dealt with, including parking problems in London, in particular residents' parking, and the harassment of shopkeepers who are not street traders. Both those issues could have been dealt with.

I welcome the provisions dealing with sex shops and therefore I do not oppose those provisions. I have explained that I oppose parts V and VI, and it is not respectable for the GLC or the promoters to seek to lever the House into accepting what is not acceptable by including provisions such as those dealing with sex shops.

Mr. Soley: The hon. Gentleman is getting into a muddle. He cannot oppose what he claims to oppose without at this stage opposing the whole of the Bill. He may wish to oppose bits of the Bill in Committee, and that will be different. He should be aware that any lack of communication has not been the fault of the GLC. That is the concern of the LBA and Westminster.

Mr. Greenway: I was referring to correspondence with the GLC. I understand that there is nothing to prevent the hon. Member for Newham, North-West from agreeing to delete parts V and VI and allowing the rest of the Bill to stand. Then the important provisions relating to sex shops would remain and we would not oppose the Bill. The responsibility is that of the promoters.

Soho is highlighted, and rightly so, in the provisions dealing with sex shops. St. James' and St. Ann's school in Soho has been known to me for 28 years; it was formerly St. James' and St. Peter's school. In the days of the Windmill and other local theatres, the atmosphere was calmer and more suitable for the schoolchildren than is the case today. It is a disgrace that children must run the gauntlet of three or four sex shops to get to school. We must tighten the law in that respect. The Bill, without parts V and VI, would do that.

Other sex shops exist outside Soho. Indeed, there is one quite near the House. They have proved to be totally offensive to people, who see massive notices announcing, for example, "Explicit sex" and advertising videos and so on. Small children walk past, and there are heavy bouncers on the doors. That is not acceptable in our society and something must be done about it.

I have received a letter from the headmaster of Soho parish school. He has to live with that situation and try to give the children in his care a proper education. He writes:

"My school, with 110 children aged between three and eleven is in a short street with three sex establishments and a fourth in process of construction. One is next to our main entrance. These unregulated activities are a constant offence to families bringing children to and from school. Men touting for customers constantly harass parents and staff. Children hear offensive language and must walk past displays for topless bars and suggestive pictures. Our visitors are propositioned by the prostitutes who operate from these premises. Perhaps the worst aspect of the street is the fact that a high proportion of unbalanced characters are attracted to it. Groups of men stand about the narrow pavements which we must use whenever we take children out on visits. Noisy crowds of football supporters and young tourists regularly gather here, and from time to time I have to call the police before children can leave the building to go home. Regulation of this is desperately needed. As I am sure you are aware behind all of this lies a wide range of criminal activity, from pick-pocketing to traffic in hard drugs. It is a matter of considerable anxiety to us that all this happens outside the school gates."

It would be a shame if the attack on street traders in parts V and VI were allowed to put the other excellent legislation in the Bill in jeopardy. I hope that those parts of the Bill can be withdrawn so that the rest can stand and sex shops brought under control.

The Bill will do nothing about parking, especially the massive double parking that is occurring all over London. The system of residents' parking has largely broken down in Westminster and elsewhere, and the system as it operates in Westminster and some other boroughs would be useless in boroughs such as Ealing.

People are paying perhaps £45 a year to park their cars, though one house may be issued with a number of parking permits. That is cluttering up the streets, but the Bill does not attempt to deal with that. I know of one three-storey house the occupants of which have six cars, each with a permit to park. Perhaps a provision could be added to the Bill at a later stage to deal with the parking problem. Issuing parking permits only to ratepayers, and not to fly-by-night residents, would probably get to the nub of the problem.

Perhaps the Bill could be made to apply to matters affecting shopkeepers as well as street traders. In Ealing and other boroughs some shopkeepers have suddenly become harassed for putting wares outside their shop, although they have been doing so for some years. I accept that wares should not be placed outside shops if the pavements are narrow, but there should be no objection where pavements are wide. I measured the pavement at one location where a complaint had been made and found it to be 30ft wide. Perhaps we should leave well alone, and the hon. Member for Newham, North-West might wish to comment on that when he replies to the debate.

I will explain why I feel so strongly about parts V and VI relating to street traders. Costermongers, street traders and so on are represented by, and run in, families in London and elsewhere in Britain, and that has been the situation for many generations. That is well known and well established. The public like that state of affairs. They know the families on the local pitch and respond to them.

I have had the honour of teaching many a barrow boy from King's Cross, east London, south-east London and elsewhere, and I assure the House that they and their families are the purest gold. They are often what might be called the cement of the local community. To damage them in the way that the Bill seeks to do is not a process with which I could live.

Having been in discussions with street traders, I know that there are at least four points on which they would not budge, and I support them in their view. I will make those four points. First, the nominated relatives clause is, they say, far too restrictive because it would remove rights gained in previous legislation. It is normal for the next of kin to take over. That has been the case for generations, and to seek to disturb that pattern is a big miscalculation.

The second point concerns the loss of right to appeal to the Home Secretary against a London borough's decision on street designation or de-designation. It would mean that the street traders could be thrown out with no

[Mr. Greenway]

appeal. I wonder whether the suggestion of my hon. Friend the Member for Ilford, North (Mr. Bendall) was finally accepted—that an appeal to a magistrates court would be the right way forward.

Thirdly, there is the provision whereby a trader has to be in attendance personally at all reasonable times at his designated stall or pitch. That has not been mentioned. It will mean that the licence holder cannot leave anyone else in charge. I do not believe that any playing about with words will alter that situation. Street traders are honourable people. They would feel vulnerable if that provision were allowed to become law. Who is to say what "all reasonable times" means? At some point the matter will come before a court of law, implying that there would have been a prosecution and serious damage to someone. I cannot stand by and see that go through without my opposition.

Under the fourth provision, which has been touched on only too lightly, a trader is prevented from holding more than one licence, thus preventing him or her from expanding the business. According to my researches—I have talked to people out on the pitches—that means that they would be allowed only one 9ft by 3ft barrow, and all wares and scales would have to be on that barrow, by law. That must be severely restrictive. I am surprised that the hon. Member for Newham, North-West did not refer to that. It is completely unacceptable. On those grounds alone, parts V and VI are complete nonsense.

With respect, I did not think that the hon. Member for Newham, North-West made an adequate case for people being prevented from having a second, or another, licence in another market or even another borough. I could not go along with what he said on that. It is sad that there has not been adequate discussion.

Mr. Tony Banks: I am sorry that the hon. Gentleman feels that there has not been adequate discussion. I do not think that I have been so long on my feet in the House since I was elected in 1983. I thought that I was going on for far too long.

I cannot accept that the problems that he is referring to are the responsibility of the GLC. I think that I have understood the mood of the House quite quickly. Hon. Members are scurrying backwards and forwards across the Chamber. I think that it might be of some assistance to the House if I say that I accept instruction 4, or words to that effect, to leave out part V altogether—[HON. MEMBERS: "Hear, hear".] Hon. Members should not cheer too loudly. I shall submit better drafted new clauses in Committee. I feel that there are some clear inadequacies in the Bill. I do not want to take responsibility for them here. Therefore, all the matters relating to street traders will be taken out of the Bill and resubmitted in Committee. I refer to parts V and VI—*[Interruption.]*

Hon. Members: Hear, hear.

Mr. Greenway: The people in the Gallery——

Mr. Deputy Speaker: Order. The hon. Gentleman's speech must not extend beyond the Bar of the House.

Mr. Greenway: I am grateful to the hon. Member for Newham, North-West for responding to the pressure that was put upon him, and for sound reasons. He has responded in a handsome way. It is sad that the Bill ever came to the House in this form and that one of the finest groups of people in London and beyond—the street traders—has been so disturbed and distressed. It need not and should not have happened. But the House of Commons has spoken; democracy has spoken. I am glad to have had some part——

Mr. John Wheeler (Westminster, North): Does my hon. Friend accept that the solution that has been presented to the House enables the Bill to proceed with other clauses that are essential to the good of London, particularly the sex establishment clauses, which Westminster city council in particular is promoting?

Mr. Greenway: I believe that the Bill should proceed. As I always said, parts I to IV are thoroughly sound. I accept that.

Mr. Spearing: Does not the hon. Gentleman realise that those parts of the Bill that my hon. Friend the Member for Newham, North-West (Mr. Banks) has now withdrawn for the time being and subject to further discussion and consultation were initially the responsibility of the London Boroughs Association and its leading authority, Westminster city council? Had the consultation that has taken place almost around the Floor of the House occurred properly at that stage, we would not have been placed in the position in which we found ourselves tonight.

Mr. Greenway: Let me be clear about what the hon. Member for Newham, North-West has agreed. If I heard him aright, he has agreed to withdraw parts V and VI totally. [HON. MEMBERS: "Yes."] As that is so, I thank the hon. Gentleman and the House.

8.26 pm

Ms. Harriet Harman (Peckham): I have been very concerned about the Bill because in my constituency there is a thriving market—East Street market—which has been there for many years. It is important not only for the street traders and their families who depend on the market, but for the people who live in my constituency who use that market. That has not been mentioned in the debate. It is not only about the rights of street traders, although that is of paramount importance, but about the rights of people who want to use the market and the services that the street traders provide.

My hon. Friend the Member for Newham, North-West (Mr. Banks), upon whom it fell to promote the Bill, knows of my concerns because I mentioned them to him before the debate. I am grateful to him for taking those concerns on board. It is important to note at this stage that it is vital that we have a Greater London council that can put forward Londonwide legislation on behalf of all the different boroughs. However, the villian of the piece that produced the unacceptable parts V and VI of the Bill was the London Boroughs Association, particularly Westminster city council, which has waged a war on its own street traders. That council is the villain of the piece, but through the procedures of the House it fell to my hon. Friend the Member for Newham, North-West to introduce the Bill, including those parts.

Therefore, I absolutely deplore the cheap statements made by the hon. Member for Ealing, North (Mr. Greenway), who sought to mislead the House and imply that somehow it was the GLC that had responsibility for the Bill, in its substance and conception, which is not the case. The letter that the hon. Gentleman is holding up will

show, on page 3—if he has read it—that the GLC promoted the Bill only on behalf of the London Boroughs Association.

I have spoken about the importance of the rights of street traders and the rights of those who use the markets. During the negotiations on the Bill, I have been grateful for the briefings that I received from the street traders association. I share the concern of members of the association. It is to their credit that they have managed to bring their case to the House, despite the complexities of the Private Member's Bill procedure — an extremely mysterious procedure involving Opposed Private Bill Committees and Instructions—and despite the attempts by the London Boroughs Association and Westminster city council to mystify the procedure to prevent the traders from putting their case. They have understandably felt insecure about the suggestion that these clauses should be included. Rights of succession which they have enjoyed for 20 or more years were threatened suddenly, without proper consultation or argument. That is why they are here in such numbers and should be welcomed by the House.

My hon. Friend the Member for Norwood (Mr. Fraser) and I tabled an instruction about the right of succession. That is one of the main reasons why my hon. Friend the Member for Newham, North-West has agreed to withdraw the clauses. When seeking to argue its case on why my hon. Friend and I should withdraw our instruction, the only point which the London Boroughs Association placed before us as argument was that it was a unique provision in inner London and in licensing legislation. The association must do better than that. If it is going to ask the House to take away a long-standing right, it has to argue its case. The association has failed to do that. If the lack of arguments in the letter from the London Boroughs Association reflects the way in which it consulted the street traders, I am not surprised that we have ended up with such a misplaced piece of legislation.

I was concerned about the lack of a right of appeal against a de-designation of a whole street market. We are talking about taking away many people's livelihoods and an important amenity, without any right of appeal.

I was concerned also about the revocation of the licence of street traders under clause 43. There seemed to be no right of appeal for those whose licences were revoked under paragraphs *(a)*, *(b)* and *(c)*. The cases covered by paragraphs *(g)*, *(e)*, *(f)* and *(i)* are so wide that they can be subject to any interpretation. Hon. Members have already referred to paragraph *(e)* which allows revocation where "the licence holder is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason". That is not good law. We should not allow it. If we say that a person's livelihood will be taken away, we should say why and give that person a proper right of appeal.

Mr. Peter Bruinvels (Leicester, East): Will the hon. Lady give way?

Ms. Harman: I give way to the hon. Gentleman, who has just appeared in the House.

Mr. Bruinvels: In Leicester, one of the striking miners' groups came into the market and was pelted with rotten fruit by various market stall owners, who were informed by Leicester city council that, because they were acting in that way, they could lose their licences. Presumably, under the terms "for any other reason" those people would have lost their licence. That is wrong. I am delighted that the hon. Lady agrees.

Ms. Harman: I said that if people's livelihoods were to be taken away, the grounds on which that was done should be specified in a schedule and they should have a right of appeal. However, an assault on other people who were lawfully using a market might well constitute a ground on which licences could be suspended or revoked. We are not dealing with that. We are going to agree that the grounds should be specified by and agreed between the market traders and the GLC.

I shall not go through all the objections to the measures, because my hon. Friend the Member for Newham, North-West, on behalf of the GLC, has made concessions. I congratulate the street traders on their campaign. It is unfortunate that my hon. Friend the Member for Newham, North-West, had to introduce the Bill with such objectionable provisions when, in fact, those measures came from the Conservative-controlled London Boroughs Association, and in particular Westminster city council.

8.34 pm

Mr. Peter Bruinvels (Leicester, East): I declare an interest as the unpaid parliamentary consultant to the National Federation of Market Traders and, obviously the representative of the city of Leicester market, which has the largest covered market in Europe. My hon. Friend the Member for Ealing, North (Mr. Greenway) has discussed various points in part V which have concerned me. I have been lobbied substantially by people from all over the country because various stall holders felt that they would lose their livelihood under these measures. This worried me especially because I have had the experience not only of regularly going to the Leicester city market but of working in the market and meeting many of the people who were concerned that their futures would be at risk.

Mr. Christopher Murphy (Welwyn Hatfield): Does my hon. Friend agree that many of us who represent constituencies close to London feel strongly about this issue, because many of our constituents have the benefit of shopping in London markets and a number of them are street traders? We are grateful for the concession that has been made by the hon. Member for Newham, North-West (Mr. Banks).

Mr. Bruinvels: This is a major point. The Conservative party is the party of small businesses. Many of our market traders are small business men fighting bureaucracy and trying to achieve a decent living, but they have had great difficulties with this Bill. Hon. Members on both sides of the House will be delighted at the news that we have heard tonight. I am a little worried as to whether the hon. Member for Newham, North-West (Mr. Banks) can formally withdraw the parts. We shall hear more on that as we proceed.

I wish to place on the record the objections that came from the Leicester branch of the National Market Traders Federation. The chairman, Graham Chambers, itemised the points of concern and said that in no way did the federation want the Bill to proceed. He referred first to the

"Abolition of currently enjoyed appeal rights."

Those rights are limited anyway, but they would have been further eroded by these measures. Secondly, Mr. Chambers referred to

"The requirement to carry an identity card with photograph at all times."

We are not yet in a police state, thank goodness. The requirement to carry a photograph is a strange way of

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running one's business. The name of the business has to be put on the side of the stall, but the federation felt that it was wrong to require a photograph.

Mr. Mikardo *rose*——

Mr. Bruinvels: Thirdly, Mr. Chambers objected to

"The local Council's right to know where equipment is stored when not in use."

The federation wanted me to object forcefully to that measure. The fourth point stated:

"The requirement for a licence holder to be in attendance in person at his stall at all reasonable times."

Many hon. Members accept that there are occasions when the main stallholder cannot be at his place of work. Great family businesses are involved, and a family may run two or three stalls in the same market. Unfortunately, as luck has it, those stalls may not be together and the operators may have to move all over the market. It would have been wrong to insert that provision.

Fifthly, the federation objected to

"Fines of up to £400·00 for street trading offences such as failing to clear up trade refuse."

That is an incredibly high sum. Why do market traders pay for their licences in the first place if they must pay as well a fine for not clearing up refuse? Street traders are honourable people, and they do their best to clear up. Of course, there will always be rubbish at the end of the day in all street markets. Street traders pay rates for the rubbish to be taken away. They become indignant when told they will be fined up to £400 for not clearing up the refuse. This measure would have been unacceptable to them.

The proposal about the compulsory purchase of market stalls by the council was another worry. The stallholder would have lived in fear, not knowing whether his licence was to be renewed from week to week or whether he was to have real tenure in the market. Market stallholders and their families have carried on a great tradition in this country for many years. It would be shocking if suddenly, for no apparent reason, they could face a compulsory purchase order.

I have referred to the unpleasant incident in Leicester when a number of striking miners entered the market trying to collect for other striking miners—of whom, thank goodness, there were only 30 in the Leicester area. Some of the stallholders had had enough. They wanted to carry on with their business, and the striking miners effectively prevented business from being conducted. I do not blame those stallholders who threw tomatoes and rotten fruit at the miners. The miners were preventing people from doing their shopping.

Mr. Soley *rose*—

Mr. Bruinvels: Another point of concern was the loss of licenses for any other offence, whether connected with the market or not. That was very wrong. It might be that the stallholder had not paid his rates—

Mr. Deputy Speaker (Sir Paul Dean): Order. The hon. Gentleman must refer to Leicester only incidentally. We are discussing a Bill about London.

Mr. Bruinvels: I am grateful for your guidance, Mr. Deputy Speaker. I am referring to the London boroughs, too, but I have the Leicester market on my mind because that is where I operate from. [HON. MEMBERS: "Oh."] I appreciate the stallholders' problems. I digressed for a moment in order to give you, Mr. Deputy Speaker, and the House, the opportunity to learn about the situation in Leicester.

I was also concerned about the loss of the right to transfer the licence to the next of kin upon retirement. Stallholders' families traditionally occupy the same site for hundreds of years. Stallholders may wish to asign the site to their son or grandson, whom they will have trained in the market over the years. The provision would have meant the end of that tradition. Young people learn by experience and by regular attendance in the market. The children and young people who stand in for their fathers or grandfathers at the stall would not have been allowed to inherit it under that provision.

Mr. Banks: If.

Mr. Bruinvels: Of course it is "If". My constituents, and those of other London Members, were very worried about those provisions.

The provision about "nominated relatives" appears to be far too restrictive. There was also the loss of right of appeal to the Secretary of State against the London boroughs' decision on street designation or de-designation. The provision to the effect that a trader would have to be in attendance personally at all reasonable times caused great concern, as did the provision that prevented traders from holding more than one licence, which would have prevented traders from expanding their business. The Conservative party is the party of the small business. Everyone should have the opportunity to expand his business.

I tabled an instruction—it has not been called—seeking to give the street traders the right of appeal to a magistrates court against the revocation of a licence to trade.

Mr. Tony Banks: On a point of order, Mr. Deputy Speaker. Surely it is not in order for an hon. Member to refer to an instruction that has not been called. I made a concession earlier so that the debate could be truncated, but I might as well not have done so. The debate is going round and round.

Mr. Deputy Speaker: If an hon. Member were to go round and round for more than a sentence or two, I would stop him.

Mr. Moynihan: Further to that point of order, Mr. Deputy Speaker. Could you clarify a technical problem? As we are debating Second Reading, is it not out of order for the hon. Member for Newham, North-West (Mr. Banks) to seek to withdraw parts V and VI of the Bill, and is not that action technically totally ineffective?

Mr. Deputy Speaker: Perhaps I can help the House. I understand the way in which the debate has been proceeding, but we are debating the Second Reading of the Bill together with instructions 1 and 4. There may have been indications that certain things may happen during the course of the debate. That does not alter the course of the debate. The debate will continue on a broad front for as long as the House wishes. If any hon. Member wishes to move instructions 1 and 4, and if there is time, we may come to a conclusion upon them. At the moment, however, we are debating the Second Reading together with instructions 1 and 4.

Mr. Greenway: Further to that point of order, Mr. Deputy Speaker. During my speech it was virtually agreed

with the hon. Member for Newham, North-West (Mr. Banks) that the Second Reading would be agreed, but he gave his word that parts V and VI would not be proceeded with.

Mr. Deputy Speaker: That will be a matter for the House to decide in due course. At the moment the House is debating the Second Reading. In no way can I or should I alter that debate because certain things have been said during the course of it.

Mr. Banks: Further to that point of order, Mr. Deputy Speaker. I am responsible for the Bill in the House. Effectively, the GLC is the promoter, although, as you have made clear, Mr. Deputy Speaker, it is not responsible in this case. I do not know whether, speaking as the representative of the GLC, I carry any weight when I say that, as far as the GLC is concerned, parts V and VI of the Bill will not appear in the same form in Committee. I understand that we are now debating the Second Reading, and that the provisions will have to be withdrawn in Committee. However, I have given all the assurances that I can give. Instructions 1 and 4 are not as comprehensive as the assurances that I have given.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. I do not think that we need any more points of order. I hope that the position has been clarified. We should now proceed with the debate.

Mr. Greenway: Further to that point of order, Mr. Deputy Speaker. The situation is not as I had thought. The hon. Member for Newham, North-West (Mr. Banks) is not saying that the promoters have agreed that parts V and VI are to be wiped out altogether.

Mr. Banks: That is exactly what I said.

Mr. Mikardo: Further to that point of order, Mr. Deputy Speaker. I do not understand the difficulty. My hon. Friend the Member for Newham, North-West (Mr. Banks) has made it clear that he is willing to accept instruction 4. That being so, the hon. Member for Leicester, East (Mr. Bruinvels) has been abusing the procedures of the House and wasting his own time. He has made a long and passionate speech against the provision that is to disappear. The position is clear. Instruction 4 is to be accepted, so there is no point in talking about the contents of parts V and VI.

Mr. Deputy Speaker: With his long experience, the hon. Gentleman will know that this is not the first time that we have debated matters for some hours after the promoters had made their position clear. There is nothing that I can do to pre-empt the debate. We had better get on with it.

Mr. Simon Hughes: On a point of order, Mr. Deputy Speaker. Can you clarify the procedure? I accept that we are debating Second Reading and the two instructions. I understand that we have first to take a decision on Second Reading and then there has to be time left before 10 o'clock—the end of the appointed period—for a debate, if necessary, and a decision, if one is required, on one or more of the instructions.

I understand that that does not apply to the whole of part VI because instruction 4 relates to only one of the clauses in part VI. It also includes the schedule. More importantly, because the promoter has said what he is happy to accept, and the view of the House on that is now clear, the procedural advice that we have to take is that after giving the Bill a Second Reading we should move and pass instruction 4 but we cannot move both instruction 1 and instruction 4. If we move and pass instruction 1, instruction 4 will fall and the intention of the House, which the promoter has accepted, cannot be carried out.

Mr. Deputy Speaker: The hon. Gentleman is absolutely right. I am grateful to him for helping me on that. The only thing that I need to emphasise is that this debate cannot continue beyond 10 o'clock. If the House wishes to come to a decision on Second Reading and on an instruction, it has to be completed before 10 o'clock.

Mr. Mikardo: Further to that point of order, Mr. Deputy Speaker. The House is grateful for your ruling, but does that not mean that if, say, by 9.30 the debate on Second Reading has not been concluded you would be willing to consider a motion to close the debate to permit instruction 4 to be moved and carried? I doubt whether there would be much debate on it.

Mr. Deputy Speaker: The hon. Gentleman knows that the Chair is never prepared to rule on hypothetical questions. I think that I am getting the sense of the House and I shall keep a close watch on the situation, but I cannot commit the Chair at this stage.

Mr. Bruinvels: I find it very confusing having to follow so many points of order. I was under the impression that we were debating Second Reading and I thought that I was in order in putting forward the views of the National Market Traders Federation, and traders from Leicester. My hon. Friend the Member for Hampstead and Highgate (Sir G. Finsberg), who is unable to be present tonight, wishes to support the instruction, and the views expressed by my hon. Friends and me.

I wanted to be constructive. I felt that the House was partly reassured by some of the announcements and signs from the hon. Member for Newham, North-West (Mr. Banks). However, until he can withdraw part V, we are still on Second Reading, so I feel that I must proceed with my line of argument.

I wish to highlight the point that the National Market Traders Federation was not trying to be disruptive to the Bill. It had accepted other parts of the Bill, but is trying to find common ground for agreement on further amendments so that it can withdraw opposition to the Bill on the specific points that I have itemised. I tabled an instruction that has not been called, so I feel that I am entitled to make my views known.

I make it clear that the National Market Traders Federation is grateful for some of the concessions that it has been given through negotiation, and I know that the London Boroughs Association has been trying to help me, as has the GLC administrative law and parliamentary branch, which, in an important letter that I received only a few days ago, made it clear that it is consulting representatives of the London boroughs, on whose behalf the GLC is promoting the Bill's provisions about street trading. This letter comes from the head of that unit. It is clear that the GLC is acting on behalf of street traders.

Assuming that parts V and VI are withdrawn, the street traders will be happy to go on trading. They will feel that there is less bureaucracy around them. They simply want to get on with earning a decent living. They already have

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enough difficulties filling in tax and VAT returns. Recently they told me that they considered part V was ill-conceived and unnecessary.

I look forward to seeing the hon. Member for Newham, North-West withdraw part V, subject to the approval of the House. The National Market Traders Federation wants to go on trading and wants the shopping public not to be intimidated. I look forward to the market traders getting on with doing a job and encouraging and helping the country to get good value for purchases made in street markets all over the country.

Mr. Murphy *rose in his place and claimed to move,* That the Question be now put, *but* MR. DEPUTY SPEAKER *withheld his assent and declined then to put that Question.*

8.56 pm

Mr. Clive Soley (Hammersmith): I do not intend to spend much time on the speech made by the hon. Member for Leicester, East (Mr. Bruinvels). However, if I were a member of the National Market Traders Federation, I would pay him not to represent me, and I should do so for two reasons. First, he has no understanding of the small business men's position. He talked about the Conservative party being their representative but seemed unaware that the bankruptcies and receiverships among small businesses are greater than ever before — between 10,000 and 15,000 a year on the latest figures.

More important, the hon. Member said that at one time people in his area threw fruit at miners. Much as I understand the feelings behind the strike, and both sides of it, the hon. Member must know that it is an offence in law to throw objects, whether bricks, fruit, vegetables or anything else. If anybody had been caught doing that, they would have been taken to court and charged with assault. The hon. Gentleman said that he did not blame them for doing that. In other words, he said that he is willing to support people who break the law when they do it on his behalf. It is an incredible position when somebody who claims to be a supporter of law and order is one of those who undermines it.

My hon. Friend the Member for Newham, North-West (Mr. Banks) has moved the Bill in an exceptionally co-operative and flexible way. I do not know any hon. Member who has presented such a technical Bill so well. This is particularly so as my hon. Friend, although he is a GLC member, is not responsible for all of the Bill, because many parts of it came from local authorities.

My hon. Friend has accepted instructions 1 and 4. He has withdrawn part of the Bill and will submit new clauses in Committee, and that is sensible. There have been major representations from outside the House today. These have come from street traders who are anxious about certain parts of the Bill. That anxiety was well-known in advance. I must be one of the few hon. Members representing a London constituency who, although he has many street traders in his area, has been visited by only one today. He was extremely helpful and filled me in on some of his concerns. I was able to give him assurances that we might be able to meet those in Committee.

Let us make it clear how we got ourselves into this situation. This part of the Bill, which my hon. Friend has now withdrawn, is largely the responsibility of the London Boroughs Association and Westminster city council — two Conservative-controlled bodies.

Let me read to hon. Members, particularly the hon. Member for Ealing, North (Mr. Greenway), a letter from the London Boroughs Association, dated 13 May 1985:

> "As far as the established markets are concerned, we would hope that on reflection traders would endorse what we are trying to do. Suggestions that there has not been adequate consultation cannot be sustained:"

I know that this will go on the record and I hope that people outside the House will take it up because many in the traders groups feel strongly about it. The letter continues:

> "we wrote to the Federations representing street traders as long ago as June 1983, and sent them a copy of the working party report which led to these proposals. Unfortunately we received no reply on that occasion, nor when we wrote again 12 months later, well before the Bill was deposited."

In other words, Westminster city council and the LBA are blaming the street traders for not having co-operated.

As my hon. Friend the Member for Newham, North-West pointed out correctly, it was the GLC that had to step in to try to clear up the mess. What he has done today in a flexible and co-operative manner is to get the Conservative party off the hook. If I were to blame him for anything, it would be only for that.

I wish the hon. Member for Ealing, North would vote against this. If he did, I would have notices about it all round Soho. Every householder in Soho would be writing to me about the sex shops because they would all get letters telling them exactly what the hon. Member for Ealing, North said. The hon. Member is never a man to let the facts get in the way of his prejudices. He is the Rentaquote of the *Ealing Gazette*. That is what his participation in the debate is about. He is desperate to get into the *Ealing Gazette*. It does not come into my area and I do not read it. If the hon. Member is so desperate to get into the *Ealing Gazette*, he must be very worried. I suspect that he will be playing centre forward next, or perhaps outside left or outside right, or anything else that will get him out of the political mess that he has got himself into on this Bill.

Mr. Bendall: I have been involved with the street traders for six or eight months in regard to the Bill. It is only recently that meetings have taken place, yet I have been exchanging correspondence with all the people concerned over six months. Why does it take so long for consultation?

Mr. Soley: That is exactly my point. I am grateful to the hon. Gentleman. Will he take the matter up with his Conservative colleagues in the London Boroughs Association and Westminster city council? Or is he trying to tell me that the LBA and Westminster city council are not Conservative-controlled? I shall give way to the hon. Gentleman if he wants to come back again.

Mr. Bendall: I am trying to tell the hon. Gentleman that this is a Bill to do with the powers of the GLC. There have been efforts to have consultations with the GLC for six months, but they have happened only recently.

Mr. Brian Sedgemore (Hackney, South and Shoreditch): The hon. Member is drowning.

Mr. Soley: He is not just drowning; he has drowned. He has probably got the letter from the LBA before him. He should read the penultimate paragraph. The only people who could be blamed, apart from the LBA and Westminster city council, are the very people that Westminster city council and the LBA are blaming—the

street traders. I do not take that view. If the hon. Gentleman does, he had better make that clear to the House.

We must consider who will deal with Bills like this if the Government go on with the abolition of the GLC. In a couple of years, if something like this is needed, there will be Bills from every local authority in London. It is nonsense. I have sympathy for the hon. Member for Pudsey (Mr. Shaw). He served on the abolition Committee, as I did. It was clear then that the last thing the Home Office wanted was the abolition of the GLC and the metropolitan counties, but the Home Office has been dropped in it by the Secretary of State for the Environment.

Lord Whitelaw spelt out clearly that the Home Office did not want to take on questions in relation to the police and the fire brigade. Now we have another example, illustrated by the Minister's intervention in the speech of my hon. Friend the Member of Newham, North-West, of the Home Office not wanting to get involved in appeals. I can understand that. In his contribution the Minister must tell the House that some sort of appeal system will be supported by the Government and that it is in a form acceptable to the various groups involved. I do not want to give an absolute commitment but I would be concerned about it going through the court system. I am not sure if the court is the right way to deal with it at the first stage. It may be, but I would need more convincing about it. On the other hand, if the Home Office is saying that it will not be involved and that it does not want the courts to be involved, the Minister must tell us who should be responsible. We would welcome clarification on that from the Minister.

If there is not an appeals system and if the GLC is abolished, the danger is that there will be different regulations in each area. Therefore, a trader who moves from one area to another will have to adapt to different regulations. Only the other week the Under-Secretary of State for the Home Department, on Report on the Sexual Offences Bill, told me at great length why it was impossible to have different regulations in one local authority from another to deal with kerb crawling. If the Minister believes that each area must have different regulations, he should have a word with his hon. Friend to find out who is making the policy in the Home Office, and whether there is to be one policy or many contradictory policies.

I support the comment of my hon. Friend the Member for Peckham (Ms. Harman) that, rather than dealing with offenders by using the "serious arrestable offence" definition, it would be more appropriate to have a schedule of offences listed to the Bill. I suspect that the Minister may agree with me about that. A definition of "serious arrestable offence" may omit minor offences, which would not come under the Police and Criminal Evidence Act 1984 definition but which could be serious for street trading—for example, dishonesty. A schedule attached to the Bill may be the best way of dealing with that. I am open to arguments, and we shall discuss the matter in Committee, but I should welcome the Minister's views on that.

There has been considerable feeling about the Bill, not merely because of the street traders' views on it, but because of the sex shops in Soho. Most people understand the difficulty facing residents there. I received many letters about it recently when people suddenly discovered that I was speaking in this debate. It is a matter of considerable anxiety and clearly it is difficult to legislate for. As I have said on previous occasions, there is a case for giving local authorities byelaw powers to deal with particular problems in their area, especially those relating to sexual offences. As with the legislation on kerb crawling and with activities connected with prostitution, there is much to be said for having local byelaws to deal with the problem rather than introducing national legislation which affects all areas, regardless of whether there is a problem. I do not believe in spreading the imprint of the law widely, if it is possible to avoid it.

We welcome the Bill. At the end of the day everybody will support it, even the hon. Member for Ealing, North, who has fled the Chamber, simply because there are too many good aspects of it to lose. Most, if not all, Conservative councils in London and the Conservative London Boroughs Association want it. The Greater London council rightly adopted the Bill because they felt that it was right for London as a whole, and wanted to make some amendments. Because my hon. Friend the Member for Newham, North-West handled the matter so well, the Bill will pass through Committee, drastically amended, but better because of it. For that reason the House owes a debt to my hon. Friend.

9.7 pm

The Minister of State, Home Office (Mr. Giles Shaw): I shall briefly speak on behalf of the Government. It is only right and proper that I offer my congratulations to the hon. Member for Newham, North-West (Mr. Banks), both on the present position which he holds for a short but undoubtedly distinguished time, and on the way in which he moved the Bill. It is not a difficult measure to move, especially if one does not have direct responsibility for it. He handled the brief that he was given with great dexterity and care.

The debate has been peculiarly difficult because there have been many exchanges and many suggestions of change. It is right for me to concentrate on two or three issues, on which the Government wish to comment. The Bill is a general miscellaneous Bill and, like previous general powers Bills, contains a package of proposals. Some of its provisions have clearly excited some comment, and many of them have excited support. The hon. Gentleman and colleagues have generally agreed that contentious issues should be withdrawn and the provisions re-examined.

Since the introduction of the Bill, Departments with an interest have pointed out to the promoters the points to which the Government object in principle. I shall deal with them briefly. Departments have also made several suggestions as to how the drafting might be improved, which are being considered by the promoters. However, taking the Bill as a whole, our objections to it are not so great as to deny it a Second Reading. It is only right that the arguments for and against some clauses should be considered in Committee. The hon. Member for Newham, North-West allowed that to happen by saying that parts V and VI would be withdrawn. No doubt there will be discussion in Committee about what might replace them, if that is the intention of the promoters.

I might add in parentheses that instruction 4 does not specify action in relation to part VI.

Mr. Simon Hughes *indicated dissent.*

Mr. Shaw: That is wrong. It is important that, whatever decision the House makes tonight, it must reflect the agreement reached earlier.

I shall deal only with the provisions on which the Government have reservations and which have already featured in the debate. The hon. Member for Hammersmith (Mr. Soley) chided me about appeal procedures. The problem is that, in part, the Bill is a residuum of other legislation. In the Local Government Act 1982, appellate procedures were not fully described, and it is not easy for us to decide suddenly on the Floor of the House that there should be an appellate procedure while none exists in the parent legislation.

I intervened earlier in relation to section 48 of the 1982 Act, which deals with street cleansing. It contained the odd provision that the Home Secretary was in the appellate position. I am not sure why that was the case, but it was in the Act. I said that the Government do not wish to continue to have that function, and the Bill removes it. Therefore, I do not object to that clause. However, it will be for the Committee to decide how broadly the appeal procedures should be applied. Clause 45(1)*(c)* states that the magistrates court is a route for licence conditions. That might be a suitable route for appellate procedures under other clauses. However, I must tell the hon. Member for Hammersmith that that would depend upon whether the clause in question is derived from parent legislation which allowed appellate procedures. That is a technical matter that can be discussed fully in Committee. The hon. Gentleman was right to say that the appellate procedure could be important in garnering general approval for the Bill. Obviously, I do not object in principle to appellate procedures.

The Government have some specific comments to make on clause 11, which will widen the definition of a sex shop in schedule 3. My hon. Friends the Members for Ealing, North (Mr. Greenway) and for Westminster, North (Mr. Wheeler) stressed the improvements that they believed the clause would provide. Among other things, it seeks to bring what are described as "sex encounter establishments" within the controls set out in schedule 3 of the Local Government Act 1982. I appreciate the anxiety that lies behind the proposal, but I must remind the House that, only three years ago, Parliament considered and rejected a similar proposal during the passage of that Act, on the basis that it might amount to the licensing of premises which were merely fronts for prostitution. However, the Government do not object to the principle of that part of the clause if it can be proved that there is a real and pressing need for sex encounter establishments to be brought within the licensing system and therefore made the subject of regulation. With that in mind, my officials have been in touch with the promoters of the Bill, and we hope to reach a decision on the need for the clause before the Bill goes to Committee.

Mr. Tony Banks: I am grateful for the Minister's earlier remarks. Will he confirm that the boroughs have submitted evidence to his Department to justify that clause?

Mr. Shaw: I confirm what the hon. Gentleman says. The boroughs have submitted a deposition of view to which my officials will pay close attention. I expect that we shall reach an accommodation before the Bill goes into Committee.

However, we have some reservations about the drafting of clause 11. We can deal with that, too. If we decide that the proposals in clause 11 are justified by the evidence, we shall seek to iron out in Committee, as the hon. Member for Newham, North-West would wish, the other difficulties.

Another purpose of clause 11 in relation to schedule 3 is to widen the definition of a sex shop. Schedule 3 makes provision for the licensing of sex shops and defines them broadly as

"premises whose trading consists to a significant degree in the supply of sex articles."

If we adopted the provisions of clause 11, the definition of "sex shop" would be widened to cover any premises used for any business which included the supply of sex articles. Thus, even ordinary newsagencies which stocked only a small number of the rather milder "girlie" magazines might be classified as sex shops. This matter ought therefore to be looked at in Committee.

Provision is made for the licensing requirement to be waived. I have little doubt that in practice London boroughs would not require ordinary newsagencies to be licensed as sex shops. Nevertheless, such premises could still be so classified. I imagine that many of them would object, with good reason, to this. There is provision for boroughs to charge for considering applications for the waiving of licences.

Mr. Banks: A great gulf does not divide us. The House generally accepts that we need to be as precise as possible over the definition of a sex shop. For example, it would not be appropriate for greengrocers and general traders to stock vibrators, but that could happen. It is a possibility. One sees so many articles in shops. It is because of the difficulty involved in applying the existing provisions that the boroughs have sought to widen the definition.

Mr. Shaw: I shall not seek to follow the hon. Member for Newham, North-West, who has extensive knowledge of these devices. There are problems of definition in the application of clause 11. That is why we said to the promoters that we were not happy about the clause as it stands, but I believe that the problems can be resolved. We are ready to discuss with the promoters the nature of the problems that are involved.

We are also conscious that there are those, especially in areas such as Soho, who will seek to use any device which might enable them to circumvent the provisions of schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982. We shall want to examine whether there is a gap in the law and, if so, we shall seek a means to deal with it which draws an acceptable balance between catching those whose premises ought to be licensed and safeguarding the interests of the bona fide traders.

We have already held preliminary discussions with the promoters, but we are not yet convinced, on the basis of those discussions, that there is a gap in the law. If, however, the Bill is given a Second Reading, we shall seek to hold further discussions with the promoters to try to take the matter further before Committee.

In view of the concessions which have been made by the hon. Member for Newham, North-West on behalf of the promoters, I welcome very much his decision on part IV, which deals with amusement arcades and which he said he was prepared to withdraw. It is not a part of the Bill which the Government could support. His withdrawal has strongly influenced me in determining that the

remainder of the Bill should go forward to Committee. The hon. Member's concessions on parts V and VI have already been noted and, it would appear, have been extremely widely welcomed in all parts of the House. With those few words, I shall now be silent and will see the Bill through its Second Reading.

9.19 pm

Mr. Simon Hughes (Southwark and Bermondsey): This debate has presented us with a few unusual opportunities. This has been the first opportunity for the House to congratulate itself upon having among its number the chairman of the Greater London council. My view, and that of many hon. Members, is that the GLC should still be in existence after his term of office. The battle over the GLC is not yet lost. There has also been an illuminating illustration of some of the bits of information that the hon. Member has acquired on his way to becoming the chairman of the GLC. Over the months and years I have seen what is on stalls in East street and other street markets, but I have never seen the combination of articles which the hon. Member for Newham, North West (Mr. Banks) asserts are available in some places in London. Perhaps funny things happen north of the river.

More importantly, today we have seen the will of the House, almost in unison, putting right legislation that should never have come forward in that form. Earlier this session, the Government introduced the Civil Aviation Bill. It was clear that there had been no consultation even with their own party. It was equally clear that no support would be forthcoming from the Opposition. The Government therefore had no choice but to withdraw the Bill—and a good thing, too.

The Bill before us today is inaptly named, because it was not instigated by the GLC, although it covers the Greater London area. It was initiated by the London Boroughs Association, which represents only some London boroughs and at most one of the inner London boroughs in which street trading is most relevant. The views presented also did not represent the views of Members of Parliament of the same party as those governing those boroughs. When asked, the hon. Member for Ilford, North (Mr. Bendall) and others expressed clear dissatisfaction and dissent. The GLC, as the county authority, was given the job of proposer.

There has been a great deal of inaccurate talk, to put it mildly, about such dialogue as took place. An assurance was given that there would be consultation with the Home Office and with the National Federation of Street Traders, but correspondence shows that that consultation did not happen at the stage at which it was promised.

Rightly, therefore, there was a strong reaction from the community of people who saw their interests and their contribution to the life of the capital threatened in an unparalleled fashion. There was intense lobbying of Parliament by street traders from many boroughs, not least —I say this jealously because it is important to my borough—those from the borough of Southwark. As we saw at the meeting in the Grand Committee Room on the Government's proposals to remove the guarantee relating to the transfer of GLC housing stock to the boroughs, people whose interests were threatened came along and made their views known. On that occasion, representatives of the ex-GLC estates in Southwark clearly outnumbered those from any other borough. I believe that the same is true on this occasion and I compare my experience with that of the hon. Member for Hammersmith (Mr. Soley). Johnny Wallington, Secretary of the Federation of Street Traders, is himself a Southwark trader. He and other street traders have justifiably led the fight, but it should never have reached this stage.

A series of instructions were put down by Members in all parts of the House seeking a satisfactory outcome on street traders and street trading. My hon. Friend the Member for Woolwich (Mr. Cartwright) and I went for the jackpot and put down an instruction to remove part V of the Bill. We also said that clause 54 and schedule 3 had to go. In our view, it would be much better to get those provisions out of the way and then reintroduce elements that people regard as important rather than compromising with assurances which probably will not deliver the goods. To claim some small measure of historical credit in advance, I hope that when the history of the battle for the streets and street traders of London is written, the Southwark and Bermondsey and Woolwich instruction will be seen as the instruction that got street trading back on the rails where it should always have been.

I have a few important comments to make. I shall refer first to the importance of the issue, and then raise a few technical matters that I hope that the Minister and others will respond to. Inner London is desperately short of businesses, jobs and opportunities for youngsters who wish to work where they were born and brought up. One obvious way of giving a youngster a future is to enable him to go into his family's business. My constituency has lost 20 per cent. of its population in 10 years, and other constituencies will have lost similar numbers. People have moved away because the jobs just are not there. Thus, threats to the prosperity of the inner city must be resisted.

The inner city has, above all, serviced and fed this nation's capital. Borough market, which is a wholesale market, and the old Covent Garden market have produced the goods to be sold on the streets. Street trading has been part of the employment and service tradition of our capital. Some of those who came to lobby us were the third generation to be involved in street trading. Some have carried on the same stall, on the same pitch, selling the same goods for years. I think, for example, of Hodges the fish stall in the Blue in Southwark and of many stalls that are part of our essential commercial fabric. One need only go down The Lane on any Sunday morning to realise that it was the same 10 or 20 years ago. The place is packed, because people want to shop there. Indeed, that place was chosen by a television programme in order to illustrate the other day the vitality of that part of our heritage.

It is important to ensure that every job is preserved for our youngsters and their families. Before I came to the House, I was involved in running a youth club just off the Old Kent road. We tried to get an employment project going and we considered what we could do to give teenagers work. Their first choice was to run a market stall. They saw that as representing security and as something that would reward effort. They believed that if they worked hard, they would do well, and that if they did not work hard, they would not do well. They could see the relationship between input and reward.

It is important to defend ourselves from unjustified attacks that are not supported by most of the London boroughs and to try to increase opportunities for trade, particularly in food and vegetables. If there is no trade in London, people will not want to live here and if no one lives here, what is the point of having such a capital city?

[Mr. Simon Hughes]

At present the Government are trying to abolish the GLC. It is always necessary to have safeguards against the possibility of a local authority abusing its power. That is why appeal procedures are important. If a borough suddenly decides to de-designate a street market, it is always important that the people should be able to say that they want to challenge that. It is always important that they should be able to say, "You can't suddenly deprive us because you want to build a hypermarket or supermarket, or because you want to close the road." I should prefer the appeal to go to the county tier of government and to an elected tier.

Similarly, if a borough council turns down a planning application, I prefer the matter to go to an elected strategic planning authority. A Government Department with a Minister of the Crown should not be the responsible body. To some degree I make my next remarks mischievously, although there is an element of truth to them. When appeals go to the Home Office from boroughs such as mine, where the Tory vote may be 5 or 10 per cent., it is ludicrous that the decision should be taken by a Tory Minister. Of course, the situation could be quite the reverse in other boroughs. But the point is that it is much better for such appeals to go to an elected authority that can take into account proper views. If there is a prospect of some reincarnation of the GLC, I hope that that body rather than a Department will act as the court of appeal. That point should be borne in mind.

I do not question the integrity of those in the court system. My argument is that all that the courts do is review whether a decision was correctly arrived at. They do not allow someone to challenge the decision. If someone goes to the magistrates court for a review of an administrative decision, that person wants to ask whether the arguments were considered and whether the court can intervene. That is not what this sort of appeal system is about—the de-designation of streets, refusal of licences and so on. We must have an appeals system where the merits of the case can be heard and argued, with notice of the arguments given to the parties concerned. One thing that we do not have in our appeals system in a planning case is a provision to ensure that the appellant knows exactly what he is arguing against.

I wish to draw one parallel. Until recently the Home Office was in charge, indirectly, of the licensing of London cabs. That responsibility has now been transferred to the Department of Transport. The decision on who should hold a cabbie's licence is taken by a commissioner. I have been trying for months to find out the criteria set out in a document in the Department of Transport for someone being refused a licence. Perhaps someone has committed an offence and his licence is revoked. The return of the licence is discretionary. The livelihood of a cabbie could be lost for five years, but he will not know the criteria used in the decision to withhold his licence. It will not be good enough to have a similar provision for street trading and market stalls. People need to know the exact criteria and arguments. They need to know the conditions with which they are required to comply.

Mr. Bendall: I refer the hon. Gentleman to new clause 7 of the Transport Bill, which was passed in the House the other evening, which does alter matters.

Mr. Hughes: I was not aware of that. If it improves the position, it will be welcomed by the large number of people who serve our community in London as cab drivers.

We are left with the anomaly that the Bill has been trying to do two things — it has tried to produce a common system yet excluding the City of London, and not do what the Government have said for months they want to do, which is to allow decisions to be made by the boroughs. If Southwark wants to continue a certain practice, it should be able to pilot a Bill. It is important to start from the premise that the interests for which people have fought over the years will be upheld. The consolation for me and others who have participated tonight is that that will now be the position. The people who felt that their livelihoods were threatened know that there is no longer the threat that existed at seven o'clock this evening.

People may think that being a street trader is an easy life. If they stop to think, they will realise that it involves work out of doors in all weathers, and that is not easy. They will also realise that it is not a cheap way to operate a business. There is not a lot of space for the market stall. The trader does not obtain any business if he is not there.

I shall cite some figures that show the cost clearly. A 3 ft 6 in by 9 ft stall in The Lane in Southwark costs about £960 a year. Comparable rent for a shop in the Old Kent road at one end of The Lane—a shop that is 50 times bigger than the stall—is about £1,140 a year. Therefore, it is not cheap and it is not easy. It is not reasonable to say that the traders should be restricted as to whether someone can help them or whether they can leave the business to buy stock for the stall on a good day. There must be flexibility. Small business men are trying to run their businesses. They need to be able to do so in a way that allows their businesses to develop as they wish. Their investment brings their rewards. That is as it should be and why the markets are relatively healthy. After tonight, we shall have a Bill that improves drainage facilities, regulates sex establishments and ensures that the environment in central London is improved. We shall also have a Bill which no longer threatens some people's proper interests. They will be assured that their case has been vindicated. I hope that the House welcomes that on behalf of hundreds of such people, their families and successive generations.

Hon. Members might like to take with them as a postscript the thought that the stall at the entrance to Westminster tube station has been there since 1923. It is run by one of my constituents and has served hon. Members well. It would have been folly to abolish the right to run such stalls and the right to inherit them.

9.36 pm

Mr. John Fraser (Norwood): I represent a good many stallholders in Brixton market and tabled instruction 1, which I shall later ask leave to withdraw.

I hope that my hon. Friend the Member for Newham, North-West (Mr. Banks) will take account of some of my constituents' worries because, although parts V and VI are to be withdrawn, I understand that other provisions will be put forward.

I have consulted my local authority — Lambeth — which has been extremely helpful and made constructive suggestions. It has been much more helpful than the London Boroughs Association and the solicitor to Westminster city council, who wrote to me in not very

helpful terms about a compromise about rights of succession. I want existing rights of succession to be preserved. They are not terribly generous and exist only if somebody is in business on a stall when he dies, makes a nomination in favour of a relative before death and that option is taken up within 10 days of death. It is not a wide-ranging power, but it should be preserved in the Bill, in whatever form it reappears.

One of the limbs of instruction 1 is the advertising of vacancies for stalls. Lambeth borough council is anxious that ethnic minorities should have the proper right to engage in market trading. The present pattern of trading could conceivably exclude people who have, or whose parents have, come relatively recently. West Indians in Brixton and Asians in other parts of London could be prevented from getting into a market if the network is closed. The advertising of available market licences is much the fairest way in which to proceed and it is preferable to the discretionary power to keep a waiting list.

As the Bill stands, by 31 December 1986, a local authority will have a chance to de-designate a street as a trading street. That means that streets could be de-designated in the next couple of years and there could be no appeal against the decision. That would be wrong.

Clause 43(1) provides the power to revoke certain licences on the grounds, for example, that the street is overcrowded or that the local authority has prohibited trade in a certain class of goods. Such revocations are not subject to appeal.

That is wrong. It would be too easy for a local authority to say that a street was overcrowded and then be able to pick and choose between one trader and another. There must be a right of appeal against any such decision, although I agree that some of these decisions need not be examined in magistrates courts. They involve decisions about social policy and are amenable to be decided by the Home Office or Department of the Environment under the appeals system that now exists on planning matters. I insist on behalf of my traders, however, that rights of appeal are preserved in respect of all revocations of licences and not just on certain grounds.

Proposals exist in the Bill for disqualifying a market trader on the grounds that he has committed an offence of for "any other reason." I was not convinced by a letter that I received from the secretary of the LBA, who wrote to say:

"unsuitability to hold a licence due to conviction or any other reason is well precedented in all licensing legislation during recent years."

That is not true. I was concerned, as Minister of State for Consumer Affairs, with licensing under the Consumer Credit Act 1974 and the Estates Agents Act 1979. We used a formula which is much more appropriate for the grounds on which a person can lose a consumer credit licence, which might be a much more serious matter than losing a market trading licence.

I refer my hon. Friend the Member for Newham, North-West to section 25 of the Consumer Credit Act, which seems to contain the right formula. It says that a person may lose his consumer credit licence if he commits

"any offence involving fraud or other dishonesty, or violence"—

that seems acceptable as a precedent—or if he

"contravened any provision under this Act"—

relating to matters special to consumer credit—or if he

"practised discrimination on grounds of sex, colour, race or ethnic or national origins in, or in connection with, the carrying on of any business"—

and finally—if he

"engaged in . . . practices appearing to the Director General of Fair Trading to be deceitful or oppressive, or otherwise unfair or improper".

That definition of an offence or conduct enabling a person's licence to be taken away is sufficiently narrow and relevant to be incorporated in street trading legislation, instead of the broad disqualification in the Bill as drafted in relation to "any offence" and "any reason."

Another matter in the Bill which causes traders concern is the ability of the local authority to ban or debar traders from trading in a particular product in a particular licensed street. Some traders fear that a big commercial interest which wants to develop a shop or trade in a specific item might try to influence the local authority to debar street traders from trading in that product. That would be anti-competitive—which should influence the Minister—and it worries me and market traders. Assurances should be built into the Bill, when redrafted, to ensure that such anti-competitive practice cannot take place.

Some people believe that market trading is an easy occupation. It is not. It is often carried on for a lifetime. Indeed, among the many people who have come to lobby me today have been traders of 20, 30 and 40 years' standing.

Mr. Chris Smith (Islington, South and Finsbury): Members of a trader's family will often trade in a street market for more than a lifetime, carrying on over successive generations. Many families in my constituency have traded in the same street market—indeed, in the same location in that market—for up to 120 years. That reinforces the point that my hon. Friend has been making about next-of-kin provisions.

Mr. Fraser: My hon. Friend is right, and the trade over the generations builds up a tradition of quality, honesty and accessibility. The public know that these traders are not here one day and gone the next. They are trading from one generation to the next—sometimes, as my hon. Friend points out, for over a century. They pay expensive fees and are subject to the sort of restrictions which do not apply to most traders who operate from shops.

One must recognise the great discipline that already exists among market traders, and the responsibility that they have to show. There are restrictions that are not shared by many other people in commerce.

I am not against a recasting of the Bill that preserves the rights of appeal and of succession, provides for the advertising of pitches and ensures that traders are given a reasonable deal, providing the right balance between the long-standing interests of market traders and those of the community. At the moment the Bill is not drafted in the right way. I am glad that my hon. Friend the Member for Newham, North-West has dealt with the matter so constructively, and has given us the chance of redrafting in Committee.

Mr. Bendall *rose in his place and claimed to move,* That the Question be now put, *but* MR. DEPUTY SPEAKER *withheld his assent and declined then to put that Question.*

9.45 pm

Mr. Tony Banks: I shall say a few words to sum up, and then no doubt we can move to a speedy conclusion.

[Mr. Tony Banks]

The general debate has been good and interesting. One would not have thought that on a Bill termed the Greater London Council (General Powers) Bill, we would have so much live excitement. We have seen the House operating in perhaps its most effective form. There has been a genuine debate, which has allowed hon. Members to put the various points that have been expressed to them by their constituents. We are now reaching a stage where honour is satisfied on all sides.

A general powers Bill is perhaps something that hon. Members do not fully understand. The GLC puts the Bill before the House but the provisions within it are given to the GLC by the London boroughs through the London Boroughs Association. My council assumes, initially anyway, that the boroughs have done their job properly. Having heard the comments made this evening, I believe that it is clear that the London Boroughs Association has not done its job in the efficient way in which it should. That bodes ill if Lady Shirley Porter gets her hands on the powers that she will have if the GLC is abolished.

Let me say, so that no one misunderstands, that the GLC received the various provisions under part V. The council had no option but to put them forward. Since the Bill was published, it has been moving might and main to try to fill in the serious gaps that the Bill presented. Clearly, much more time is needed. Therefore, it is more sensible and seems to answer the points of not only hon. Members but the market traders, that on behalf of the promoters I should accept instruction 4, which deletes part V. One takes into account all the points that have been made by my hon. Friends the Members for Norwood (Mr. Fraser) and for Peckham (Ms. Harman), who were assiduous in their pressures upon me, saying just how deformed the Bill was. Therefore, I am delighted——

Mr. William Cash (Stafford): In view of the words that the hon. Gentleman used in the earlier part of the proceedings, when he referred to part V, will the assurance that he has just given be translated into an undertaking that the GLC will agree to exclude part V by amending the Bill?

Mr. Banks: With all due respect, the hon. Gentleman is seeking to slow things up. He has not been in attendance throughout the whole debate. He must know the correct procedures. I trust that we shall now give the Bill a Second Reading without a vote. I have said that we shall accept instruction 4, which should be moved formally. That will mean that the House has given an instruction to the Committee, not the hon. Member promoting the Bill. I suggest that the hon. Member for Stafford (Mr. Cash) brush up on his procedure. If he stayed a little longer he might understand the matter more fully.

We have had a very interesting debate.

Mr. Fraser: I shall not move instruction No. 1. There will be some redrafting, and my hon. Friend the Member for Newham, North-West (Mr. Banks) has given me an assurance that the rights of succession will be protected in that redrafting.

Mr. Banks: Absolutely. I give a categorical assurance to my hon. Friend the Member for Norwood (Mr. Fraser) so that he can assure his constituents. In my borough of Newham not only is there a right of succession within the immediate family but the council has transferred the licence to others outside the family when it is clear that the concern has been part and parcel of the business. The right can be extended a little further.

Mr. Greville Janner (Leicester, West): I thank the hon. Gentleman for his concessions. They will mean a great deal to traders outside London who were afraid that, if the measures had been introduced for London, they would have spread. We have received many representations from traders on that point.

Mr. Banks: My hon. and learned Friend assiduously attends to the interests of his constituency. He serves Leicester well by his presence in the House. I am happy to have that placed on the record.

The Minister made a number of points on clause 11. On the interpretation of a sex shop, I had the impression that, at a later stage, as commerce develops, one might go to a street corner trader and ask for two pounds of King Edwards and—to use the immortal words of the barber —"a little something for the weekend, sir". I am sure that we can reach agreement on clause 11 as well.

With the various assurances which have been given and excepting instruction 4—I trust that it will be moved formally—I hope that the House will give the Bill with its important provisions a Second Reading without a Division.

Question put and agreed to.

Bill accordingly read a Second time and committed.

Ordered,

That it be an Instruction to the Committee on the Bill to leave out Part V, clause 54 and Schedule 2.—*[Mr. Simon Hughes.]*

ARRANGEMENT OF PUBLIC BUSINESS

Ordered,

That Standing Order No. 6 (Arrangement of public business) be amended as follows:

Line 4, leave out paragraph (2) and insert:

'(2) Twenty days shall be allotted in each session for proceedings on opposition business, seventeen of which shall be at the disposal of the Leader of the Opposition and three of which shall be at the disposal of the Leader of the second largest opposition party; and matters selected on those days shall have precedence over government business provided that—

(a) two Friday sittings shall be deemed equivalent to a single sitting on any other day,

(b) on any day other than a Friday, not more than two of the days at the disposal of the Leader of the Opposition may be taken in the form of four half days, and one of the days at the disposal of the Leader of the second largest opposition party may be taken in the form of two half days; and

(c) on any such half day proceedings under this paragraph shall either—

(i) lapse at seven o'clock if not previously concluded, or

(ii) be set down for consideration at seven o'clock and, except on days on which private business has been set down for consideration under the provisions of paragraph (5) of Standing Order No. 7 (Time for taking private business), shall be entered upon at that time:

Provided that on days on which business stands over until seven o'clock under the provisions of Standing Order No. 10 (Adjournment on specific and important matter that should have urgent consideration) proceedings under this sub-paragraph shall not be entered upon until such business has been disposed of, and may then be proceeded with for three hours, notwithstanding the provisions of Standing Order No. 1 (Sittings of the House).

(2A) For the purposes of this order "the second largest opposition party" shall be that party, of those not represented in Her Majesty's Government, which has the second largest number of Members elected to the House as members of that party."; and

That Standing Order No. 33 (Questions on amendments) be amended as follows:

Line 9, leave out from first 'the' to 'Standing' in line 11, and insert 'twenty days allotted under paragraph (2) of'.—*[Mr. Archie Hamilton.]*

Old Trafford Post Office

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Archie Hamilton.]*

9.53 pm

Mr. Tony Lloyd (Stretford): The Minister has an advantage on this occasion because he is well-travelled on the route of post office closures whereas, for me, it is still a novel experience. The closure of the Old Trafford post office is worthy of the attention of the House because of the issues that it raises. It is not simply a matter of a local decision with which I disagree. It is more fundamental. This is a matter of principle on which the Government have responsibility. It is ironic that I, who on many occasions have advocated public ownership and monopoly control of certain operations, such as post office facilities, am faced with a Minister who, ideologically, would put forward a case in favour of privatisation and competition. I shall challenge the abuse of that monopoly power, and I suspect that the Minister, who probably would not wish to defend that monopoly power, will find himself saying that he does not intend to do anything about it. I hope that I may be wrong about that.

I have had a letter from the Parliamentary Under-Secretary of State at the Department of Trade and Industry. He said:

"The role of government is confined to broad issues of general policy and to matters of overall financial control".

In other words, while thanking me for my correspondence about the Old Trafford post office, he was not prepared to take any interest in a local matter. Yet the process of post office closures stems from decisions made by central Government about the financing of the Post Office, and it is, in consequence, extremely frustrating to try to stave off a closure. Other hon. Members know that as well as I do. They have raised the issue both in Adjournment debates and in a half-day debate earlier in the year.

People are unhappy about the consultation process. It is difficult to make anyone admit responsibility for the decision. The chairman of the Post Office has written to me as follows:

"Although the guide lines have, as you say, been set nationally, the decisions are being taken by the local managers who have detailed knowledge of the circumstances in the individual area."

Yet, in speaking to local managers, I have been made aware that they feel constrained by national guidelines that instructed them in effect to choose post offices to be closed.

I have also had a letter from the chairman of the north-west postal board, who used to be the postmaster in Manchester. It is ironic that the man who put forward Old Trafford post office for closure as postmaster then found himself, as chairman of the board, ratifying the decision to close. He said:

"The main aim"—

of the closure programme—

"is to reduce costs and improve productivity whilst at the same time improving the range of services available to the customer."

Improving services is an important matter. In this case however, there will be no improvement for the customers in the area.

No affected group is even remotely persuaded that the closure decision is in its own interest. The local council opposes the decision because the area around the post office already presents a number of reasons for the maintenance of that office and is also an area of potential

[Mr. Tony Lloyd]

major development. The council points out that the Cornbrook sidings site provides 153,000 sq ft of industrial development, 25,000 sq ft for offices and a further 15 acres that are ripe for development. Fluor house, just across the road, provides 110,000 sq ft of vacant office space. Half a minute's walk away from the post office there is planning permission for 45,000 sq ft of offices and 25,000 sq ft of supermarket space. Three minutes' walk down the road, the North-Western Electricity Board plans to site its headquarters in the near future. That will be 100,000 sq ft of office space. There is also to be a major hotel development.

There are, therefore, plans for massive development in the area, which is designated as a development area within the county structure plan and the district plans. The local authority does not understand the decision.

The chairman of the Post Office has said:

"I can promise you that the Head Postmaster will keep an eye on the post office services in the area and should any future redevelopment justify additional facilities, these will be provided."

That is an empty promise. The decision to open a post office is massively more difficult than the decision simply to continue to operate an existing service. Clearly, to close the post office would be a very negative step. Quite apart from future developments, there are cogent reasons, even now, why the post office should not be closed.

I have already said that there are interest groups, one of which is opposed to closure.

It will be no surprise to the Minister to find that the Union of Communication Workers, on behalf of the work force, is opposed to the decision to close.

It being Ten o'clock, the Motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Neubert.]*

Mr. Lloyd: It is a great privilege for me to be able to extend the Adjournment debate. I have not previously experienced this, and I thank my colleagues from London for their early departure, which has allowed this matter of national importance to be more fully debated.

The Post Office has given a promise that there will be no compulsory redundancies, but jobs will simply disappear. If the case that those jobs will disappear because the post office is unproductive or socially unnecessary could be made, we might accept the closure as being reasonable. However, I shall demonstrate that the loss of those jobs is not only socially undesirable but is not even economically soundly based. Those jobs will be lost with no rationale, and there will be even less employment for the people in my constituency.

The major users of the post office are business people and claimants. I have had many letters from local people involved, for example the Manchester chamber of commerce. Its Trafford branch is extremely concerned about this decision and has promised to do everything that it can, even at this late stage, to help reverse the decision. I had a letter from a company, P. F. Jones, Diesel Services Ltd. The managing director says:

"We are a small limited Company who make use of the Post Office at Talbot Road . . . almost every day, when we visit the bank of Williams & Glyn's next door . . . I also collect a pension for my mother-in-law . . . I always have to queue along with many other pensioners".

That is not a sign of a post office that is of no value or that has no demand. The signs are to the opposite, that the post office is providing a valuable service to this business and to the local community. The managing director says that the closure of the post office would be a great inconvenience for that company.

The chairman of the Post Office has said to me that, given that the post office

"is used far more by businesses than by residential customers and that the residential areas which currently use it are close to the alternatives, I do that think there will be undue hardship to customers."

There is no consideration of the needs of the local business community. That is remarkable, because the area is ripe for commercial development and has a significant proportion of local traders already.

There is a local shopping parade in the area and the traders there are concerned about their future. There is a phenomenon that every hon. Member present on these packed Benches will recognise, which is that once a deterioration sets into a shopping area and facilities begin to go, a vicious circle develops. If the post office is not there, pensioners do not go there on pension day, so they do not shop there. The local shops find business more difficult and become marginal businesses. Some close and the process goes on. There is no longer an attraction for local customers. Therefore, the local businesses are extremely concerned about the closure of this post office.

Naturally, there is also concern about the loss of services when the post office closes. Business people are anxious that the case for the continuation of the post office is made. The alternative of sending them to Salford, Chorlton or Stretford post offices is misguided because not only are those offices a long way away, but they are along peculiar traffic routes. One would not send the office junior on such a route with the ordinary day's mail unless that is forced on one because of the closure.

About a third of the Post Office's business comes through the payment of DHSS pensions, unemployment, supplementary and child benefits. It has admitted that some 700 pensioners still collect their pensions at this post office and that nearly 300 people claim their allowances there. I concede that those numbers are not as great as may go to other post offices. Nevertheless that is quite a large number of pensioners.

The chairman of the Post Office said that local managers have detailed knowledge about the circumstances of individual areas. According to that detailed knowledge, Old Trafford post office is within half a mile of an alternative post office, the terrain is flat and public transport services are good. What may seem to be the case when one looks at a map and takes the distance that the proverbial crow would fly, may not be the same when one considers what happens on the ground. I know the area extremely well. It is ridiculous to say that there are easy communications to the two post offices that have been forwarded as alternatives.

Hullard Mall post office, which is the closest to Old Trafford, is almost unknown because it is in a party of my constituency which is not on anyone's travel pattern. It is not a recognised place for people to go to. Although there is a bus service, no one would dream of going there to shop or for any other purpose. Therefore, to force people to go to that post office would mean that they would make the journey for only one purpose—to collect their benefits.

The Post Office claims that the route to Ayres road post office is easier, but that is not true. The crow might be able to fly there in a straight line but one could not walk through the streets in a straight line because of the pattern of housing development. Therefore, to use that post office as an alternative is not straightforward.

There will be immeasurable social loss if Old Trafford post office is closed. It would cause difficulties to pensioners if they had to walk another 1,000 yards or more, as the crow flies. One of my constituents, Mrs. Lathwood, wrote to me as follows:

"The post office at Old Trafford is a vital service and it is convenient after drawing one's pension to catch a bus to the Stretford Arndale Centre or one into Manchester."

She is right. The post office is convenient for the people because of its location. It will be massively inconvenient if the people have to use the alternative post office because they are not on routes or in shopping areas that are well defined. Therefore, the closure of Old Trafford post office would cause great social disruption.

On several occasions the Minister has heard cogent social reasons against the closure of post offices. I know that there is a need to reconcile the social arguments with technical and economic efficiency. I was staggered at the reply from the Post Office to my specific question about whether Old Trafford post office was making a loss. I must thank the chairman of the Post Office for his unequivocal answer. He said:

"You asked me whether the Old Trafford Office makes a loss. It does not."

This post office is not to be closed because it is an economic failure; it is to be closed despite being an economic success. Although on commercial grounds it should be kept open, the Post Office says that it will close it. Because the Post Office is a monopoly 99 per cent. of the customers of Old Trafford post office will go to other offices to draw their pensions, to buy stamps and to make various transactions. The Post Office will not lose income, but the proposed closure has all the hallmarks of the most gross abuse of the Post Office's monopoly power that would be written about in economic textbooks as read by Government Ministers or rejected by Opposition Members.

It is an abuse of the Post Office's power. If competition existed, someone would take over and run that post office. Indeed, a sub-post master of a post office in the area approached the Post Office with a view to taking over this Crown office, but he was told that he could not. The Post Office is not prepared to allow a successful post office to continue to exist under any circumstances. That is a diabolical abuse, which is why the matter is sufficiently serious to draw it to the attention of the House.

On previous occasions the Minister said that he did not have the power to intervene. However, section 60 of the British Telecommunications Act 1981 and section 11(2) of the Post Office Act 1969 give the Secretary of State power to act in these circumstances. I urge the Minister to act, because there is a general Government responsibility in that the closure programme stems from their action and, more importantly, because the decision to close the local office which, although regrettable locally is part of a great national plan, runs counter to the Government's logic and to the Post Office's obligations. It is an abuse of its power to trade. The Minister should assure the House that the matter will be examined, the abuse will be checked, and the Post Office will be asked to reconsider this and other closures.

10.12 pm

The Minister for Information Technology (Mr. Geoffrey Pattie): I well understand the anxiety of the hon. Member for Stretford (Mr. Lloyd) that the Old Trafford post office should not close, and I acknowledge his efforts to persuade the Post Office otherwise. However, he will appreciate that as a commercial organisation it is essential for the Post Office to find ways of improving its efficiency and thereby safeguarding the future of the entire network, although at times the process may result in a disappointing decision for those who use a particular post office that is to be closed.

The hon. Gentleman explained why he believed that the decision to close Old Trafford post office was wrong and why it should be reversed. He will not be surprised to hear that I am not in a position to comment on the circumstances of the case or to assess the Post Office's decision. Indeed, it would be wholly wrong for me to do so. I realise that that is not the reaction for which the hon. Gentleman wished, but it will not surprise him.

The hon. Gentleman wrote to my right hon. Friend the Secretary of State for Trade and Industry in October 1984, following correspondence with the chairman of the Post Office about this and another closure in his constituency, requesting that the Post Office be encouraged to review its decision. My noble Friend the Parliamentary Under-Secretary said in his reply that he could not comment, because the matter was for the Post Office. He was not being obstructive or unhelpful—the hon. Gentleman is not suggesting that — but following the clear and persistent policy of the Government and their predecessors on such operational questions, which are matters for the Post Office, not for the Government.

Mr. Lloyd: I was not wishing to suggest that the Parliamentary Under-Secretary was being obstructive. I understand why that is the normal response. I do not want the Minister or the Parliamentary Under-Secretary to think that I was trying to be personally insulting. However, I query the way in which the Government approached this decision, considering the overtones of monopoly abuse.

Mr. Pattie: My noble Friend will be grateful for that, although neither he nor I thought that there was any question of the hon. Gentleman taking that position.

It should be clearly understood that the Post Office is responsible for running the counters network and that decisions about individual post offices are operational ones for the Post Office, not for the Government. That is in accordance with the clear distinction, of which the hon. Gentleman is aware, between the respective roles of the Government and the Post Office Board.

Since the Post Office was established in 1969 as a public corporation with its own board, the policy of successive Governments embodied in the relevant legislation has been that decisions concerning the day-to-day management of business are the responsibility of the board. The role of the Government is confined to broad issues of general policy and matters of overall financial control. Of course, no post office closure is popular, because it will inevitably mean some inconvenience to people who must travel further to the nearest alternative

[Mr. Pattie]

post office, as those right hon. and hon. Members whose constituencies are affected by post office closures will appreciate. There is no constituency in the country that has not suffered a closure, and my constituency is no exception.

It is understandable that the average post office customer's primary interest is in the post office which he or she is used to visiting, and he or she will be concerned if it is decided to close that office. However, the Government and the Post Office Board are required to take a wider view. As to the network of post offices, the Government's interests and responsibilities relate to the overall network, and the Government consider the Post Office's proposals for the urban network in that context. We have frequently stated our recognition of the valuable role that post offices play in the economic and social life of the country. However, if the network of post offices is to continue to provide such a role in the future, it is vital that the Post Office, in running the network, should seek ways of improving its efficiency and effectiveness and maintaining it at a satisfactory level.

Since 1945, the Post Office has had a criterion of providing post offices in town areas at intervals of not less than one mile. That is not and was never intended to be a precise and inflexible standard. It represents what the Post Office regards as a reasonable balance between the service that its customers want and the costs involved. The Post Office has not applied the criterion rigidly, but has, over the years, made decisions about post offices in the light of local circumstances.

Until the late 1960s, the network grew due to new housing development, population growth and growth in business. However, with some exceptions, closures were considered only when sub-postmasters resigned or retired and the distribution of population was not fully reflected in the provision of post offices.

A review undertaken by the Post Office in 1983 revealed an excess of about 2,000 offices against the criterion. The review also showed that about 2,000 urban offices failed to make a financial contribution to the financial overheads of the business. The excess of offices was especially evident in the inner cities, where the population movements were strongest.

The Post Office was aware that any proposals to tackle the excess of offices were bound to be unpopular, and we should commend the fact that it did not take the easy option of doing nothing but had the courage to draw up its proposals to reduce the number of post offices in urban areas.

The Post Office informed the Government about the outcome of the review and the proposals to reduce the urban network. We were concerned to ensure that the proposals did not prejudice our commitment to the maintenance of a network adequate to enable the Post Office to fulfil its statutory duty with regard to efficiency, economy and social needs. The Post Office's proposals included its intention to consult the National Federation of Sub-Postmasters, the Post Office trade unions and the Post Office Users National Council. It also confirmed that individual closure proposals would be subject to the existing code of procedure agreed with PONC in 1981, and revised in January 1984 to include Crown offices, which provides for consultation with local interests before final decisions are made to close offices.

The Government were satisfied with the overall balance that the Post Office wished to strike between the needs of those whom it served and the need for reasonable economy and efficiency. The proposals were consistent with its statutory duty. But that, I repeat, is the extent of our involvement. We are not involved in decisions to close offices, nor are we involved in the process of prior consultation. There have been some complaints about the operation of the consultation process. The hon. Member did not go as far as couching his comments in a way that I would describe as a complaint, but he mentioned the consultation process. I must tell him that, in more than 10 per cent. of cases, the Post Office has withdrawn proposals to close offices following local consultation.

To my mind, that is hardly evidence, as has been suggested by some hon. Members—although not by the hon. Gentleman — that the Post Office's approach is blinkered or that it merely goes through the motions, with the result already a foregone conclusion.

On the contrary, it suggests to me that the Post Office takes the process very seriously. This impression is borne out in the number of representations that have been made to me to intervene on particular closures, where those complaining have complimented the Post Office on the way that the consultations have been handled, even if they disagreed with the final decision. It seems to me that too many of those who complain about the procedure fail to distinguish between the decisions which the Post Office makes and the way that it has to make them.

As for the hon. Gentleman's main point about monopoly power, the requirements that the Government place on the Post Office to operate an efficient network should ensure, particularly with the consultation procedures and the various consultations with the different national bodies which I have just described, that nothing that the Post Office does could possibly be described as an abuse of its monopoly position. It has gone to great lengths, both in this case and in other cases of which I am aware, to satisfy itself and local people that alternative post offices exist. I do not think that the degree of care and attention that the post office devotes to this question could possibly justify the hon. Gentleman's description of the Post Office abusing its monopoly position.

I explained during the debate on 23 January that in undertaking the review of the urban counters network and in framing the subsequent proposals for reducing the size of the network the Post Office's aim is to improve the efficiency and cost-effectiveness of the counters network. The Post Office is well aware that closures are not popular, but it believes that the exercise is essential to secure the future of the network, to the long-term benefit of the community.

I appreciate and admire the hon. Gentleman's persistence. I do not claim that I have been able to convince him at this stage in the process, I hope that I have explained to him with sufficient clarity the Government's position vis-à-vis the Post Office Board and what the board is seeking to achieve by the various reductions it is making throughout its network while still fulfilling the requirement that we have placed upon it. The Post Office has the Government's full support in its endeavours to carry out the review and its programme.

Question put and agreed to.

Adjourned accordingly at twenty-two minutes past Ten o'clock.

House of Commons

Friday 24 May 1985

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

BILLS PRESENTED

REFORM

Mr. Tony Benn, supported by Mr. Tony Banks, Mrs. Margaret Beckett, Mr. Gerald Bermingham, Mr. Bob Clay, Mr. Martin Flannery, Mr. Eric S. Heffer, Miss Joan Maynard, Mr. Bill Michie, Mr. Dave Nellist, Mr. Dennis Skinner, and Mr. Gavin Strang, presented a Bill to extend and entrench the democratic rights of the electors of the United Kingdom, through their representatives in the House of Commons, over all legislation, all foreign and defence policy, all treaty-making and all executive powers that do not at present derive from statute, to abolish the House of Lords, to reduce the duration of a Parliament, to repeal the Official Secrets Act, and for purposes connected therewith: And the same was read the First time; and ordered to be read a Second time upon Friday 5 July and to be printed. [Bill 152.]

MEDICAL ACT 1983 (AMENDMENT)

Mr. Nigel Spearing, supported by Dr. Brian Mawhinney and Dr. M. S. Miller, presented a Bill to amend section 36 of the Medical Act 1983 to enable the Professional Conduct Committee of the General Medical Council to exercise greater discretion in respect of conduct which they judge cannot be regarded as acceptable professional conduct: And the same was read the First time; and ordered to be read a Second time upon Friday 7 June and to be printed. [Bill 153.]

Confectionery Industry

Motion made and Question proposed, That this House do now adjourn.—*[Mr. Archie Hamilton.]*

9.35 am

Mr. Conal Gregory (York): My first Adjournment debate since the general election is the subject of some elation because I have been applying to you, Mr. Deputy Speaker, more on than off, for eight months. At long last my persistence has had success. On a sunny day such as this, what better subject to choose for debate than the United Kingdom confectionery industry—the subject of all my applications.

In view of the importance of our confectionery industry, it is amazing that this is the first debate, so far as I can find, on the subject since at least the second world war. Yet after Scotch whisky, confectionery is the second most important export in value to the food and drink sector.

I shall spell out what I mean by confectionery so that my hon. Friends do not misunderstand me. I interpret it as the collective name for sweetmeats and confections. It has enjoyed a long and distinguished part in our history. In 1545 Raynold referred to

"ambre, muske, frankincense, gallia muscata and confectionnere."

In 1769, Mrs. Raffald, the apogee of Georgian England, remarked in her "English Housekeeper":

"The receipts for the confectionery are such as I daily sell in my own shop."

We have moved to an era in which the art of the confectioner is no longer confined to a course of sweetmeats at dinner, delicious as After Eights are, not just then, but at any time of day.

It may be appropriate for me to place my constituents in the context of this great industry. The city of York saw the innovative rise of several industries during the last 20 to 30 years of the 18th century, including comb making, toy manufacturing, horn making, a glass works and a wholesale drug trade, all of which have now unfortunately disappeared. However, the town is now a world leader in confectionery.

Two family concerns are now giants in the confectionery industry. In 1725 Mary Tuke opened a grocer's shop which in 1752 passed to her nephew William, the Quaker philanthropist. In 1785 he was joined in the business by his son Henry, and from then on they manufactured cocoa and chocolate behind their Castlegate shop. Those were the modest beginnings of a business which in 1862 transferred to Henry Rowntree.

The confectionery trade of Terry and Sons started in St. Helen's square in 1767 in the firm of Bayldon and Berry. By 1851 Terry employed 127 staff. Rowntree employed 100 workers in 1879 and saw rapid expansion. By 1894 it employed 893 workers, and 15 years later 4,066. On a smaller scale M. A. Craven and Son and the York Confectionery Company Ltd. were also prospering.

Today, York is a thriving and elegant city. Confectionery is the major industry with the world headquarters of Rowntree Mackintosh, whose sales last year passed the £1,000 million mark for the first time. It is the home base of both Terry and Craven.

Since this is the first debate on this important subject since the second world war—several years before I was born—perhaps it would be appropriate to mention the state of the industry. Last year, the consumer value of

[Mr. Conal Gregory]

home trade chocolate and sugar confectionery was about £2·4 billion, or 8 per cent. of consumer expenditure on food. Sales of chocolate confectionery continue to improve, with the achievement last year of another production record of almost 428,000 tonnes, beating the previous records established in 1982 and 1983. Home trade despatches of sugar confectionery in 1984 were 251,465 tonnes. That is an improvement on previous years, but is still 20 per cent. below the 1978 level—an important date, as I shall explain in a few moments—and 25 per cent. below the 1973 level.

In 1984, Britain exported more than 60,000 tonnes of chocolate confectionery, which is about the same as in 1978-79. Exports have been fairly static for the past seven years, and I shall examine why that is in a moment. Last year, almost 70,000 tonnes of sugar confectionery were exported, which is the highest for five years, but still well below the exports achieved in 1973 and 1979. I shall invite the House to consider which world leader enjoys sugar confectionery in moments of crisis. The principal export markets for British confectionery are Ireland, the United States of America, Saudi Arabia, West Germany and Canada.

After those few words of good cheer, I must mention some important political matters that are the reason for today's debate. Perhaps the most important matter is the tariff barriers which are a burden on the export achievements of British confectionery. There are three dimensions to that: duty, quotas and artificial labelling regulations.

The United States, like EC countries and many others, operates a protected sugar market. In January, in response to anxiety about the quantities of sugar being imported in mixes with other ingredients, President Reagan took action under section 22 of the Agricultural Adjustment Act 1933 and signed a proclamation imposing quotas on goods under three tariff headings. They included sweetened cocoa powder and some edible preparations such as pancake mixes. In March this year, the President, acting under the same legislation, signed a letter ordering the United States International Trade Commission to investigate other tariff headings with a view to recommending whether quotas or extra duties should be imposed on them to protect the sugar regime. They include chocolate and sugar confectionery products and confectionery coatings, although my latest information is that retail packages will be excluded from the investigation.

The Americans have been complaining for some time that EC policy on citrus fruits discriminates against their exports. The dispute has been referred to GATT, but since the alleged discrimination has not been removed the Americans are considering retaliatory action on several tariff items, including sweetened chocolate and confectionery. This is extremely important to the House, because recommendations on the matter will be made to President Reagan by 30 May, and a decision will be taken within 28 days.

The confectionery industry rightly takes a grave view of those developments. Although exports, helped by the strong dollar, have increased in recent years, they cannot pose a serious threat to the vast American sugar market. Although the President may be under pressure from the strong sugar and citrus fruit lobbies, it is difficult to escape the impression that he is also responding to those who advocate more protectionism to help the American trade deficit. The British Government and the EC Commission have been made aware of the position and have undertaken to do all that they can to prevent action by the American authorities. I ask my hon. Friend for an assurance that everything possible is being done to ensure that no retaliatory action affects the $41 million export market to the United States—our No. 1 market.

Japan places extremely high duties on confectionery —35 per cent. on sugar confectionery and 20 per cent. on chocolate—but it pays only between 5 per cent. and 10 per cent. on its exports to the United Kingdom. It also has complex and protective packaging legislation. For example, if After Eights are exported to Japan, they must be in white envelopes, because the Japanese say that

"optical brightening agents cannot be in contact with food."

If that sounds like double Dutch to my hon. Friend the Minister, I am afraid that she is in for even more. Nothing is formally published, and often the only way is to send goods and see whether they are accepted or rejected. Imported products have limited access to distribution outlets in Japan. It would be helpful if the Japanese Government would issue administrative guidance to their retail trade in general, encouraging them to buy and sell imported products.

If Britain is to receive as many Japanese cars as appear to be flooding the country, there must be some reciprocal treatment. The time for pleasant words over a glass of sake, or whatever my hon. Friend enjoys with the Japanese ambassador, are over. She should wield a fairly big stick and say that we are tired of Japan's false barriers. For example, Japan does not allow the emulsifier YN to be used in confectionery. Almost alone in the world, Japan uses a special glucose, and will not allow glucose in more than 28 parts per million of sulphur dioxide. That increases the costs of United Kingdom exporters by about 20 per cent. The Japanese are extremely fussy about emulsifiers, colours and wrapping materials. I am sure that the Department of Trade and Industry could occasionally discover that the rear axle of a Japanese car is not exactly the right size, and might consider taking action if the Japanese pursue their policy.

But the far east is not only Japan. Korea has 3,000 pages of complex ingredient and package rules of which there is no English translation. Therefore, British companies are often exporting in the dark. Fox recently had its products rejected. Taiwan claims that it has reduced its import duty, but it is still 70 per cent. It is a high trade surplus country.

South Africa will not accept standard United Kingdom weights, such as 8 oz, which is popular here with families. It will accept only 100 g, 200 g, and 300 g packages.

Unfortunately, problems also exist in the EC, and I draw my hon. Friend's attention to its newest member —Greece. Since 1981, the commercial margin allowed to importers and wholesalers combined has been limited to 10 per cent. Much hard work had gone into trying to persuade Greece to expand the margin, but so far to little avail. Although Greece has been a member of the EC for some time, it has still not abolished a regulatory tax, which is as high as 65 per cent. on some products. Importers of confectionery are not allowed to make more than 10 per cent. profit on chocolate confectionery and therefore cannot trade profitably. Greece does not allow food

colouring, so all the chocolate exported there is white, and different coloured wrappers must be used to show different flavours.

The usual chocolate sold by Cadbury in the United Kingdom would be considered imitation chocolate in Belgium and the Netherlands, because it does not contain the required amount of cocoa solids. The West Germans say that a minimum of 25 per cent. cocoa solids should be used before a product can be called chocolate.

Therefore, perhaps with some of the delicious products from the British market, my hon. Friend the Minister will sit down with her EC opposite numbers and iron out those bureaucratic problems. There is a large bureaucracy to be overcome, which confectionery traders concerned with claiming refunds and monetary compensation amounts from the intervention board find especially burdensome. The simplest requirements are found in non-European sophisticated countries such as the United States and Australia.

The documents for the Common Market are not common to all member states. The proposal for a Council directive on chocolate and confectionery manufacture consists of no fewer than 32 pages. Let us remember that Abraham Lincoln's Gettysburg speech consisted of only 232 words, and the Ten Commandments of 309. This mass of EC rules and regulations is turning our confectioney executives into fruit and nut cases. I urge my hon. Friend the Minister to simplify procedures and work towards a really common market.

My second major theme concerns the dumping of non-EC confectionery. This is difficult to quantify, but it is definitely on the increase. Half the problem is in terminology. I am not referring to high price products—quite the contrary. Three to four years ago, non-EC confectionery accounted for a mere 2 per cent. of the market. Now it accounts for 10 per cent. of the market. Such confectionery originates in states where there is cheap labour, in South America—Argentina and Brazil—in South Africa and Eastern Europe—Czechoslovakia—although less so since there have been notably higher costs. My hon. Friend might like to have some dumped confectionery——

Mr. Deputy Speaker (Mr. Ernest Armstrong): Order. The hon. Gentleman must not perambulate while he is making a speech.

Mr. Gregory: I apologise, Mr. Deputy Speaker. I simply wanted my hon. Friend to see some dumped chocolate in due course, and I hope that she will take great care in future and draw the attention of her civil servants to he difficulties concerning the ingredients. These countries are dumping because they are after hard currency. There will come a time when my hon. Friend the Minister will be seduced into buying these materials for her family simply because of the low unit costs. At that stage, we shall be pricing confectionery workers out of employment.

What values and quantities of imported gums, jellies and pastilles, particularly orange and lemon slices, are coming in from these non-EC countries? I know the popularity of the jelly bean in President Reagan's household, but we have an even better quality product on this side of the Atlantic. If he visits York, I shall be delighted to show him a sample.

My third theme is VAT. Confectionery should be treated as a food and zero rated. This would bring VAT rules on confectionery into line with those in other EC states. In 1973, confectionery was zero rated and the volume of trade rose by 10 per cent. In 1979, the tax was reimposed and doubled. However, in Belgium there is a tax of only 6 per cent., and in West Germany one of only 7 per cent., although all foods incur it.

My hon. Friend may, in the considered way in which I know that she looks at these matters, say that we cannot differentiate between one category of food and another. If she does, I shall refer her to Indian confectionery sold here, which has been both manufactured here and imported here. This is zero rated and is made by companies such as the Royal Sweets and Bombay Halva Company in west London. Where is the logic behind the Indian community saying that its confectionery is food and has to be zero rated while ours is not? The confectionery made in my constituency and in that of my hon. Friend the Member for Norwich, South (Mr. Powley) is also food, and we should like it to be zero rated. We have the precedent and the experience, and sales and employment would increase with zero rating.

The confectionery industry is in favour of nutritional labelling, but does not want a complicated system. It wants one that gives energy, fat, carbohydrate, protein and fibre contents.

It does not want a row with the EC over this. The ingredients labelling is on most products now, but in the EC labelling regulations differ between countries. In Canada there is labelling in French and in English. The COMA report on diet and cardiovascular disease suggests that high fat consumption is an important contributing factor to heart disease and proposes that food containing more than 10 per cent. fat, or which makes a significant contribution to fat in the diet, should be labelled with its fat content.

The confectionery industry is disappointed by my hon. Friend's stated intention that the Government will introduce legislation to require all such products to be labelled with their fat content. Insufficient account has been taken of possible retaliatory measures that legislation might provoke among the United Kingdom's trading partners in the EC. I have no objection to the introduction of a voluntary nutritional statement on food labels, and I am sure that the confectionery industry is actively working to promote this.

My next theme is unit pricing. The EC Commission has issued a draft directive that will require food to be labelled with the price per pound or kilo at point of sale. The confectionery industry is strongly opposed to this measure, which it believes will be costly to implement and meaningless to the consumer and may reduce the choice of available products. I should not like to add to the mass of material with which already civil servants, Customs and Excise and the confectioners themselves have to deal. Therefore, I welcome the report of the Select Committee of the other place which explicitly concurred with the following statement made by the Consumers in the European Community Group:

> "We have reservations about universal unit pricing. The cost of unit pricing has to be studied in terms of the benefits . . . Therefore, we would prefer unit pricing to proceed selectively by product and not as the Commission proposes by the establishment of the principle with a negative list of exemptions."

Although I see only one Labour Member present, I was horrified to learn of the Labour party's plan to tax sugar, as stated by the hon. Member for Oldham, West (Mr.

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Meacher), its Front Bench spokesman on social services. I am delighted that yesterday my hon. Friend the Minister of State, Treasury, advised in a parliamentary reply that the Conservative party had no such plans. In 1608 and 1635, a book of rates referred to duties on sugar. It seems that James I may have the dubious honour of being the first to tax the product. I would not suggest that, as he was also James VI of Scotland, he should have returned there. We should remember that the duty on British sugar was first repealed on 1 May 1874, reintroduced by the Finance Act 1901, and survived until 1962.

Dr. Norman A. Godman (Greenock and Port Glasgow): The hon. Member has mentioned both my party and Scotland. I am deeply concerned about the possibility of a tax on sugar, as one of the most important industries in my constituency is that of cane sugar refining.

Mr. Gregory: I hope that the hon. Gentleman will speak to his hon. Friend the Member for Oldham, West. Our sugar beet and refining industries are an ancillary aspect of the United Kingdom confectionery trade. The hon. Gentleman has better sense on this occasion than his Front Bench. I need hardly remind the House that a tax on sugar, one of the main ingredients of confectionery, would have serious consequences, and I invite my hon. Friend to confirm the Government's position.

Companies in England and Wales have no protection from hoaxes, as money is not involved. We all recall with horror the case last year involving animal rights liberation groups. Even if such people are found, they cannot be prosecuted. The Government should take early action in this matter. Co-ordination between the police, the Home Office, the industry and the consumer protection officers is needed. I realise that this is not the departmental responsibility of my hon. Friend, but as the threat occurred in this industry I hope that she will have consultations with her colleagues and ensure that this is regarded as a matter of priority. There is protection in Scotland and we need it to be extended south of the border.

A tax is also threatened on oil and fats. No British Minister can give an assurance on this unless the veto is used in the national interest, and then we would be unable to negotiate. Two regulations are involved. The first is regulation 262/79, which makes butter available at reduced prices from intervention stores for use, for example, in pastry products, sugar confectionery and the like. The second is regulation 1932/81, which makes butter available at reduced prices from the open market. This is not just a matter of EC bureaucracy. The main benefit to consumers is to pensioners. It is they who most enjoy fudge and other forms of oil and fat confectionery and we should be careful not to impose unnecessary tax burdens on that section of the population.

Her Majesty's Customs and Excise and the intervention board for agricultural produce administer the schemes. Among the things that they must ensure is that butter is not used in real chocolate as defined by the EC chocolate directive or in sugar confectionery. It may be used in real chocolate or in cakes, biscuits and ice cream. It may also be used in imitation chocolate and in sugar confectionery. The broad brush approach of the administration in Brussels would be to aid the dairy fat content of all composite foods covered by regulation 3033/80. The cost of the extension would be small but the benefits to companies and administrators would be large, but let us ensure that there is no tax on oils and fats.

The fifth report of the Select Committee on Agriculture on 25 April recommended that the Ministry should press for the confectionery industry to have direct access to Brussels. Commission decisions are made on the basis of advice from relatively junior civil servants of each country. I hope that my hon. Friend the Minister will regard that recommendation as a helpful way to support her staff and diplomats.

I hope that my right hon. Friend the Patronage Secretary, who was here earlier, has passed on to the Whips Office—if not, I shall do so later—information about some of the problems with non-EC confectionery and the good British products with which my pockets are bulging, and I end with Arthur Marshall's splendid parody of John Betjeman:

"There's nougat at the Hendersons, the Hopes have got some fudge,
And Pam has popped the pralines in the tool-bag of her Rudge.
Voluptuous and tarmac-borne, she free-wheels through East Cheam,
My caramelly angel girl, My luscious sweet-meat dream."

I invite my hon. Friend the Minister to reply.

10.2 am

Mr. John Powley (Norwich, South): I am grateful to my hon. Friend the Member for York (Mr. Gregory) for allowing me to take part in this debate—the first for many years on an industry that is vitally important to this country. My hon. Friend will be aware, from his past connections with the city of Norwich, that the Rowntree Mackintosh factory is a major employer and a backbone of industry in the area, employing about 1,350 people. Everyone has seen the advertisements for Yorkie bars. The factory in my constituency produces about 22,000 tonnes of Yorkie bars per annum to keep lorry drivers going, so it is clearly vital to our communications system. I had the pleasure of visiting that factory recently and I know that what I saw there is common to confectionery factories in other parts of the country. It is a highly efficient industry, which has moved with the times and takes advantage of all the new technology to keep itself extremely competitive.

I wish to make two brief but vital points. First, as my hon. Friend the Member for York has rightly said, the industry needs a free and competitive market. My hon. Friend rightly described the barriers erected against our exports. We always tend to play the game with regard to tariffs and barriers but it seems that our competitors do not do so. I urge my hon. Friend the Minister to take seriously the need for competition to be fair and open for all countries so that our manufacturers can compete properly and fairly.

Secondly, the confectionery industry relies heavily on imports of raw materials. We need political and price stability in the exporting countries so that our manufacturers can plan their strategy, production and pricing with some certainty and without having their plans upset by political turmoil or price instability in the countries producing raw materials such as cocoa, mint and sugar which are essential to our industry but which cannot be grown in this country.

I have already mentioned the 1,350 employees in the industry in my constituency. I also make a plea for all the

small shopkeepers selling confectionery throughout the land. They need a thriving confectionery industry for the stability of their small businesses. I hope that my hon. Friend the Minister will take on board the need for fair and open competition for all aspects of the confectionery industry.

10.6 am

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mrs. Peggy Fenner): I am grateful to my hon. Friend the Member for York (Mr. Gregory) for raising this important subject. It is certainly time that the confectionery industry was debated in the House.

Confectionery sales in the United Kingdom amount to about £2·5 billion and about 8 per cent. of consumer expenditure. The United Kingdom has one of the highest levels of confectionery consumption in the world, which is doubtless a tribute to the production and marketing skills of our confectionery industry. There can be no doubt, therefore, that the industry makes an important contribution to our economy, to employment and, I suggest, to our quality of life. For my grandchildren, this will be the most important contribution that I shall make to any debate in my entire career.

Any major industry operating in difficult and highly competitive conditions in the world economy faces a number of problems. In the short time available, I shall do my best to deal with those mentioned by my hon. Friends the Members for York and for Norwich, South (Mr. Powley) as well as with a couple of other important issues.

First, as my hon. Friend the Member for York has said, our confectionery industry, especially the chocolate sector, has cause for a good deal of satisfaction. Recent company reports show increased sales and profits by leading manufacturers. In 1984, the United Kingdom confectionery market as a whole continued to grow for the fourth successive year. A further increase of 4 per cent. by volume took the market to new record levels in both tonnage and value. It was especially gratifying to note that sugar confectionery showed a modest increase after several years of decline.

In referring to the industry's strong and profitable performance, I should perhaps take the opportunity to comment on the point made by my hon. Friend the Member for York about value added tax. I appreciate the industry's concern that its products, together with ice cream, crisps and various other items, have historically attracted VAT while food generally has been exempt. I also appreciate the desire for parity of treatment for similar products.

I understand, however, that Customs and Excise has studied the example of Indian sweetmeats to which my hon. Friend referred and is satisfied that the products in question are essentially different from traditional confectionery. They are brought out at births, deaths and funerals and, when I visit the Sikh temple in my constituency, they are offered as hospitality and a welcome to worship. As VAT is the responsibility of my right hon. Friend the Chancellor, however, further representations should be made to him.

As one would expect with a sophisticated market such as confectionery, there is a two-way trade with other countries. I am glad to say, however, that our exports of confectionery substantially exceed imports and in 1984 increased by over 7 per cent. over the previous year. Indeed, the volume of confectionery exports as a proportion of total production is now double that for the food manufacturing industry generally. I hope that the industry will continue still further to increase its export performance, in co-operation with Food From Britain and its export arm, the British Food Export Council. The enlargement of the European Community to include Spain and Portugal should provide another promising area as tariff barriers begin to be abolished.

On the question of tariff and other trade barriers, I should like first to refer to the current developments in the United States to which my hon. Friend the Member for York referred. I was glad to note that the ban imposed in January on the import of a range of products which included sweetened cocoa powder has now been modified to permit imports in retail packages. Nevertheless, the United States international trade commission is currently investigating the possibility of introducing restraints on a broader range of sugar-containing products. That could certainly have an adverse effect on the United Kingdom's confectionery exports. The Government naturally view those developments with concern and my right hon. Friend the Secretary of State for Trade and Industry, during his recent visit to Washington, made clear to the United States authorities the strength of our objections to such restrictions. The European Commission has also raised the issue in the GATT. I certainly hope that the United States authorities will be dissuaded from introducing further restrictions on trade in this sector.

In Japan, to which my hon. Friend also referred, there remain serious tariff barriers. There has been some improvement in the case of chocolate confectionery. In 1983, following persistent pressure by the Government and a commendable initiative taken by the Chocolate, Cocoa and Confectionery Alliance, the tariff rate was reduced from 32 per cent. to 20 per cent. Unfortunately, a corresponding reduction was not made for sugar confectionery, the sector which offers the greatest export potential. The Japanese tariff on sugar confectionery remains at the unacceptably high level of 35 per cent. We will continue to make representations to the Japanese Government about the matter whenever opportunities arise.

The Department of Trade and Industry is aware of many of these problems and is seeking to have them removed. We will certainly discuss with my right hon. Friend the Secretary of State for Trade and Industry whether there is anything more that we can do in this respect. The situation highlights the dangers of protectionism. I agree with my hon. Friend the Member for Norwich, South (Mr. Powley) that the EC should be a true common market. On EC procedures, I assure my hon. Friend that we support moves to create a more genuinely common market in that respect.

I suppose that the problem raised by my hon. Friend the Member for York in relation to third country imports of low-priced chocolate into the Community presents the inverse of tariff barriers. The European Commission has responsibility, on behalf of member states, for action on anti-dumping issues, although the Department of Trade and Industry maintains an anti-dumping unit which is always willing to advise and help in the preparation of anti-dumping cases.

While dealing with questions of international trade, I should like to refer briefly to the negotiations that have been held under the auspices of the United Nations Conference on Trade and Development for a fourth

[Mrs. Peggy Fenner]

international cocoa agreement. My hon. Friend the Member for Norwich, South stressed the importance of stability in the markets for raw materials. The present agreement — the third — has not proved successful, because it sought to defend price levels that proved totally unrealistic, partly as a result of the rise in the value of the dollar, on which the agreement price is based.

Our objective, and that of our Community partners, is to ensure that any successor agreement aims to secure price stabilisation based on market realities and through the mechanism of sensible and adjustable defence prices. On that basis we shall continue to participate constructively. Perhaps I could take this opportunity to place on record the Government's appreciation of the support that they have received in negotiations from the confectionery industry and the cocoa trade.

I am very conscious of the concern in the confectionery industry about the recommendations of the report of the Committee on Medical Aspects of Food Policy and the action that the Government will take to implement those recommendations. The report did not single out particular foods and the Government have no intention of doing so either. What COMA recommended was a reduction in the consumption of fat and particularly saturated fatty acids. Our aim in implementing the recommendations is to ensure that consumers have the necessary information to enable them to follow the COMA advice. The wide-ranging labelling provisions that we envisage will enable consumers to identify the important sources of fat in the diet and thus to select an eating pattern that is both healthy and palatable.

My hon. Friend was worried about the effect of the COMA proposals on our partners in Europe. They might be regarded as a potential barrier to intra-Community trade. That is not what they are intended to be. They represent our response to a serious public health problem in the United Kingdom.

Although this was not among the COMA recommendations, the Government have also proposed guidelines for those who wish voluntarily to adopt full nutritional labelling, including energy, proteins and carbohydrates as well as fats.

My hon. Friend was concerned about proposals for taxes on fats and on sugar. I confirm that we remain opposed to any tax on oils and fats, as that would have a damaging effect on the food industry, consumers and third country suppliers. We are equally opposed to the recent misguided suggestion of a tax on sugar.

Dr. Godman: Hear, hear.

Mrs. Fenner: I am glad to note that at least one Opposition Member agrees with us about that.

My hon. Friend referred to the regrettable activities of the so-called Animal Liberation Front. I can appreciate the concern of the confectionery industry and indeed of food manufacturers and distributors generally over the problem. I cannot deplore too strongly the irresponsible and malicious acts carried out in the name of that body. Nevertheless, I am advised that the Food Act 1984 should provide adequate protection for companies whose products have been subject to malicious tampering. If, however, my hon. Friend is aware of any specific respect in which he feels the Act does not adequately meet the problem, I hope that he will send me details and I will consider the matter.

My hon. Friend referred to unit pricing. The Government are opposed to the Commission's proposal to extend unit pricing to foodstuffs. We believe that it would give little useful information to consumers and would place unnecessary burdens on food manufacturers and distributors. We consider that a sensible system of standardisation of package sizes would be a far more satisfactory, and far cheaper, means of helping consumers to make value-for-money comparisons.

My hon. Friend was concerned about direct access. If he has any special problems, I hope that he will write to me. The normal access of the industry to the Commission is through CAOBISCO, the European trade body that has close and frequent contact with the Commission.

At racing pace and given a little injury time, I hope that I have answered most if not all the points raised in an interesting and useful debate.

I congratulate my hon. Friend the Member for York on his persistence on this matter, which concerns the great city that he represents in the House and which has a particular interest in the industry. I know that my hon. Friend the Member for Norwich, South shares that interest.

I conclude by congratulating the confectionery industry on its achievements in the past few years in an environment that has not always been wholly favourable, and I assure it and the House of our concern to ensure a propitious climate for its continued success.

Alcohol Abuse

10.20 am

Dr. Norman A. Godman (Greenock and Port Glasgow): I should like to say first of all that I am not a prohibitionist. In this place, it would be difficult to work up support for such a policy.

I raise this Adjournment debate so that the Under-Secretary of State can answer certain questions concerning alcohol abuse and its treatment. I recognise that its treatment extends beyond his Department, so I should be grateful to him if he passed on some of my observations and questions to his colleagues.

In the light of the report of the Select Committee on Home Affairs on the misuse of drugs, which was published yesterday, there may be those who are of the opinion that my time would be better employed discussing hard drug abuse. Drug abuse is a most serious social problem in Britain today. The Select Committee's report states that cocaine has become the "drug of choice" in America, and is becoming increasingly popular in Britain. It states further:

"We fear that unless immediate and effective action is taken Britain and Europe stand to inherit the American drug problem in less than five years. We see this as the most serious peacetime threat to our national well-being."

I readily acknowledge that drug abuse is a major social problem, but I emphasise that alcohol misuse or abuse is equally serious. For millions of British people the choice of drug is alcohol. For example, it has been estimated that in any one week over 75 per cent. of men and 50 per cent. of women will drink alcohol. Taken over a 12-month period, 50 per cent. of the population will consume alcoholic beverages. Adult consumption in the United Kingdom almost doubled between 1950 and 1980. During that period the price of drinks in real terms has more than halved. Since 1980 there has been a slight fall in consumption. I believe that that decline is due to the economic recession and fiscal policy, with the 1981 Budget increase in the price of drinks, for example.

It has been estimated by the Scottish Home and Health Department that Scots spend about £3·5 million daily on alcoholic drinks, which represents 7·5 per cent. of consumer spending. I am not criticising my fellow Scots because United Kingdom consumer spending on alcohol in 1984 equalled some £14,319 million, which is about 7·5 per cent. of all consumer expenditure. I believe that in Scotland, as well as elsewhere in the United Kingdom, alcohol is a significant element in everyday life, particularly in recreational and leisure activities. I am seeking moderation in alcohol consumption. We need a more active commitment from the Government to an alcohol health education programme.

In an excellent report called "Health education in the prevention of alcohol-related problems", produced by the Scottish Health Education Co-ordinating Committee, the authors said on alcohol consumption:

"Alcohol is used as a stimulant, a tranquilliser, a celebrant, a medicine, a social lubricant, a religious symbol, and as an indicator of the transition from work to play. The functions of its use are so diverse that at times they are contradictory. Our expectations about the value and effects of alcohol influence our behaviour to a far greater extent than do the mood-altering properties of the drug . . . . Discussion about alcohol and the problems associated with its use provoke a diversity, and often a conflict, of opinions. This is never more so than when strategies for prevention of abuse are being considered."

While I am sure that the Minister has read that excellent report, I ask him to advise his officials to read it. *The British Medical Journal* said in its review of the report:

"The past 10 years have seen a plethora of reports on alcohol, but most have been concerned with describing the problems associated with alcohol rather than a plan for overcoming them. The only report that came close to matching this present Scottish report in the scope of its suggestions was the suppressed report by the Government's think tank (Central Policy Review Staff). The flimsy Department of Health and Social Security document *Prevention and Health: Drinking Sensibly*, which could be seen as the Government substitute for the suppressed report, was much stronger on platitudes than suggestions."

I believe that a similar examination should be conducted south of the border with a subsequent report, I hope of similar quality, to the Scottish report. I hope that the Minister will confirm that such an exercise will take place in England and Wales in the near future. I am sure that the Minister will agree that alcohol abuse is not peculiar to Scotland. That form of drug abuse continues on its widening and destructive path throughout the whole of the United Kingdom.

I should like to refer to the economic costs and benefits of alcohol. A report of a British Medical Association conference, which I believe the Minister addressed, said:

"The Government refused to take the strong measures needed to curb alcohol abuse because it was afraid of offending the drinks industry, said Mr. Derek Rutherford, Director of the institute of Alcohol Studies. Ministers were defending the commercial interests of the drinks industry in the same way that they have defended the tobacco firms."

The Minister may wish to respond to that allegation.

It is certainly true that the state derives enormous positive benefits from alcohol. The production, marketing, distribution and selling of alcoholic beverages provides employment for more than 750,000 people. United Kingdom excise duties and value added tax obtained from the sale of alcohol in the financial year 1983-84 will exceed £5,200 million, which is one third of the cost of running the National Health Service.

This morning we have heard about exports of confectionery. The value of alcohol exports exceeds £900 million a year and there is a pronounced positive balance of trade with other nations. However, the economic costs of alcohol are formidable. Those costs relate to lost production and absenteeism and the cost to the social and medical services of treating those suffering from alcohol abuse. It has been variously estimated that these costs amount to about £1·2 billion. There are other costs, of which alcohol-related crime and fire are two, but there are still others which are extremely difficult to quantify.

Given the fact that alcohol is the drug of choice of millions of people, it is not surprising that the use of alcohol presents so many problems to the individual, his or her family, the community, the police, the health services and the Government. The Government have a major role to play. The type and extent of the problems will vary, but they involve problems with the law, including drunkenness, drinking and driving, criminal damage, theft, assault and homicide, social problems including aggression, domestic violence, child neglect and abuse, domestic accidents, absenteeism and road traffic accidents; and medical problems including alcoholic poisoning, drug overdose, acute gastritis, acute trauma, head injuries, parasuicide, epilepsy and amnesia.

Although there is no universal definition of the number of alcoholics in Britain, the estimates vary widely between 400,000 and 800,000. In my area of Scotland, the lower

[Dr. Norman A. Godman]

Clyde, hundreds of persons have been proceeded against for the offences of being drunk and incapable and of habitual drunkenness. In an answer given to me by the Under-Secretary of State for Scotland — the hon. Member for Edinburgh, South (Mr. Ancram) — in column 411 of the *Official Report* of 21 May 1985 I was informed that in 1984 in the district court in Inverclyde 797 people were proceeded against. In Strathclyde the figure was 3,456 and in Scotland as a whole it was 6,500. I am anxious to emphasise that this is not just a Scottish problem. It is a British problem, because the figures for England and Wales are equally high. An answer given in the other place showed that, in 1982, there were 107,326 findings of guilt for offences of drunkenness in England and Wales. This is a massive problem which involves a great deal of police and court time.

The same answer given in the other place provides grimmer statistics on the numbers of death from cirrhosis of the liver between 1979 and 1983. There is a remarkable consistency in the numbers of recorded deaths from this illness. In 1979, 2,676 people died in the United Kingdom as a result of cirrhosis of the liver. In 1983, the figure was 2,679. In Scotland the rates are even higher.

About one road death in five—about 1,200 a year—occurs in accidents where at least one person has consumed an amount of alcohol over the legal limit. Between 1968 and 1980 convictions for drunken driving in Scotland increased, although the numbers have declined since then. The Scottish conviction rate for drunken driving is far higher than the rates in England and Wales. In 1981, the rate per 100,000 of the population was 123 for England and Wales, whereas for Scotland it was 217. Conviction rates are, of course, determined by both police activity and the amount of alcohol consumed.

Many other costs are borne by the drinkers, their families, the community and the state. For example, statistics on days lost due to alcohol-induced sickness have been estimated at between 8 million and 15 million days a year. In some industries, this is known as the Friday afternoon-Monday morning problem.

There is clear evidence of the role of alcohol abuse in family problems. One third of all divorce petitions cite alcohol as a contributory factor. One third of child abuse cases have been linked to the regular heavy drinking of one or both parents.

I have sought to highlight some of the problems surrounding the British choice of drug. The Government have a major role to play in containing these and other problems. This Government and earlier Administrations have left far too much of the burden on the hard-pressed local authorities and voluntary associations. I criticise not just this Government but Governments during the past 20 years. The voluntary associations do a fine job with inadequate resources.

I should like to ask the Under-Secretary of State a few questions, some of which he may be able to answer during this debate. When can the House expect a joint statement by the DHSS and the Home Office on their policy on public drunkenness?

The Parliamentary Under-Secretary of State for Health and Social Security (Mr. John Patten): Shortly.

Dr. Godman: That is the type of answer I like—beautifully succinct. I hasten to say, Mr. Deputy Speaker, that I shall not take too many interventions.

Is there any likelihood in the near future of the Government's policy on designated places being changed? I hope that the Under-Secretary of State feels able to contain himself on that question. The Government's policy is clearly set out in a letter of 1 March 1985 which I received from the Under-Secretary of State for Scotland with responsibility for health and social work—the hon. Member for Argyll and Bute (Mr. MacKay). I have the hon. Gentleman's permission to quote his letter. He said:

"Thank you for your letter . . . about the possibility of setting up a designated place at Greenock, to which the police could take persons found drunk as an alternative to charging them."

There is no danger of the hon. Member for Greenock and Port Glasgow falling into that category, despite the fact that, occasionally, he likes a glass of malt whisky, especially at the end of a fine meal. He believes that a malt whisky is far superior to a continental liqueur. The Under-Secretary of State continued:

"After the coming into force of section 5 of the Criminal Justice (Scotland) Act 1980, my Department issued guidelines on designated places in April 1982 . . . the initiative in setting up such a place is in the first instance for local authorities and voluntary bodies. The Secretary of State is prepared to offer advice and guidance on the setting up of designated places and is at present making use of his power to assist voluntary bodies under section 10 of the Social Work (Scotland) Act 1968 to pay grant for the setting up and running of Albyn House, Aberdeen"——

I am sure that the Under-Secretary of State has heard of Albyn house—

"but before considering a scheme for Greenock . . . the Secretary of State . . . would need to establish that there was in being a group capable of sponsoring and running the project and that arrangements had been or were being made to involve, and obtain the support of, all the agencies who would be referring people to a designated place . . . Grants to local voluntary bodies"——

and I shall be questioning the Minister about such grants——

"are normally time-limited (the standard period being three years) and we would also need to establish that if a designated place were to be set up . . . in Greenock . . . there should be reasonable prospects of its continuing after the end of the grant period."

I have quoted extensively from that document because it encapsulates the Government's thinking on designated places, certainly north of the border.

Designated places play an important role in dealing with drunkenness offenders. We have only one such place in Scotland, Albyn house, in Aberdeen, which was opened as recently as March 1984, but already it has been a conspicuous success. Within 12 months of opening, Albyn house and its staff have gained the confidence and support of the local police, doctors, social workers, members of the legal profession and, most important, of the clients. The chief constable of Grampian, Mr. Lynn, recently said:

"The principal effect in so far as Grampian Police are concerned is that arrest procedure and the accompanying administrative process, both time-consuming, are now almost non-existent. A second important feature is that the maximum supervision of drunks in police cells is not always practicable and is a matter of concern, whereas constant attention can be provided by the staff of Albyn House. Grampian Police benefits from Albyn House, as Officers, if only in a relatively small way, are less hindered in performing the more important aspects of their statutory functions, which is surely in the public interest."

The chief constable raised an important point concerning the custody of those suffering from

drunkenness, for it is a regrettable fact that too many have died while in police custody, death having been brought about in some instances by vomiting leading to asphyxiation. It is a real problem and the chief constable hit on an important point in that context.

Having discussed the issue of designated places with Mr. Drew Watson, director of the Inverclyde Council on Alcoholism, senior police officers — including Chief Superintendent Barry Shaw, the most senior police officer in my constituency—and social workers and doctors, it is patently evident to me that we require a designated place in Greenock and Port Glasgow. I appreciate that the Minister has no responsibility for that, but I trust that he will bring it to the attention of his Scottish colleagues. I say with regret that we need one in Greenock, but many more are needed throughout the United Kingdom. Is there any likelihood of the Government taking up more of the financial burden? For example, is there any chance of an extension of the grant period from three to, say, 10 years? Grampian region will have serious problems concerning Albyn house once the three-year period is up.

Designated places can tackle only a small area of alcohol abuse and hence much more needs to be done. In the time remaining to me, I can outline only some of the areas where the Government can do much more to tackle the social evil of alcohol abuse. Close and continuing co-operation between the Government, local authorities, health and social services, employers and trade unions is vital for the containment, and I hope prevention, of alcohol abuse.

What are the Government's plans for the development and extension of health education programmes? Such programmes concerning alcohol abuse must be brought into schools. There is far too much alcohol abuse among teenagers, both north and south of the border. It is a real problem. Indeed, it is more serious in some respects than solvent abuse and certain other forms of drug-taking. Do the Government believe that such educational programmes should be organised by local authorities and voluntary organisations, or do they believe that the Government have a more comprehensive role to play? What Government-sponsored research is being undertaken in the vital sphere of health education?

I appreciate, as I come to fiscal policy, that the Minister may not be able to answer for the Government on many of the points that I raise. The Scottish report to which I referred contains the argument that an increase in excise duty reduces the average per capita consumption of alcohol and, in particular, the consumption of the heaviest drinkers. In terms of fiscal policy, what is the Minister's response to the observation that the Government should, as a positive health measure, regularly increase the duty on alcoholic beverages in line with the retail price index or, better still, add an extra 3 to 5 per cent. each time an increase is made?

The authors of that report argue that recent evidence supports their point of view. They mean by that that in the 1981 Budget the excise duty on alcoholic beverages was increased dramatically and that that decision, in tandem with price increases introduced by the breweries, meant that for the first time for several decades, the price of alcoholic drinks increased by much more than the overall rise in the retail price index.

Between 1978 and 1981, the RPI of alcoholic drinks increased by 61 per cent., whereas the RPI of all products increased by 52 per cent., and personal disposable income rose by 55 per cent. In other words, drinks were more expensive to buy. In 1981-82, for the first time for 30 years, the per capita consumption of alcohol in Britain declined, from 10·4 to 9·3 litres of pure alcohol per adult. That decline was accompanied by a 10 per cent. reduction in convictions for drunkenness and an 8 per cent. decline in convictions for drunken driving. Clearly, that was more than coincidental.

There are other areas in which the Government could play a more decisive role. For example, are Home Office Ministers satisfied with the education and training that police officers receive in dealing with alcohol problems and their prevention? Is education concerning alcohol problems a prominent feature of police training programmes? If not, why not?

I appreciate that the Minister has no responsibility for police training, but do social workers receive any training in the detection and prevention of alcohol abuse? That is important, given that alcohol abuse features so largely in, for instance, child abuse cases. Are social workers equipped to tackle alcohol problems, or are they simply encouraged to pass on those problems to the local special alcohol unit?

I appeal to the Government to encourage more actively the development of joint employee policies on alcohol abuse. In a growing number of companies, members of senior management and trade union representatives negotiate alcohol recovery programmes which have as their objective the early identification of alcohol-related problems. Many companies have adopted that policy and found that it reduces the incidence of alcohol-induced inefficiency, gives health and sport to employees and their families and discourages the felt need to lie, conceal or deny the existence of a problem. As a major employer of labour, the Government could exercise a considerable influence throughout the country.

I know that this is nothing to do with the Minister, but is there an alcoholic recovery programme for hon. Members and employees of this House and the other place? It is some time since we had a drunken Parliament. The Scottish Parliament which sat in Glasgow on 1 October 1662 had only one sober Member on its first sitting day. The Minister ought not to hold that against us when we demand a Scottish Parliament.

The nation needs a public health policy on alcohol abuse. There is a staggering growth in alcohol-related problems and we must ask whether the Government are doing enough and whether their policies are likely to contain or reduce this social disease. I believe that much more could be done.

10.50 am

The Parliamentary Under-Secretary of State for Health and Social Security (Mr. John Patten): The hon. Member for Greenock and Port Glasgow (Dr. Godman) has given the subject of this debate a good airing and I have listened carefully to him. We do not always get time to debate this matter in full. I am grateful to him for the style and content of his speech.

The hon. Gentleman was extremely courteous to my hon. Friend the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food in allowing her to encroach on his time. I must reply rather briefly so that I do not go into the time of my hon. Friend the Member for

[Mr. John Patten]

Lewisham, East (Mr. Moynihan). I shall speak rather fast and try to be succinct, along the lines of my intervention in the hon. Gentleman's speech.

The hon. Gentleman asked many questions on matters which are not my ministerial responsibility. I shall try to reply across ministerial boundaries. It is not very helpful to say that a matter is one for my right hon. Friend for this or my hon. Friend for that, although it is a rather good defensive line when the temperature is raised. The hon. Gentleman is quite right to say that alcohol and certain drugs can be benificial in tightly controlled circumstances. For example, heroin is still used for the relief of pain. It is important that, while being rightly worried about the threat of heroin and cocaine abuse, we do not forget other substances such as alcohol, tobacco or solvents, the abuse of which can also cause mayhem. My Department is keen not to fall into that trap.

I cannot speak with authority about Scotland, so I shall have to seek advice from my colleagues in the Scottish Office. I shall also ask for advice from colleagues in the Home Office and the Department of Transport to compose the omnibus letter that I shall have to write to the hon. Gentleman.

The Government are determined to do as much as possible to mitigate the effects of heroin and cocaine coming into the country. That is why, in 1984, we spent an extra £19 million on the police force, why every police force has a regional drugs squad, why we spent an additonal £10·5 million in 1984 on customs activity against heroin and cocaine, why we put an extra 160 officers in the drugs squad — there is now a cocaine squad — why we mounted a £2 million educational publicity campaign and why we have customs and intelligence officers in countries such as Holland, Pakistan and India in an attempt to cut off the lines of supply.

At a recent meeting, I talked to Ministers and other people from countries such as Pakistan, Taiwan, Bolivia and Mexico where drugs are grown, refined and exported, to stress to them, eyeball to eyeball, how strongly British people feel about their export of drugs. The World Health Organisation must get on faster with its programme of drug education.

I shall not refer to the hon. Gentleman's suggestion that there should be advice available in this place about alcohol. That is a matter for my right hon. Friend the Leader of the House and the usual channels. It is not water into which I shall put my toe as I fear that it would be badly burnt. I am sure that the whole House agrees that alcohol is not bad unless it is abused. Indeed, some medical advice suggests that small amounts of alcohol taken regularly can be beneficial for some people in certain circumstances. I am told that the odd glass of wine taken daily is good for men with heart problems. Other medical authorities maintain that four or five glasses a day is bad for everything from the liver to the brain and back again, never mind work patterns.

Moderation should be encouraged. The hon. Gentleman quoted the *British Medical Journal* or a speech by a member of the British Medical Association. Our document entitled "Drinking Sensibly", which has been widely welcomed, does not give flimsy advice. Indeed, its advice is good and straightforward — be sensible, be moderate. The problem is getting that message across. The hon. Gentleman gave us statistics covering everything from days of absence from work to road accidents. We all know what the problem is and the answer — do not abuse alcohol. That is why health education is so important and why the Health Education Council in England, Wales and Northern Ireland and its equivalent body in Scotland are so active. That is why a new body called Alcohol Concern is being funded at such a high level. It brought together all of the voluntary bodies of substance—one or two chose not to join—in an attempt to deal with the problem nationally. We sometimes give substantial funds to local projects.

The problem of alcohol abuse must be worked out by each individual in the world in which he lives — his family, his place of work and so on. While we can prime the pump and fund national bodies concerned with health education, in the end the necessary services are best provided at local level. We can prime the pump and fund national bodies for a while—three years appears to be the norm—but thereafter it is better dealt with locally.

I pledged that I would not speak beyond 11 o'clock. The hon. Gentleman may not have appreciated the integrated nature of the Government's approach to alcohol abuse. If so, that is my fault for not having put it across more clearly. I shall try to put right that misapprehension in the very long letter — that is both a threat and a promise—that I shall write to him in a few weeks.

Foreign and Commonwealth Office Vote

11.1 am

Mr. Colin Moynihan (Lewisham, East): While I have neither eyes to see nor ears to hear what happens behind the Bar of the House or in the Box, I understand that a number of the Minister's advisers will be present today. As I shall be present for further Adjournment debates this morning in my capacity as parliamentary private secretary, when I shall have no voice to speak, I take this opportunity to thank the advisers for giving up this official public holiday for the Civil Service in honour of the Queen's birthday in order to assist the House in its proceedings.

In 1979 my right hon. Friend the Member for Cambridgeshire, South-East (Mr. Pym), the then shadow Foreign Secretary, declared that the underlying theme of Conservative foreign policy was the safeguading not only of our own freedom but that of the whole free world. Every free country has a shared interest in the freedom of every other country, and we in Britain should look forward from this island in that spirit and with that faith.

A remarkable series of events have witnessed the British Government speaking and acting clearly in favour of British and Western interests since then. There was a peaceful and democratic settlement on Zimbabwe after 15 years of deadlock and abortive negotiations. The rebuffed Argentine aggression reminded a doubting world of the conviction of a democratic country in safeguarding not only its own freedom but that of the whole free world. There has been a strengthening of our defences and a new emphasis on the protection of human rights during this year's visit to Poland by the Foreign Secretary and the negotiations about the future of Hong Kong — all of which are hallmarks in a period of our foreign policy that reflects an essential guarantee of a strong and decisive projection of Britain abroad.

Today I test the means by which such a projection is achieved—the Foreign and Commonwealth Office Vote, and the financing of the diplomatic service, the BBC overseas service and the British Council in particular. Of course, resources are scarce in any spending Department. Of course, politics is the business of organising priorities. Allocation must be achieved in the interest of the public good so that the broad policy that I have outlined can best be effected.

A classic vehicle through which that policy can be effected is a flourishing BBC overseas service. It is respected for its quality, accuracy and impartiality, and it enhances Britain's image abroad. We live in one of the few societies in the world where a genuine, accurate, impartial and truthful service is one of the best selling points for a country. Three words sum up a uniquely British idea—accurate, impartial and truthful. They are the best possible ambassadors for British diplomacy. That is a remarkable fact.

The unique world reputation held by the BBC external broadcasting service must be strongly supported. Ways and means are urgently needed to improve audibility and to bring about modernisation. The emphasis on audibility is all the more important when our competitors are boosting transmissions. Let us consider one example—the lifeline that the BBC external service is providing to the Afghan refugees. Between October and December 1984, a survey was conducted in the north-west frontier province of Pakistan where Pashto is the principal language spoken. Interviews were carried out among two separate samples of 600 adults each, one representing the adult urban population of the north-west frontier province, the other representing the Afghan refugees settled in the various camps of the province. According to latest population estimates, the total urban population of the north-west frontier province is close to 2 million, of whom about 1 million are adults. The Afghan refugee population of Pakistan is officially estimated at almost 3 million, and in the area covered by the survey there are 1·3 million refugees, of whom about half are adults.

The BBC Pashto service, which broadcasts for four hours a week, was inaugurated in August 1981. The survey provided the first opportunity to assess its impact among two distinct populations. Among Pakistanis, most people understand Urdu. Previous research in Pakistan, most recently in 1982, has shown a large, well-established audience for the BBC in Urdu in the north-west frontier province. In terms of their exposure to the BBC, the Pashto speakers of Pakistan are very different. Although many of them understand the Iranian Farsi language, the introduction of the Pashto service represented the first occasion on which the BBC had spoken to them in a language that the majority could understand.

It is interesting that both communities use radio as their main source of news. However, the resemblance stops there. Among Pakistanis, radio is closely challenged by television, with newspapers rather further behind. Among Afghans, television is almost wholly unavailable, and the low level of literacy results in little usage of newspapers. The radio is overwhelmingly dominant among the formal media and word of mouth is the only other news source, especially for women.

The regular radio audience figures are astonishingly high — 64 per cent. for Afghans and 61 per cent. for Pakistanis. Just over half the Afghan refugees listen to the BBC in Pashto. There are regular Pashto audiences among men of 88 per cent. for the BBC, 50 per cent. for Iranian radio and 40 per cent. for Voice of America.

Anyone who has visited the area will know that those transmissions are vital lifelines. It is for that reason that more Afghans listen to the BBC external service than to Voice of America, All-India Radio, Deutsche Welle and Radio Moscow combined. Yet, regrettably, that is all too uncommon a picture worldwide.

In the House on 22 November my right hon. and learned Friend the Foreign Secretary said about external services:

"the BBC, too, has had to face some increase in costs. I do not believe that it would be right to meet that increase in full. As in the case of the British Council, I shall be looking for savings of about 1 per cent. in its total expenditure."—[*Official Report*, 22 November 1984; Vol. 68, c. 429.]

The reduction of £1 million to £2 million envisaged this year will be the ninth cut in the working revenue of the external services for 10 years.

The cuts of 1982 ended the Spanish for Europe, the Italian and the Maltese services. French for Europe and the Brasilian service were halved. During the Falklands war that same year, the two nations in Europe least sympathetic to Britain because of their historical ties were Spain and Italy.

The grant to the transcription service that supplies recorded programmes for rebroadcasting to more than 100

[Mr. Colin Moynihan]

countries was reduced by £300,000, and the number of programme hours from 500 to 350 per annum. The Government agreed, and this was welcomed, to fund the BBC programme of capital expenditure starting in 1981-82 of £102 million, to be spent during the following nine years. That included new transmitters in Hong Kong and the Seychelles and the replacement of United Kingdom transmitters, some of which were installed during the second world war. The willingness of the Government to build costly transmitters contrasts with the cutting of the number of services going out on them, which seems to lead to an inefficient use of capital.

It is true that in this year the BBC will receive an additional £700,000. That corresponds to the difference between the 3 per cent. cash limit for pay last year and the actual settlement of 4·8 per cent., similar to that of the Civil Service. The indicated cut of £1·2 million with which the external services will have to cope this year corresponds to improvements in conditions of employment that the corporation as a whole is having to make to remain competitive within its employment market.

Even if the present savings are found, they cause much greater problems in prospect for future years. In the next three years the external services could be facing a deficit of some 10 per cent. of its operating costs. That could be met only by a major reduction in broadcasting. A now crucial change in the way that the BBC's external services are funded was recommended at the end of last year. A plan was brought forward for money to be made available to the external services from the Government for exactly the same length of time, and at exactly the same point in time, as the licence fee settlement for the rest of the BBC. I support that plan.

Funds for the external services, which are part of the Foreign Office Vote, are currently granted for just one year, and that has led to a series of annual cost crises as successive Governments have tried to trim public expenditure. But the inquiry has accepted the BBC's contention that a move away from the one-year financial straitjacket for the external services' operating expenditure would facilitate more effective and efficient forward planning. The report also recommends that capital underspending of up to 10 per cent. — because of unforeseen delays in transmitter replacement projects, for example — can in future be carried over from one financial year to the next.

I hope that at this stage in the Public Expenditure Survey Committee round, my hon. Friend the Minister will press the Treasury to reflect on the increased costs and the effect of the depreciation of sterling. I also hope that he will consider how greatly the external services might benefit from the protection against depreciation that is customarily enjoyed by the Foreign Office. I further hope that he will agree that any further savings in total expenditure would militate against Britain's interests overseas and would be, to use Lord Carrington's words,

"totally counterproductive and the money saved trivial compared to the amount of damage done."

I hope that my hon. Friend the Minister will urge the Treasury to recognise that international broadcasting is a growth business. Voice of America has been given a $1·2 billion expansion plan. France has just had an austerity budget, and its foreign relations expenditure was reduced all round, with the exception of one item — external broadcasting. The money for that was increased from 296 million francs to 335 million francs.

The Japanese are expanding their overseas radio services as well, and the Soviet Union has expanded its output and dominates the airwaves in terms of hours broadcast: 2,200 hours a week as opposed to the BBC's 720 hours a week. But above all, I hope that my hon. Friend the Minister will see the strength of the moral argument that we have a duty to support the BBC's overseas service. It is a moral duty when something that is so small a burden on a rich country can provide such a massive service to the people of the world, and has substantial invisible exports. We need moral recognition that, despite the millions invested in Radio Moscow and Voice of America, the BBC has the most respected independent status, and its impartial voice is an essential means of sharing our interest in the freedom of every other country.

No one who has ever seen the extensive use made of British Council libraries around the world would hesitate to acknowledge that here is an institution central to Britain's role in overseas representation. The council has become a focus for a wide range of cultural activities. Meanwhile the council's emphasis on English language teaching is vital not just to thousands but millions worldwide.

In response to the Berrill report, *The Times* wrote:

"Britain's values have been formed by centuries of international traffic in culture and information. If Britain ceases to attach high importance to continuing participation in this traffic, loses faith in the contribution she makes to it, and fails to respond to the demand which her excellence generates abroad, her own cultural bloodstream will become that much poorer, her self-respect that much lower, and in the long run her international influence that much smaller."

That is why many of us regret that the opportunities will be missed now that the British Council has announced a programme of closures and cuts to meet the additional savings of £1·1 million required by the Government.

The opening of a new British Council office in Shanghai has been postponed. The council's Oporto office will close, as will one English language teaching institute in Venezuela. A post will be withdrawn from Qatar. Funds to send books overseas and for academic and youth exchanges will be reduced. The balance will come from cuts in the council's computerisation and capital programmes.

The savings demanded by the Government are in addition to £800,000 already required for 1985-86 to meet the cash limit imposed on the council. The latest cuts bring the reduction in the British Council's budget to almost 22 per cent. in real terms since 1979, and many posts have been lost. Ten regional offices have been closed in Britain and representation has been withdrawn from Afghanistan, Argentina, Iran, Malta, Mauritius and Costa Rica. Although some of those withdrawals were involuntary, they contributed to the necessary savings, and prevented closure elsewhere. Further cuts will inevitably mean reducing activity and closing more overseas offices. Moreover, the British Council will find it more difficult to respond to the new opportunities for Britain overseas or to take advantage of any improvement in political relations with South America or the middle east. Equally, the council will not be able to open an office in Brunei where other countries have recognised the scope for educational consultancies.

I agree with those who argue that the council should constantly look to increase revenue. But that activity is not a substitute for regular Government income. It tends to increase activity in the country in which it is earned, but not to create a surplus for easy transfer elsewhere. Of £26·2 million earned in 1985-86 in teaching English, holding British examinations, and selling services, about £1·5 million is extra to the cost of doing the activity in the first place.

The council has found some venture capital — in addition to private sponsorship for the arts totalling £700,000—and has received income from the University of Cambridge local examinations syndicate for English language institutes in Malaysia and Japan. So far £25,000 firm has been raised and another £25,000 is hoped for towards the costs of opening an office in Brunei, which has regrettably had to be postponed. The council has also initiated a scheme for attracting and placing overseas students that is paid for by our universities and polytechnics. It obtains payment for services where possible.

All of that helps, but these are not sources or funds on which to plan a long-term strategy. Again, I hope that the Minister will urge the Treasury during this PESC round to recognise that the British Council is already lean and efficient. I have recently seen the vital role it plays in Ethiopia, where English is still a secondary teaching language. Britain has the sixth largest economy in the world, and arguably the five larger economies combined make less of a cultural impact than we do. English language, theatre, literature and poetry, joined now, not least, by British rock music, dominate the world.

Our cultural heritage is totally out of proportion to our economic power. Our publishing industry is totally out of proportion to the size of our population. The British Council is a crucial vehicle in promoting those strengths, and I hope that my hon. Friend the Minister will be party to building from strength in the coming years.

I have never doubted that within the diplomatic service there is room for innovation and change, and that such changes should be clearly reflected in any PESC round. That applies not least with regard to commercial representation. The old days, when the Foreign Office provided an essentially political service and when its role was to create an atmosphere or a climate of trade, have now passed. The weakness of the British marketing effort became all too apparent. Overkill set in. The Foreign Office looked at everything with a far stronger commercial perception until Iran. Now a middle course has been struck, yet it is still very hard to persuade the new intake that it is better to be first secretary (commercial) than first secretary (chancery) in a major city.

The strongly political work of our mandarins overrides any glory there may be in commercial success. The job now is to spot opportunities and open doors. But the quality and experience of those vested with this responsibility is mixed and, I believe, rightly subject to assessment. That is no less true of our system of Government support for our export interests.

Let hon. Members consider a cricketing analogy. Whereas the French Government regard commercial assistance as a method of winning the game, and the Japanese put in six sides to field to ensure that the odds are stacked in their favour, British commercial practice is for the private sector to sit down in its PEP, BOTB, Foreign and Commonwealth Office and Department of Trade and Industry pavilions arguing at length about the rules of the game. Then when all else fails, it is too often the case that it is the poor commercial attaché abroad, the proverbial twelfth man, who is blamed. The need for a review of commercial assistance is considerable.

The Foreign Office will always embrace a web of international power threads, and spheres of influence. Nations will strive to safeguard their security and promote their interests. Those are the fundamental areas in which the diplomatic service must work. A delicate balance of power will be struck and the mandarins of the Foreign and Commonwealth Office will continue to manoeuvre men of outstanding intellectual ability around a defined world of diplomatic posts while doggedly implementing the perceived wisdom of the day for what constitutes British interests.

Some might say that the FCO will remain the world's greatest expert on every political system bar its own. I dispute that view but there is room for greater integration with other Government Departments, not least with the Ministry of Agriculture, Fisheries and Food. Commensurate with this assessment is the need to sustain a Vote strong enough to support commercial and political roles abroad. Constant paring of the diplomatic service will do as much damage to the morale and effectiveness of its resilient and outstanding staff as anything else.

Today British interests are constantly changing. We seek to achieve a peaceful and stable world, enriched by the very fragile fruits of democracy in which free trade and commercial objectives can flourish. Our greatest tool is our influence — difficult to define and difficult to measure; the ideal target for the Treasury hatchetman. Yet if we as Conservatives are to promote not only our own freedom but that of the free world we must seek a financial provision that is strong enough to support the Foreign Office. I am strongly of the conviction that that view is widely shared on both sides of the House.

At this point I should like very much to give way to my right hon. Friend the Member for Blackpool, South (Sir P. Blaker) who is the chairman of the Conservative foreign and commonwealth affairs back bench committee. My right hon. Friend hopes to speak for about 10 minutes and deal specifically with the diplomatic wing upon which I touched but upon which he will elaborate much more lucidly than I have been able to do in the short time available to me.

11.20 am

Sir Peter Blaker (Blackpool, South): I congratulate my hon. Friend the Member for Lewisham, East (Mr. Moynihan) on having initiated this debate. I am extremely grateful to him for enabling me to say a few words specifically about the Foreign and Commonwealth Office as opposed to the important question that he has touched upon—the external services of the British Council.

We have one of the hardest working and most effective diplomatic services in the world. That is not simply my opinion. It is the opinion of other diplomatic services, of which I have seen a great deal, and of other Governments. As my hon. Friend has rightly pointed out, the continued effectiveness of the organs which fall under the responsibility of my right hon. and learned Friend the Foreign Secretary is vital for freedom and prosperity.

The Foreign and Commonwealth Office has already been run down far enough. In the interests of the United Kingdom, that process should stop. The FCO accounts for

[Sir Peter Blaker]

1·1 per cent. of the total number of civil servants and for 0·9 per cent. of the total cost of the Civil Service, so it cannot be said that the members of the Foreign and Commonwealth Office are more expensive per head than other civil servants. In 1984 the total number of staff in the FCO both at home and overseas was 6,722. FCO staff in the United Kingdom who are responsible for liaison with all our posts overseas amount to just a little more than the headquarters staff of Marks and Spencer and to half the total staff of Brent borough council. The trends in the diplomatic service have been steadily downwards.

As my right hon. and learned Friend said on 22 May in answer to a question, since 1979 the number of diplomatic staff has declined by over 17 per cent. The overall reduction, not just of diplomatic staff, since 1979 has been more than 14 per cent.—a very big fall. The trend in the FCO compared with the Civil Service as a whole is different. In the 1970s, under the Labour Government, Civil Service numbers as a whole increased by more than 50,000, while the FCO numbers continued to fall, as they have fallen in almost every year since 1969.

In view of this fall in numbers one would expect to find that the workload had diminished, but the opposite has been the case. The workload has gone up, for reasons that are outside our control. In 1965, the number of independent countries in the world was 124. The number is now 164. In 1968 the number of British visitors abroad was about 5 million a year. In 1983 it was 20 million a year. When they travel, many British visitors meet problems and expect consular help. Hon. Members know that when British visitors do not get the consular help they expect they hear about it, sometimes in very indignant terms. That is a burden which cannot be diminished. Indeed, it will continue to increase.

What about the trends in cost? The total FCO vote is tiny—£583 million. It may sound a great deal, but compared with the costs of other Departments it is very small indeed. It includes the British Council, the BBC external services and subscriptions to international organisations from which we cannot escape if we are members of those organisations. Properly speaking, the cost of the diplomatic service is just over half that amount. In the five years after 1978 the cut in spending in constant prices, was 9.4 per cent. For decades the FCO has had a system of self-inspection, a quality of work control system which other Departments do not have.

Another important point in recent years has concerned overseas risen costs, a point mentioned by my hon. Friend the Member for Lewisham, East. The Government have given some assurances about overseas risen costs in relation to the FCO Vote in general, but I do not regard those assurances as having gone far enough. I hope that my right hon. and hon. Friends in the Foreign and Commonwealth Office will press for a better and more satisfactory arrangement about overseas risen costs. When he winds up the debate, I hope that the Under-Secretary of State will say something on that subject.

If one looks at the hours worked in the FCO, one finds a system which I regard as totally unsatisfactory. In the front line Departments it is perfectly routine for officers to be working from 8.30 in the morning to 8.30 in the evening. I wonder whether Ministers have had an assessment made of the hours worked by the ordinary desk officer. I am not referring to the head of department or to the assistant head of department, who would undoubtedly work longer hours. My information is that it is normal for the desk officer to work those hours, with perhaps an hour off for lunch. That is not good in the interests of the country, and it is not fair to the officers concerned. Furthermore, it is bad for the effectiveness of our diplomatic service if officers regularly work such hours. In a crisis they work much longer hours than that. They do not complain, because they are devoted public servants. They regard their work as important, as indeed it is. It is also very interesting work. However, they are working hours which I regard as greatly excessive.

Hon. Members may ask why something is not done to cut the workload. Why do we not cut out our activities abroad? Why do we not cut many of the overseas posts? There are a number of limiting factors. One is that we are a permanent member of the United Nations Security Council. That position is in question in the United Nations. If we want to remain a permanent member of the Security Council, we must be careful about the extent to which our posts overseas should be reduced. If we cut our representation in whole areas of the world, our position as a permanent member of the Security Council will increasingly come into question. Membership of the European Community has imposed an enormous extra burden upon the personnel of the FCO. The newspapers are full of the stories of the Minister of Agriculture, Fisheries and Food and other Ministers working through the night for several days in succession to reach an agreement — or often not reaching an agreement. However, they do not mention that his staff are not working the same hours as he is. When the meeting is over and the Minister goes home, his staff sit at their desks and write up the minutes. They do not get any sleep, while the Minister gets only a few hours sleep.

My hon. Friend mentioned commercial work, which is extremely important for our business and exports, as is consular work. There is no scope sensibly to reduce the efforts that we are putting into them. Throughout the world other countries see us as fulfilling a much more important world role in defence of freedom than we see ourselves as fulfilling. The House does not understand how important our world role is seen to be by other countries. It would be a great mistake for freedom, prosperity and solidarity with our friends throughout the world if we were further to cut the FCO.

I hope that my hon. Friend can give us some assurance that there will be no further cuts in addition to those which have already been announced, and assurances about risen costs. I am sure that he understands that it is not only my hon. Friend and I who feel strongly about the matter, but many Conservative Members.

11.30 am

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Tim Renton): I congratulate my hon. Friend the Member for Lewisham, East (Mr. Moynihan) on his success in the ballot. He has chosen a most suitable subject for debate, especially after his recent visit to five African countries. I thank him for his remarks about the civil servants who have given up their official holiday today to be in the Box.

My right hon. Friend the Member for Blackpool, South (Sir P. Blaker) mentioned the long hours worked by civil servants in the Foreign and Commonwealth Office. The fact that they are present in the Box today is an instance

of that. Last week, the administration in the FCO carried out a survey about long hours, and it is now examining the results. I thank my right hon. Friend for his remarks. My right hon. Friend and my hon. Friend both have a wealth of knowledge and experience of the FCO in particular, and foreign affairs in general. I share their view of the importance of all aspects of Britain's overseas policy.

I am interested in the tributes that my right hon. Friend and my hon. Friend paid to various aspects of our overseas work and to the FCO. They will agree that it has long been the custom to knock the Foreign Office for extravagance. Queen Victoria said:

"Her Majesty is much opposed to any increase of Embassies, indeed her Majesty thinks that the time for Ambassadors and their pretensions is past."

Such a view existed not only in the 19th century. It was reflected more recently, if less succinctly, in the 1977 report of the think tank, and the book "With Respect, Ambassador" by Simon Jenkins and Ann Sloman, which was published earlier this year. There is a tide in the affairs of men, and from the speeches this morning it appears that the tide is turning. I note the view of the Select Committee on Foreign Affairs in July 1984 that

"the squeeze on diplomatic service manpower has probably gone far enough and additional significant reductions would only be made at the cost of expecting a reduced level of quality of service."

There is a clear feeling that Britain needs a well executed international policy, that we should maintain our international profile, play our full part in the western Alliance, and continue to participate actively in international efforts to tackle world problems. I endorse what my hon. Friend said about the overall importance of our overseas effort, our diplomatic service, the British Broadcasting Corportion external services and the British Council in fulfilling that purpose. I remind my right hon. Friend and my hon. Friend that the FCO's financial provision must be seen in the context of the Government's economic policy and the need to maintain tight control of Government expenditure. It must be in line with the Government's long-term endeavour to reduce public spending as a percentage of gross domestic product.

As my right hon. Friend and my hon. Friend know, the British Council receives a basic contribution from the two wings of the FCO, which amounts to £72 million. The Overseas Development Agency contributes a further £12 million for special activities. I pay tribute to the British Council for the major role that it plays in promoting understanding and appreciation of Britain overseas through cultural educational and technical co-operation. I congratulate it on its 50th anniversary, which it celebrates this year. Its record on English language teaching overseas has been outstanding. Last year it amounted to 500,000 hours, which is a slight increase on previous years. In 1984-85, 23,400 people came to Britain with British Council help, and there were 6·3 million book issues.

The resources of the British Council have declined in real terms in recent years. However, in the present financial year the British Council will receive from grant-in-aid about £6 million more than the original figure for this year. Moreover, the council is able to offset the substantial part of that decline by raising more revenue overseas. Its overseas receipts, much of which come from English language teaching, have risen substantially in recent years. I wish the council well in that regard.

I was particularly impressed by the English language teaching programme when I visited Spain recently. Although my hon. Friend referred to the fact that some British Council posts have had to close recently, there has been a spread of British institutes — as it were, subordinate posts of the council — throughout Spain, which are dedicated to teaching English. That is a good and natural development, because as Spain gets ready to join the European Community, many Spaniards will hope to learn English as their second language for use within the Community. That is the other side of the coin.

It is true that staff in the United Kingdom have been reduced from 1,884 to 1,593 during the past seven years. However, since 1982-83 there has been a gradual increase in locally engaged staff overseas. Overall, the future of the British Council looks bright.

I note my hon. Friend's words about the unique world reputation of the external services. It is fair and right to say that a recent poll showed them to be the most popular of all international world broadcasting services. Their grants-in-aid under Vote 3 are £91 million for the current year. There is also £18 million for the 1985-86 in Vote 1 for relay stations run by the FCO.

My hon. Friend referred to various cuts in specific services, which have taken place in recent years. However, there are 727·5 broadcasting hours overall per week in 36 languages, compared with 716 in 1982. The prescription committee at the Foreign Office is charged with regularly looking at the division of these hours between countries where broadcasts are most needed. If a service is cut, it is generally because it has been replaced by a new service, or by more hours in another country where it is judged to be more needed.

My hon. Friend referred to the Pashto service, which was started in 1981 with one and three quarter hours per week. Since then it has been doubled to nearly four hours. Similarly, the services in Nepali, Tamil and Turkish have been substantially increased in recent years. During the six years up to 1985-86, the BBC external services received an increase in real terms in its grants in aid of about 33 per cent.

My hon. Friend referred to the Perry report, which looks to the future. It sees where some economies can be made in the administration of the BBC external services, and it recommends that grants for external services should be determined at the same time and for the same period as the BBC licence fee. That is being considered, and a decision will depend on an acceptable arrangement among the Treasury, the Foreign and Commonwealth Office and the BBC.

My right hon. Friend the Member for Blackpool, South played a major part in getting the audibility programme under way. In 1981, £100 million was agreed for the programme. Work on the new relay station in Hong Kong was started in 1984, a year earlier than planned. We hope that the planning process at Orfordness for the new United Kingdom relay station can be brought to a speedy and satisfactory conclusion, and that it will have an important effect on increasing audibility, especially to Russia and to Eastern Europe. It goes without saying that I hope that the BBC will continue to be a source of unbiased news and comment, especially for those countries where freedom is denied. I am sure that the BBC is aware of its duty.

I agree with my hon. Friend the Member for Lewisham, East about commercial work. The resources devoted to it amount to about 32 per cent. of our front line manpower deployed overseas. That is the largest slice of any of the diplomatic service functions, and the main effort is

[Mr. Tim Renton]

concentrated on export promotion. We work closely with the British Overseas Trade Board, and it has been estimated by independent consultants that the BOTB's export intelligence service leads to £1 billion worth of additional exports a year. About 80 per cent. of its market information and export intelligence is received from diplomatic service posts, and that service reaches more than 20,000 exporters.

I agree with my hon. Friend about the need for flexibility. We are aware that our commercial work overseas is never likely to be perfect. We try constantly to listen to criticism and constructive advice, and consider how, as overseas markets develop, we can improve our service within the restraints of the resources available.

My right hon. Friend the Member for Blackpool, South was generous in his tributes to the hard work done at the Foreign and Commonwealth Office at home and abroad. I agree with some of the statistics that he produced. Since 1979, manpower in the diplomatic wing has been reduced by nearly 10 per cent. Yet the number of British business men visiting our posts abroad has increased by 20 per cent., the consular case load has increased by 40 per cent., and market information inquiries have also increased by 40 per cent. We maintain diplomatic and consular relations with 161 countries. My right hon. Friend said that we do so with one half of the staff of Brent council. My acquaintance with Brent council is not as great as his, but I am content to say that our total staff is about the same as the average British borough council.

Recently, the Foreign and Commonwealth Office, due to the work of my right hon. and learned Friend the Secretary of State, has pulled off some remarkable achievements, especially in Hong Kong and Gibraltar.

My hon. Friend also mentioned overseas risen costs. He will be pleased to know that we have reached an agreement with the Treasury on the interpretation of the formula in Command 9367, which gives the Foreign and Commonwealth Office a reasonably secure basis for planning the use of the resources that Ministers allocate to it. As a recent memorandum sent to the Select Committee on Foreign Affairs states, full account will be taken of movements in overseas prices when the FCO's expenditure provisions are set.

At the beginning of my speech, I said that the tide was turning in the affairs of the Foreign Office. I would not say, to complete the quotation, that, if taken at the flood, this will lead on to fortune. Given the necessary restraints on public expenditure, the favourable tide now running for the British Council and the diplomatic wing will not lead to fortune in the material sense. But these and other related activities will prosper by increasing interest at home and extending British influence abroad. Those who work for us abroad will have great pleasure in reading the comments of my right hon. Friend and my hon. Friend, and I fully share their congratulations to members of the service on their hard work and achievements, often in difficult conditions.

Refugees (Hong Kong)

11.45 am

Mr. Paddy Ashdown (Yeovil): I am grateful for the opportunity to speak about the conditions in closed camps in Hong Kong and the policy that led to them.

One hesitates to talk about records in the House, because no doubt something similar has happened in the dim and distant past, but it must be unprecedented to have had three Adjournment debates on the same subject within about 14 days. It is also worth noting that those debates were raised by representatives of all the major parties. That must show the deep concern of hon. Members about the closed camp policy in Hong Kong.

I pay tribute to the hon. Members who raised the matter. The hon. Member for Hammersmith (Mr. Soley) did so in the context of problems suffered by the relatives of his constituents. Last week, the hon. Member for Ynys Môn (Mr. Best) raised broader aspects of the problem, presumably wearing his hat as the respected chairman of the British Committee for Refugees from Vietnam, Laos and Cambodia. The hon. Member for Monklands, West (Mr. Clarke) has also taken a great interest in the subject and spoken about it on the Floor of the House. The hon. Member for Chislehurst (Mr. Sims) is here today, and will no doubt wish to catch your eye, Mr. Deputy Speaker, later.

I wish to discuss the specific British policy that led to the closed camps and the conditions inside the camps. If my tone is sharper than we have heard in previous debates on the subject, that is because the impressions that I gained when I visited the camps are with me still. With other hon. Members, I visited Hong Kong last year to assess for myself the problems relating to the future of the territory. During my stay, I visited Chi Ma Wan closed camp. I should tell the House that that visit left an indelible and powerful impression on me — an impression of some anger and shame. I was deeply shocked by the conditions in the closed camps.

As one who speaks Chinese, who has served in the forces in the far east and has a fair knowledge of conditions there, I am aware of general living conditions in poor countries such as Vietnam. However, despite that, I left Hong Kong appalled by the way in which the people in the closed camps were being treated, and ashamed that I, as a British Member of Parliament, was the person ultimately responsible for it.

I shall have some harsh words to say about conditions in the camps and about the policy that created and sustains them. I say at the outset, however, that the responsibility rests not with the Government of Hong Kong, but with the British Government. I have many reservations about the closed camp policy instituted by the Hong Kong Government, but I understand why they instituted it. I am also fully aware that the people of Hong Kong, as was clearly shown in the recent legislative council debate, believe that the closed camp policy was right and should continue. It is easy for us, living in the United Kingdom where the population density is 230 per sq km, to call for the camps to be abolished. If one lived in Hong Kong, where the density is more than 20 times higher — an average of 4,972 per sq km — one would see things differently.

Hon. Members may not know what an average of 4,972 people per sq km looks like, so let me give them a graphic

illustration. Assume that this Chamber, together with the Public and Press Galleries was in Hong Kong's most crowded district, Sham Shui Po. It would then be the home for more than 70 people. Put another way, rather more than a tenth of the number of hon. Members who find it so uncomfortable to crowd into this Chamber to listen to an hour's Budget speech would make this same space the place they use to make their whole daily lives.

Given that level of overcrowding, it is scarcely surprising that Hong Kong does not feel able to offer refuge for all who come to its shores as a first point of asylum and it is scarcely remarkable that it had to institute a closed camp policy and, in the absence of international assistance, on a greater scale than we have seen, now wishes to see that policy continue.

It may be that the closed camps were a necessary temporary, emergency measure to start with, but we have allowed them to become permanent institutions. That is confirmed by the answer given to me by a Minister last Wednesday. It reveals that the population of the closed camps, now about 6,000, has remained static for six consecutive years and, at the present level of off-take, will still exist in 10 years'. For many in the camps, there is no hope of immediate release. The closed camps have become for them—and for us, if we were honest about it—not a temporary stopgap, but a permanent or semi-permanent fact of the tragedy of the Vietnamese refugees.

That is a disgrace and one for which the primary responsibility rests on the British Government, not the Hong Kong Government. It is the British Government who, far from showing the lead in taking refugees, have taken fewer than any other nation participating in the United Nations High Commissioner for Refugees' resettlement programme. In 1984, we took only 17 refugees, one twentieth of those taken by the United States, one twelth of those taken by the Australians and one quarter of those taken by the Canadians. In 1983, Britain took on 2·4 per cent of resettled refugees, compared with 49 per cent. taken by the United States, 21 per cent. taken by Australia and 5 per cent.—more than double ours—taken by Sweden. Overall to date, the United States has taken 20 times as many Vietnamese refugees than Britain, France has taken five times as many, Australia has taken nearly four times as many, Canada has taken nearly three times as many, and even West Germany has taken more than we have. Why is it that Britain, which has most responsibility in this matter, has carried least of the burden?

Britain's refusal to shoulder the burden is now undermining the rest of the UNHCR programme. The United States Government said in evidence to the Home Affairs Select Committee:

"Absent of an effort to substantially increase the U.K. offtake from Hong Kong, the U.S. Government is unlikely to review its current policies and practice regarding acceptance of these refugees above the levels currently projected".

The Australian Government similarly stated in evidence to the Select Committee that they regard it as "essential" to share internationally the burden of resettling the refugees from Hong Kong, and that in view of this and the policies of the United States, it would seem that a renewed commitment by the United Kingdom to resettlement of Indo-Chinese refugees from Hong Kong would be a precondition for any co-ordinated international effort to address the Hong Kong situation.

Mr. Poul Hartling, United Nations Commissioner, has recently called on Britain to

"take an initiative that would encourage other countries to take more."

The Select Committee on Home Affairs has made a similar plea and we, to use the words of the hon. Member for Ynys Môn,

"eagerly await the Government response"—[*Official Report*, 14 May 1984; Vol. 79, c. 299.]

Let there be no doubt that that response is long overdue. The Government's disgraceful tardiness in this matter has caused the sense of permanent incarceration, of hopelessness and despair which exists in the camps.

In that sense, the Government are also responsible for the problems which have occurred in the camps themselves. The Minister upbraided me for describing the situation in the camps as a "disgrace" on Wednesday. But I stick to that word and I hope to give it substance in this debate.

In fact, the term "closed camps" is little more than a slick euphemism. The camps are made up of tin huts, surrounded by high barbed wire reminiscent of a prisoner of war camp—it was that impression which struck me most powerfully and moved me most when I visited them. They are guarded day and night. They are administered, not by social workers, but by the prison service of the Hong Kong Government. Refugees do not have the right to go out without a pass; they are subject to being searched; their mail is censored; none of the refugees in these "closed camps" have any rights to recourse under British or Hong Kong law; they cannot take any question of ill-treatment or abuse to any court for a hearing. For those who are in any way disruptive, a punishment of up to 28 days' solitary confinement can be imposed on people who came to us as refugees fleeing from oppression.

It is quite untrue, as some have claimed, that the inmates of the closed camps are ill-fed and poorly housed. Their basic needs are reasonably well catered for; indeed, their physical conditions may be marginally better than some of Hong Kong's squatter population. But they are crowded together in cramped conditions, they are without their freedom, and many of them are without hope. Some have been in the camps for more than four years, many are desperate and a few are understandably furious at having ended up incarcerated in Hong Kong after having paid fortunes and after having seen some of their relatives and friends pay with their lives to escape from the tyranny in Vietnam.

The boat people are at the end of their tether. It is reported that there have been a number of suicides. During Christmas 1981, a violent riot broke out in one camp. In the spring of 1982 in another camp, refugees from North and South Vietnam fought each other in what a respected local paper described as "bloody battles".

The refugees on Hei Ling Chau began a hunger strike in July 1984 to remind the world of their existence—a representative from the UNHCR and of the Hong Kong Government went to the camp to persuade them to end their strke. They did so only after 200 of them had been hospitalised. That was a cry of despair and impotence to the rest of the world. But it did not even interest the media or the organisations formerly so ready to organise solidarity campaigns for the boat people.

Mrs. Elsie Elliott, CBE, a Hong Kong councillor and widely respected in Hong Kong as an authentic voice in local affairs, especially on human rights, has told me that

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she has evidence that drug abuse has gone up in the camps by over 500 per cent. in two years. I will read the House a letter that I recently received from Mrs. Elliott, describing those conditions:

"In late February, I interviewed about ten refugees who knew something of both open and closed camps, they themselves being in an open camp. I was introduced to them by a Government servant who wishes not to be named. He arranged a meeting place and an interpreter. There I learned about the increasing drug problem, the demoralisation of the young people, and the air of hopelessness.

At another meeting with European teachers from an open camp, I learned that the whole system is kept intact by a policy of intimidation. Any teacher or other outside worker at the camp is sacked if he/she makes a complaint. One of them was sacked for mentioning that the science laboratory in the school was only a showpiece for visitors, never used. I have asked him to write to you with any information he may have.

A few days ago, a Vietnamese who was recently resettled in Australia wrote imploring me to try to help the people in the camps, as any measures against drug abuse are weak and ineffective. He said that drug traffickers from outside were not being cracked down on, and the inmates take drugs, gamble and fight out of utter frustration.

On a TV interview a few days ago, Dr. Karl Stumpf, who is engaged on resettling refugees, did not deny my allegations when questioned about them. He did say that the Vietnamese are not more prone to crime than others, but being detained was frustrating. He also made the remarkable statement that the people in the camps here 'have to suffer' in an effort to stop other refugees coming.

I also met with a group of Catholic missionaries. They deplored the lack of human rights and said they would get wide support for the campaign to find a way to release the refugees".

In a report submitted to a meeting of Governments in 1984, the United Nations High Commissioner for Refugees clearly referred to the Hong Kong closed camps when he said:

"while it will thus be seen that there may be situations both with regard to individual asylum-seekers and to large scale influx, in which measures of detention may be justified, this is not the case were asylum-seekers are detained with the sole object of discouraging further arrivals. It has become evident that in certain countries the refugees are frequently confined in prison or under prison-like conditions for prolonged periods of time in accordance with a policy of so-called humane deterrence. Needless to say, practices of this kind—given their underlying motivation—are at variance with the principles of international protection".

The present United Nations High Commissioner, Mr. Poul Hartling, visited the newly opened Bowring closed camp a week or so ago. Despite the fact that conditions in Bowring are immeasurably better than in the older camps, the high commissioner still described them as offending human dignity.

Things are not getting better in the closed camps—Mrs. Elliot tells me that she thinks that they are getting worse. She quotes as an example the case of a 15-year-old boy who was put in solitary confinement for no more than answering back a camp official. She tells me that she has brought this incident — with others alleging sexual harassment, drug abuse and violence—to the attention of the Hong Kong authorities. She has been asked to supply independent evidence, but this she cannot do for fear of exposing the inmates. As she puts it:

"They are really terrified and there is always the threat that they are not going to get rehabilitated if they do not behave in the way they are told".

Surely, in the light of what has happened, there is now enough evidence to investigate these allegations more thoroughly than seems to have been done so far.

The real issue is one of morality. How do the Government justify putting people whose only crime is that they have escaped from oppression into what is effectively a prison? Whatever the excesses of the Vietnamese Government in oppressing their people and causing them to risk their lives to reach Hong Kong, is it not a disgrace on this Government and, indeed, on us as Members of Parliament that we should permit people who have no rights, who have been persecuted and who have turned to us for protection to suffer the indignities which are the daily lot of those in the closed camps of Hong Kong?

What do the Government intend to do about this stain on Britain's standing as a compassionate and civilised nation?

First, what do the Government intend to do about the resettlement? Will the Minister announce today that Britain will carry her share of the burden of resettling the refugees? Will he undertake the task of relaunching the UNHCR initiative with a commitment from Britain which will stimulate other nations to continue their programmes, so that those in the camps can have some hope for the future and we who are responsible for them can look forward to the day when closed camps are a thing of the past and a burden that we no longer have to carry on our consciences?

Secondly, what do the Government intend to do about the present conditions in the camps? The British Refugee Council recommends that if the policy has to continue sweeping reforms should be made. Husbands and wives separated by the closed camp policy should no longer be forced to live apart, those single men at present segregated in the special closed camps should be reintegrated, administration of the camps should be handed over to a more appropriate body than the correctional services department, which is the Hong Kong prison service, and the refugees should be given a far greater role in the running of services.

The British Refugee Council also recommends that voluntary agency involvement in the camps should be reviewed and non-evangelical agencies offered a greater role and that normal and expeditious use of postal services and adequate educational and training facilities should be provided. Those are sensible if minimal suggestions which in most cases are supported by the Select Committee. Will the Minister put them into practice?

Let there be no doubt that the fact of the closed camps and the conditions that have been allowed to prevail within them are the responsibility of the House and especially of the Government. It is an indictment of all of us that such conditions have been allowed to exist in our name for so long. What are the Government going to do about it?

12.4 pm

Mr. Roger Sims (Chislehurst): I am grateful to the hon. Member for Yeovil (Mr. Ashdown) for allowing me to take part in this debate. I join the hon. Gentleman and the Select Committee in expressing the hope that the closed camps will be closed down as soon as possible. I accept the general thrust of the hon. Gentleman's argument, but he will forgive me if I do not put the case in exactly the same terms.

We should remember, first, that we are not talking about immigrants — a subject which we debated yesterday—who have chosen of their own volition to leave their homelands. We are talking about people who

have abandoned their possessions and fled their homes and countries because of the conditions there, often with no idea what has happened to the relatives they left behind. Many of these people simply got into boats to sail wherever wind and tide took them to escape the conditions in which they were living. All that they ask is that which we take for granted—freedom to be educated, to seek work and to find housing and freedom of speech and of worship.

The closed camp problem must be seen in context. In the past 10 years, 100,000 Vietnamese refugees have arrived in Hong Kong. Not one has been turned away. I visited Hong Kong when the problem first arose a few years ago. The procedure was as follows: the refugees were initially accommodated at the waterside; they were then taken to transit camps in Hong Kong, whence in due course they were settled abroad — in the United Kingdom, continental Europe, North America and south-east Asia, some 14,300 of them being accepted by Hong Kong itself.

Three years ago, the outflow reduced almost to a trickle although the inflow continued. There are still 11,200 refugees in Hong Kong. Let us not underestimate the heavy burden this has placed on the Hong Kong Government and people. Since 1979, the Hong Kong Government have spent 475 million Hong Kong dollars on running the centres and feeding the refugees, in addition to the sums contributed by voluntary agencies and the United Nations. Moreover, all this has taken place in a country in which, as the hon. Member for Yeovil graphically described, the population density can scarcely be imagined by people here.

We must also remember the point of view of the Hong Kong people. They see refugees from mainland China with whom they have family and cultural links being sent back, while the Vietnamese refugees are accepted without reserve. That is the situation in which the closed camps were established. The hon. Gentleman suggested that this happened six years ago, but I believe that it was only three years ago. The purpose was quite openly to deter the number of refugees coming into Hong Kong, and that has been the effect. The number of refugees coming in has declined sharply. The fact that some continue to arrive in Hong Kong knowing full well that they will have to live in closed camps in the conditions described by the hon. Member for Yeovil illustrates the repressive nature of the regime from which they have fled.

The closed camps are not ideal. Although they are not prisons, they are tantamount to prisons to the extent that entrance and exit is severely controlled and there are necessarily regulations within a closed community of that kind. I do not dispute the hon. Gentleman's quotations from the United Nations High Commissioner, but I believe that Mr. Hartling also made some complimentary remarks. Having visited the camps, he said that what he found was encouraging and that he appreciated the difficult circumstances in which the camps had to operate.

About half the refugees, of course, are in open camps where conditions are also far from ideal. They are described as transit camps because that was their original purpose. I must declare a personal interest. My son has just spent nine months working in one of those camps with the refugees. He saw the overcrowded conditions in which the refugees have to live. The refugees have no privacy. The children are bitten by rats as they sleep. Disease is inevitably transmitted. That is the best that can be done in the difficult circumstances existing in what was intended to be a transit centre.

For my son, we are not just talking about 11,000 refugees; we are talking about real people with names. We are talking about Nguyen Van Vinh and his son Nguyen Ba Vie, who have been in the camp since 1980. They have little prospect of being able to join the rest of their family in the United States. We are talking about people like Nguyen Van Luy, a 17-year-old who has been there for three years, unable to join a brother in Belgium.

I could cite many other cases. They suggest the only answer to the problem, which is resettlement. Shutting down the camps while taking no other action would not solve the problem. It would exacerbate it.

The United Kingdom has a good record in accepting refugees. I do not think it is entirely fair for the hon. Member for Yeovil to make comparisons with other countries without drawing attention to the different conditions in other countries in terms of the density of population, the availability of housing and so on.

I vividly recall the problems that arose when the previous wave of refugees arrived here. I was working closely with the then Home Secretary, Lord Whitelaw. We sought the co-operation of the local authorities in finding accommodation for the refugees.

A number of other countries have given strong indications that they are prepared to help to solve this international problem. However, they look to us. The United Kingdom has a special relationship with Hong Kong, and we must give the lead. If we agree to accept some of the refugees, other countries will follow.

One can draw a comparison with immigrants who wish voluntarily to leave their own country and come here. To whom have we the greater obligation—the immigrants, or the refugees who have nowhere else to go and face an uncertain future in the conditions that the hon. Gentleman has described?

The Government are considering the report of the Select Committee. I congratulate the Select Committee on the manner in which it reviewed the problem and put forward its proposals. Clearly one cannot expect an immediate response, but I hope that the relevant Government Departments are considering the recommendations closely and will take firm action. That is what we owe to the Government and the people of Hong Kong. That is what we owe to people such as Nguyen Van Vinh, Nguyen Ba Vie and Nguyen Van Luy in both the closed and the open camps in Hong Kong.

12.15 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Richard Luce): There is no doubt about the importance of the whole problem of Vietnamese refugees, or about the difficulties that we face in connection with the need since the middle of 1982 to maintain closed camps in Hong Kong. I quite agree with the hon. Member for Yeovil (Mr. Ashdown) about the importance of these issues. I congratulate him on raising the matter in this debate. As he said, this is the third debate on the subject in three weeks. That shows how much strength of feeling there is in the House about the matter.

It is clear that the hon. Gentleman has a heart—and I hope that he will agree that we all have a heart. I hope that the hon. Gentleman also has a head. I feel that on this occasion he has allowed his heart to dominate his head to

[Mr. Richard Luce]

some extent. I do not deny for a moment that conditions in the closed camps are unsatisfactory. I have said on several occasions that the situation is unsatisfactory and we want to end it as soon as possible. However, we must see the issue against the reality of the background not only of Hong Kong's problems — which are major, as the hon. Gentleman acknowledged — but of the United Kingdom's problems. To a considerable extent, the Select Committee acknowledged and investigated those problems.

I also welcomed the remarks of my hon. Friend the Member for Chislehurst (Mr. Sims). My hon. Friend, too, spoke with strong feeling and on a personal basis. The fact that his son has worked in one of the camps adds weight to what he had to say.

The matter must be seen against the background of the Select Committee's report. The Government are studying the report with great care. The hon. Gentleman will not expect me to reply to those recommendations in an Adjournment debate — although he expressed the hope that I might. The Government are considering the recommendations with the greatest care and intend to reply as soon as possible. We are fully aware that it is a matter of urgency. I cannot therefore reply directly to the hon. Gentleman's challenge to say what the Government's reaction is to the report. However, I can pick up many of the points that the hon. Gentleman has made.

It would be wrong to examine the issue of the closed camps in Hong Kong without considering their root cause. Clearly, the problem derives from conditions in Vietnam, which are clearly totally and utterly oppressive. Vietnam has the third largest army in the world. It occupies another country — Cambodia. It has a terrible record on human rights; thousands of people are kept in re-education camps without charge or trial for years on end. Over a million refugees have left the country since 1975, and in the past year no fewer than 25,000 Vietnamese have fled by boat to various parts of the world. Those figures are a massive condemnation of what is happening in Vietnam today. That flow of refugees will stop only when that country adopts a more civilised policy towards human beings who live there. With the rest of the international community, we shall do what we can to persuade Vietnamese to improve their human rights policy.

I am glad that the hon. Member for Yeovil and my hon. Friend paid tribute to Hong Kong's achievements in this field. Hong Kong has given temporary asylum to over 100,000 refugees since 1975. In 1979, at the height of the crisis, over 68,000 boat people arrived in Hong Kong. None have been turned away. At his press conference in Hong Kong on 14 May, the United Nations High Commissioner, Mr. Hartling, said:

"We are very grateful to Hong Kong — to the authorities, the Government here and to the people because Hong Kong has given asylum and never, never refused to give asylum to refugees coming here and never forced them back against their will, and treated them well, but of course, they would like as we would like to see a solution — a durable solution, for these refugees."

The Government certainly share Mr. Hartling's views.

The closed camps are one of the sad aspects of the Indo-Chinese refugee problem. In an ideal world, there would be no refugee camps, closed or open. As I said in my evidence to the Select Committee on 4 February and reiterated in the debate on 14 May, the position of having 5,600 refugees in closed camps and an equal number in open camps is such that no Minister can say that it is satisfactory or desirable. It is most certainly not. Refugee situations are certainly not ideal. How can they be? There is no perfect solution. However, we must be realistic. I ask the House to try to understand the Hong Kong Government's position on the matter, and to see the position within the special geographical and political circumstances of the territory.

Moreover, I must ask the hon. Gentleman to take into account another factor, which I believe is of importance. Other countries in the region, for example Thailand and the Philippines, have, reluctantly, found it necessary to run restricted camps of the same kind as the camps that we described in Hong Kong as closed camps in which, in the same way, the inhabitants are, regrettably, not free to move as they wish, and not free to work. Therefore, we must acknowledge that other countries are faced with a similar problem. Hong Kong is not the only country that has to grapple with it.

What are the reasons for the closed camps? Doubts have been expressed as to whether Hong Kong was justified in introducing the closed camp policy. There is no doubt in my mind about that because the figures speak for themselves. In July 1982, the month when the policy was introduced, arrivals reached their highest level for three years. Resettlement possibilities were diminishing sharply. The Hong Kong Government were faced with the prospect of the numbers in the camps rising to unmanageable levels, as they had done in 1979.

It is important to understand why that was particularly alarming for Hong Kong. The hon. Gentleman fully understands it, but I should like to repeat the reason. Hong Kong is one of the most crowded places in the world. It has a population of over 5 million in a territory of only 400 square miles, much of it barren hillside and rocky islets. Its population density is 20 times that of the United Kingdom. It has acute problems resulting from the large influx of immigrants from China in recent years. It continues to absorb large numbers of legal immigrants from China — 27,700 in 1984. Illegal immigrants from China, however, are repatriated, although they often have family and cultural ties with the people of Hong Kong. That is an important point for the people of Hong Kong.

That is the context in which the people of Hong Kong see the Vietnamese problem. They therefore find it difficult to accept that the Vietnamese should be given what they regard as special treatment by being allowed to remain in the territory while awaiting resettlement. The closed camp policy was therefore introduced, and has been maintained with the full support of the people of Hong Kong. They felt that that was the only way to try to discourage the Vietnamese from setting out for Hong Kong.

The strength of Hong Kong feeling on the issue was demonstrated in the Adjournment debate of the Hong Kong Legislative Council on 15 May, as the hon. Gentleman may have noticed. A member of the council, Mrs. Selina Chow, said:

"The closed camp policy . . .came into force in July 1982 . . . Our treatment of Vietnamese refugees at the time was not in line with either policies of our other Asian countries, most of which had been operating closed camps . . . In the face of the only realistic options open to Hong Kong at the time regarding Vietnamese refugees, i.e. repatriation, refusal to land and the closed camps, the last was certainly the least inhumane".

Those are the comments of a very distinguished member of the Legislative Council.

The question is whether that policy has worked. Doubts have been expressed about that. We must look at the figures. In 1981, before the start of the policy, Hong Kong arrivals increased by 25 per cent. over the 1980 levels, whereas those for the region as a whole increased by only 5 per cent. In 1982, Hong Kong arrivals went down by only 7 per cent. compared with the regional decline of 41 per cent. However, in 1983, after the closed camps policy had been introduced, and by which time it was fully implemented, Hong Kong arrivals were 53 per cent. less than those for 1982 compared with a regional decline of 36 per cent. In 1984 the Hong Kong decrease was 39 per cent., and that for the region only 11 per cent. That is clear evidence that the deterrent is working. It is the only deterrent available.

What is the future of that policy? It is an important matter. I stress that we regard it as a temporary measure. It is our objective to see those closed camps terminated as soon as possible. However, the fact is that there are factors outside Her Majesty's or the Hong Kong Government's control, which must ultimately dictate how long the closed camps will need to remain in being—the rate of arrivals from Vietnam and the rate of departures to countries of resettlement, which were two issues raised by the hon. Gentleman.

I refer to departures. It is true that closed camp policy would not have been necessary if the resettlement prospects for refugees in Hong Kong had not deteriorated so much in 1981 and 1982. I fully acknowledge that many other countries, such as Canada, the United States and Australia, have taken a considerable number of refugees. We are extremely grateful for that. Here in Britain we have taken over 12,000 from Hong Kong and Hong Kong has itself absorbed over 14,000 Indo-Chinese refugees. Since mid-1982, when the closed camps were introduced, 4,600 members of those camps have been resettled. However, many more resettlement places will have to be provided if homes are to be found for all the refugees who are still in Hong Kong and other places of first asylum. The United Nations High Commissioner for Refugees, Mr. Poul Hartling, will be coming to London on 5 June, and both I and my hon. and learned Friend the Minister of State, Home Office, will be meeting him to discuss Hong Kong's problems. Resettlement will obviously be one of the subjects that we shall talk about.

As my hon. Friend the Member for Chislehurst said, Britain's record must be acknowledged. We do not have a long historic connection with the Indo-Chinese region, yet we have taken nearly 20,000 refugees over the past six years. The hon. Member for Yeovil will have read the Select Committee's report, which shows the many difficulties that we have had in helping those refugees settle in this country. That factor must be taken fully into account. Yet, despite all that, we have taken just under 20,000, we continue to take some of the boat people, and have taken 12,000 from Hong Kong.

With regard to conditions in the camps, I shall look carefully at what the hon. Gentleman said. Because I shall not be able to answer every point that he raised, I shall make sure that I write a note to him with further comments on some of the specific conditions. I understand people's concern that refugees should not be confined to camps. However, I must say that Her Majesty's Government and the Hong Kong Government attach great importance to ensuring that refugees are adequately cared for within the camps. Mr. Hartling said that he did not like the idea of closed camps, but that inside the Bowring camp, he

"found the circumstances, the conditions, very encouraging."

He compared the situation of the children at the Bowring camp with that of some of the refugees in other countries, who he said were starving, sick and destitute and had tears in their eyes. His conclusion was that the Hong Kong authorities and the voluntary agencies, to which the hon. Gentleman referred, were doing a very good job, for which he was very grateful. That was also my reaction when I visited the Chi Ma Wan camp in 1983.

On 15 May, Mr. Alan Lee, a Member of the Legislative Council, said:

"Just recently I went back to the Vietnamese refugee camps and I can say with a clear conscience that the treatment these Vietnamese refugees are getting in Hong Kong is better than a lot of people living in Hong Kong who are genuine Hong Kong residents."

Mr. Ashdown *rose*——

Mr. Luce: If the hon. Gentleman will allow me, I should like to comment on some of his other points.

I understand what the hon. Gentleman says about overcrowding. I have seen the conditions for myself. The overall numbers of refugees are continuing to come down, albeit slowly. We want the pace to speed up. Overcrowding is beginning to be reduced. I ask the hon. Gentleman to compare such overcrowding in Hong Kong not with European standards but with Hong Kong standards. Some of the comments I have seen are a little unfair on the Hong Kong authorities. There has been an easing of the pressure, although the position is still not satisfactory.

We took careful account of the views expressed by the British Refugee Council. We have tried to do our best to implement some of its recommendations. We shall continue to listen carefully to any other representations, including those by the hon. Member for Yeovil, to ascertain whether we can improve and ease the conditions. That is certainly the priority of the Hong Kong Government. We have done a great deal in education and training—these aspects are improving all the time—to help people resettle in other countries. We certainly value the efforts of voluntary bodies.

I shall make a point of commenting later on the hon. Gentleman's views on the use of drugs in closed camps, because the remarks made were very wide of the mark. I shall give the hon. Gentleman a fuller comment on that.

I thank the hon. Member for Yeovil for raising this issue. I wish to re-emphasise that we do not want to maintain these camps any longer than absolutely necessary. We look forward to replying shortly to the Select Committee's report. It is a matter of priority for the Government to work towards a durable solution to this problem.

St. Luke's Hospice, Basildon

12.30 pm

Mr. David Amess (Basildon): There can be few hon. Members who have not at some time during their lives known someone who has died from cancer. It might have been a friend, a relative or a loved one. We know that cancer shows no respect for age or circumstances. It affects the young and old alike, the poor and the wealthy. When it strikes, the consequences can be devastating, not just for the person afflicted, but for those trying to give support.

The word "cancer" has such connotations that some people are even reluctant to use it. The very thought of it or the eventual diagnosis can strike terror in the hearts of the bravest people when they feel ill. I understand such reactions, for, while many people say that they do not fear death, I do not number among them.

Fortunately, as medical science advances, the treatment of cancer patients improves all the time. More lives are saved, but the treatment of cancer still occupies much of the time and resources of a substantial section of the medical profession. Despite the billions of pounds poured into research by Governments, the World Health Organisation and drug companies, cancer is still the second most common cause of premature death in developed countries.

I do not intend to go into the difficulties of clinical research, interpretation of clinical trial results, alternative medicine claims or the priorities governing treatment and new methods of prevention. These deserve an entire debate. I hope that my hon. Friend the Under-Secretary of State will say something about the Government's position in trying to find a cure for this disease, about the further plans that the Government might have and about the breakthroughs, if any, that have been achieved.

I wish to confine most of my remarks to the case of terminally ill patients, and especially to a project started in my constituency of Basildon—St. Luke's hospice. The three alternatives for the terminally ill are to remain at home, to enter an acute ward in a hospital or, if there is one in the area, to enter a hospice. Nowadays, the cancer care group operates in the home as a team involving the family, the GP, district nurse, social worker, therapist, health adviser and a religious figure such as a priest or chaplain. However, the strains placed on a family and the patient during the illness may lead to the breakdown of a family.

The deceased should be able to leave the fondest of memories behind. The range of emotions exhibited by cancer patients may leave nothing but discord, which is a sorry state in which to leave a family. Self-imposed isolation from the family, fear of dying, anger at other people's perceived interference, frustration at the dependence needed on others or depressed indifference may separately or together shatter a family, to say nothing of creating more pain for the patient.

It is difficult to express in words the heartbreak that is felt when people see their loved ones deteriorate before their eyes, sometimes within a short time and sometimes in a humiliating manner.

An acute ward in a hospital is an alternative. The modern cancer team in a hospital is well trained to care for the terminal patient. But on a busy acute ward, the amount of personal attention that can be given to each patient is bound to be limited. The number of consultants with knowledge of the use of drugs to avoid pain, rather than of drugs which temporarily alleviate pain, is limited, this being a highly specialised area.

Privacy is also difficult to find in many hospitals. Most people prefer to spend their last days nestled in the family circle, rather than in a hospital, no matter how efficient, kind and understanding the staff around them.

The hospice movement grew out of dissatisfaction with the standard of hospital care provided for the terminally ill. In the intervening years, the standard has improved enormously. Nevertheless, the hospice movement offers a halfway house between the immense difficulties of caring for a terminally ill patient at home and the efficient, but less personal, care provided by many hospitals.

Hospices provide the buildings and teams for the specialist care of the terminally ill. Hon. Members are aware of the immense sums required to build and maintain a separate specialist institution. Indeed, 82 hon. Members have the privilege of having hospices in their constituencies. They will be aware of the great assistance that these teams can give. St. Luke's hospice will be directed towards the laudable aim of controlling pain. The staff will have special training to enable them to do that.

Hon. Members will be aware that there is more to pain than physical pain. Although the hospice movement has pioneered the use of drugs with the minimum side effects to control pain, far more is involved. The knowledge of death through cancer brings fear with it—fear of pain, loss of self-control, sanity, dignity and independence, and fear of death itself.

Hospices not only stop pain, but have the trained staff to help with the spiritual and emotional needs which are evident at that time. It has been shown that emotional difficulties, especially of the kind generated in the family circle, create pain. The assistance given in this area adds a complementary dimension to the use of drugs, radio therapy, nerve blocks and so on. By removing the emotional pain, it is sometimes possible to reduce the amount of physical treatment that is needed. The patient can thus lead a fuller existence by being awake and alert in the last few weeks.

Hospice staff try to create an atmosphere in which the patient and the family can express their fears and hopes, sort out practical and emotional problems and use their time together for mutual benefit. Hospice support of families is vital. The guidance and counselling of an experienced team can be effective enough to ensure that patients spend their last few days in the companionship of their families.

As late as 1979, it was estimated that 28 per cent. of cancer patients died in severe pain. There is no need for that. We possess the knowledge to enable people to retain a high quality of life to the bitter end, and St. Luke's will help to perform that function in Basildon.

The project, inspired by a hard-working committee and, in particular, the Cox family, has resulted in children, women and men from all walks of life, and from different circumstances, joining together with the one selfless and compassionate aim of building a hospice, not as a memorial to the dead, but to help the living.

I am extremely fortunate to represent a constituency with such good community spirit and where blatant acts of generosity are evident, even though it is not an especially wealthy part of Essex. Nevertheless, the hurdles are enormous. Nearly £500,000 will have to be raised

during three years. Basildon development corporation has allowed the freehold of the site at Fobbing Farm to be bought for the lowest figure that the district valuer would accept. It has tried to help as much as possible. The design team of architects, surveyor and engineer have offered their services at reduced rates, but the building will present a problem.

The cost includes an estimated £58,597 of VAT. If that tax could be lifted, the organising committee would be enormously relieved. I realise that this is not the Minister's responsibility, but will he have a word with the relevant Minister to see whether anything can be done? I am pleased that the building has a chance of being accepted for grade II listed status, which would give some relief from VAT and other advantages, although it would render the building subject to certain building controls.

The advantages to the National Health Service of a hospice are extensive. A significant number of beds in acute wards are saved and, by acting as community teams, hospices enable people to stay at home or in the hospice and give them help to enable them to face their last days with dignity and courage. Hospices are an impressive addition to health care. The quality and care is unquestioned, and the standards that they have set are high and compassionate. Good terminal care is a challenge to all with responsibility for the dying.

When Dame Cicely Saunders established St. Christopher's hospice in south London in the 1960s, it was in in-patient unit where patients could be cared for during the final weeks of their lives. Recently, however, hospice activity has been concentrated on supporting patients in the home. The in-patient unit is regarded as providing back-up support and, where necessary, intensive nursing care.

Hospices' main achievement in pain control has been the demonstration of the benefits of administering analgesics regularly before the patient's manifest need for them arises. The in-patient unit, the home care service and the symptom control team contribute to the work of a hospice. There were only 12 in-patient units in the United Kingdom in the mid-1960s. Their number has grown to nearly 70. There are also about 90 home care services and 11 symptom control teams. I am pleased to learn that other hospice facilities are being planned.

Patients in the terminal stages of cancer are often told that nothing more can be done. That is seldom true with advanced cancer. An interested and sympathetic doctor using a small number of well-established drugs can relieve pain in most cases. No cancer patient should be allowed to die suffering. Pain can be relieved entirely in the majority of cases and controlled satisfactorily in the rest. Terminal care should begin when any attempt to cure the disease is deemed inappropriate and all professional skills must be devoted to the relief of physical, emotional, social and spiritual distress.

No doubt the film about Bob Champion and his remarkable determination to beat the disease, and eventually to go on to win the Grand National, will inspire many fellow sufferers. His story provides a moving account of his emotional battles and has a fairy story ending. However, not everyone can be a Bob Champion, so hospices are essential.

I said earlier that a substantial amount of money was needed to finance the project. My constituents have set about their task in an enthusiastic, enterprising and original fashion. A few weeks ago, I was privileged to be present at a major fund-raising event in our town centre in aid of St. Luke's hospice. People bought bricks for £1 each to build the hospice and then formed a human chain to move them to the site where it will be built. The spirit of people was wonderful and the dedication service that evening was a joyous occasion.

I am proud to give whatever assistance I can to St. Luke's. It will be built with the minimum financial assistance that the Government might feel able to give, and fundamentally from the generosity and belief of the people of Basildon.

I am not really asking the Government for financial assistance. However, if the Minister has any suggestions about how the money can be raised, we would obviously be delighted to hear them. If he knows of any European fund to which we might be eligible to apply, that would be helpful. If there is anyone listening to the debate, or who hears about the project, who might be able to give us physical, financial or practical assistance, we would be delighted.

Whatever difficulties the organisers of the project face, everyone is determined that the hospice will be built quickly, inspired as they all are by the words of Dame Cecily Saunders:

"You matter to the last moment of life, and we will do all we can, not only to help you to die peacefully but to live until you die."

12.46 pm

The Parliamentary Under-Secretary of State for Health and Social Security (Mr. John Patten): It was entirely characteristic of my hon. Friend the Member for Basildon (Mr. Amess) to end with that very moving quotation from Dame Cecily who did so much to get the hospice movement going in the 1960s. It has been an inspiration to all those involved — whether in the residential sphere or in the increasing area of activity concerned with helping people in their homes and counselling those who look after them.

My hon. Friend's speech was also characteristically lucid, and certainly very moving in parts. His interest in health affairs is already noted in the House. He has been the first to criticise—heartily supported by me—some of the scandalous suggestions and slander against the National Health Service in his area from the hon. Member for Holborn and St. Pancras (Mr. Dobson)—who is not in his place today—and the hon. Member for Peckham (Ms Harman). They have done a great deal to lower morale in that area, and by knocking the service they have caused great upset among the staff. I advise those who gratuitously look for publicity for cheap political ends to pick their targets with rather more sensitivity than that shown by the hon. Member for Holborn and St. Pancras, as I shall tell him the next time that I speak from the Dispatch Box, and as, indeed, I have told him before.

My hon. Friend appreciates that a number of his points do not fall within my ministerial capacity. For example, the question of VAT on charities is a matter for my right hon. Friend the Chancellor. I know that it is a useful defence for Ministers to say that certain matters are not for them but their right hon. Friends, but I shall not say that about the EC. I think that I can give my hon. Friend some advice, even though it is a matter for my right hon. and learned Friend the Foreign Secretary.

The two EC funds that we considered as possibly able to provide help for the project do not, alas, appear to be

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applicable. Therefore, subject to any further advice from the European Parliament, I do not think that anything can be done there.

In the brief time available, I shall try to reply to the important points that have been raised. I shall do so on three levels. First, I shall comment on hospices, and the hospice movement nationally. Secondly, I shall try to answer some of the important questions that my hon. Friend asked about cancer. Thirdly, I shall say something about Basildon. My word, what spirit there seems to be in Basildon! What effort is being made by the local people! They have not gone cap in hand to anyone, but are determined to do everything themselves. I have some experience of that in my area of Oxford, where a hospice has been similarly helped and where similar spirit has been shown.

Those organising the appeal—the Cox family, and Mrs. Cox in particular, as well as all those who have given money and who have formed a human chain to shift bricks and so on—have demonstrated the strength of voluntary giving in this country, which links prople of all political parties at all times. Such giving existed before the NHS came into being and it has carried on since then. It is a compliment to Basildon that it should have approached the issue in that way.

I should not like to give hon. Members the impression that the NHS does not wish to take care of the terminally ill. Much of the initiative has come in the past from local voluntary groups. Indeed, in the health and social services, such groups have often proved to be the seed corn from which much bigger statutory services have developed. Although we welcome that process, we have been conscious from time to time that services have developed in an unplanned way. Whether funds are raised for a hospice, for a body scanner or for any of the other items that we learn about with such pleasure in the press, consideration must be given to the proper national planning and provision of health services. That is why I welcome the growing spirit of co-operation that has been seen in Basildon and in the country as a whole between the voluntary sector and local health authorities in order to ensure that the right services are provided at the right time with the money that has been raised. I am very pleased to see that going on in Basildon in just the right way.

We believe that adequate terminal care should be provided by every health authority. It can be provided in several different ways, but we would encourage every health authority to enter into a constructive partnership, where possible, in order to achieve that end. We certainly do not say that good terminal care should be available only in hospices.

I must return to a theme that has come up from time to time in our Adjournment debates when we have kept each other company at all times of the day and night. I refer to the feeling among some hon. Members that large hospitals cannot give sensitive care either in maternity wards or in wards for the terminally ill. I do not believe that that is so. Maternity wards in large hospitals can be homely and agreeable places that have devoted staff encouraging mothers-to-be. It would be inappropriate, to put it mildly, to suggest that our nurses, doctors and ancillary workers, who play such an important role in our NHS hospitals, cannot give the care and attention that the dying deserve. They often do so, and I am happy to say that many people write in to thank those involved.

We welcome the co-operation given by the hospice movement. We want to encourage it and to see it grow and develop in partnership with the NHS. But my right hon. and learned Friend the Minister for Health and I are convinced that with good guidelines and good staff training there is no reason why that same quality of care and attention cannot be given even in our largest, perhaps 1,000-bed, hospitals.

My hon. Friend alluded to support for cancer research. Alas, I am not able to report any further great developments on that front, but I remind my hon. Friend that the DHSS and the Department of Education and Science allocate substantial funds to the Medical Research Council, which in turn allocates an equally substantial amount directly for cancer research. The Medical Research Council is spending about £19 million on cancer research this year, the largest allocation of its funds to any area of research. Therefore, more money is going from the MRC, drawing upon the funds of the Department of Health and Social Security and the Department of Education and Science, to this area of research than to any other area.

The voluntary sector has a role to play in cancer research, a role which I do not wish to underestimate. This is another very good example of how the voluntary sector can support and supplement the health services. About half of the expenditure upon cancer research comes from non-Exchequer funds. The Imperial Cancer Research Fund and the Cancer Research Campaign are major contributors. They have provided £4 million and £19 million respectively for the research budget, a formidable amount of money. Our experience is shared with other western countries and with the United States where these problems are being tackled head on.

On the particular problems of services for the terminally ill in Basildon and Thurrock, the North-East Thames regional health authority shares our view about local NHS services for the terminally ill. In its strategic plan it says that every district health authority should establish medical and nursing staff training for the care of the dying. That is critical. The NHS has a formidable job to do here. It also says that it should set up, either independently or in collaboration with an adjacent district, a home care service which operates outside the hospital or hospice with a pain relief clinic. I have visited such clinics and know about the extraordinary work that is done there. It also proposes that small in-patient facilities should be allocated, either hospital-based from the acute sector or using the services of a voluntary hospice.

I welcome these proposals. It is clear that what is being done for those who, alas, are terminally ill will increasingly be done in the community. This does not mean that it will be a cheaper option. In staffing terms, it may be considerably more expensive. As my hon. Friend the Member for Basildon said with such crispness, the majority of those who are terminally ill would prefer, wherever possible to be in their own homes with their families. But their families need support from nursing staff, social workers and others to deal with the problems which sometimes arise during the last few weeks—resentment, fear and all the other emotions which my hon. Friend so clearly described. By the better training of

hospital staff and the better development of community-based services we shall mount a much more concerted twin-pronged attack.

I am glad that in Basildon and Thurrock the health authority is actively looking at ways to improve its care of the terminally ill. For this purpose it has set up a working party. I understand that at its June meeting the authority will be considering a report from the working party. I have not seen the report, but I understand that it makes a number of recommendations about the development of these services. I am advised that it says something about encouraging voluntary activities and closer links with the hospice movement. I hope that June will be an important month in the development of these services in the Basildon and Thurrock area.

We acknowledge the major role played in the past by the hospice movement and the role that it will continue to play in the care of the terminally ill. We recognise that the NHS also has an important role to play in the planning of these services. We never want voluntary effort and funds to go astray, to be spent in an unnecessary or inappropriate way or to be wasted because of a lack of planning.

The boot is on both feet. The health authority must ensure that it is open to voluntary organisations, and must give them a role. Equally, voluntary organisations must ensure that they do not go off at a tangent: They must let health authorities know what they are doing and they must co-operate. In the past there have been criticisms of health authorities for not taking voluntary organisations into account. That must stop. If any hon. Member has a complaint about that, he should let us know because health authorities have a positive duty to take into account voluntary organisations' fund-raising activities in planning future developments. Nevertheless, it is for the authorities to decide how services should be provided.

Clearly, things are moving fast in Basildon. There is good co-operation between volunteers and the local health authority. I hope that it will not be long before the long-awaited plans come to fruition.

Homelessness (Young People)

1 pm

Mr. Alfred Morris (Manchester, Wythenshawe): I am very glad to have had parliamentary time allocated to me for this important debate. My concern to secure the debate derived from the ever more disturbing evidence of homelessness among young people in Manchester; from my work as a trustee of the Disabilities Study Unit which, under the leadership of Duncan Guthrie, has worked so hard to focus attention on this grave and growing problem; from my knowledge of its consequences for some of the most vulnerable young people as a trustee of Crisis at Christmas; and from the powerful submissions to right hon. and hon. Members of this House from such widely respected organisations as Shelter, CHAR and MIND.

As the House rises for the Whitsun recess — and families unite for a holiday weekend together—it is not inappropriate that we should be debating this major social problem here today. The Government stand accused of giving the problem of the young homeless—or, as they are known in other countries, "street children" and "street youth" — scant attention and of showing little understanding of the human suffering involved. As the House knows, the Government have not entirely overlooked the problem. They recently introduced new rules for board and lodging payments, which are expressly designed to make it more difficult, not to say impossible, for young people to move into areas where they believe that employment may be available to them. First, they were advised to get on their bikes and look for work. Now they are punished for doing so.

SHADES, an excellent youth advisory project deeply involved in seeking to assist homeless young people in Manchester, see and work to help young people from my own constituency. With an increasing number of other youngsters they end up in the inner city, homeless because there is simply no suitable housing provision for them in their own localities. Some make their way to London and, when the lure of the bright lights fades and they have to face the harsh realities of the London streets, the lucky ones make their way to Centrepoint, which works, with all too limited resources, in the centre of Soho, providing emergency night shelter facilities as well as hostel accommodation and a small number of flats. The less lucky ones arrive at the accepted meeting places of the young homeless; in cafes and bars and at street corners where, in the company of other young people in the same predicament, they often take the first steps to drug dependency, crime of all sorts, including prostitution, both male and female, as rent boys and rent girls, and the general despair of homelessness.

The plight of the youngsters is now made worse by having to move from area to area to retain benefit. Unable to return to any particular area for six months, they are, as my hon. Friend the Member for Houghton and Washington (Mr. Boyes) has said, almost driven into crime and prostitution. In this International Year of Youth, they become even more vulnerable to abuse. Young people who are handicapped, either physically or mentally, are the most vulnerable of all.

If anyone sees this as alarmist, they should reflect on the trial of Dennis Nilsen with its grim revelation of multiple murder. Even when the problem was less serious than it is today, Nilsen admitted he had no difficulty in

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picking up 22 young men where street youth congregate in London. They were lured to his flat and he murdered 15 of them. His young victims were unemployed, mostly homeless or at best living in squats and only too pleased at the prospect of a bed for the night. Recollection of the horror of that case, among others, must inform our judgment of the Government's decision to make it more difficult, not easier, for the young homeless to obtain safe lodgings.

Turning again to my own city, I am very strongly advised from Manchester—this is the view of the city's officers most directly concerned with their implementation — that the new regulations on board and lodging ceilings must be urgently reversed. One consequence of the regulations is that they will make young people in bed-and-breakfast accommodation homeless, and will therefore put them in the highest priority group on the rehousing list. This will put extra pressure on the local authority and have knock-on effects for other applicants.

Let me quote from the advice I have received from Manchester:

"The impact in some places will be horrific. Young single homeless people may well be competing with other priority groups, for example, the elderly and medical priority cases, for a limited supply of small-sized dwellings . . . . An ironic consequence of Manchester's humane and positive attitude could be to make the situation worse by making the city a centre to which young people will flock. At the same time, there is the danger of a backlash from other people on the rehousing list against the young people who are victims of the Government's new regulations."

All informed opinion believes that the Government are contributing further to the housing crisis and, because of the vulnerable age group on which they are picking, they could rapidly create major social tensions as well. The whole proposal is badly thought out. The levels of benefit are inadequate. They provide £55 for full board or £70 for hostels in Manchester, yet research carried out as long ago as June 1983 showed that £80 was a realistic figure for Greater Manchester. The Social Security Advisory Committee has admitted that the charges now payable are likely to create

"a class of rootless young people unable to find accommodation in one place, unable to find a job, and obliged by benefit rules to move around the country constantly."

This is a case where the Government are returning to pre-Victorian values. The proposals are a re-enactment of the old poor law which allowed parishes to send "sturdy beggars" on their way. It is not the way that any Government should treat our young people.

Last October, in reply to a parliamentary question that I put to the Secretary of State for the Environment, he informed me that there was no information available on the numbers of homeless adolescents and young people in London and the other major conurbations. I was given a similar reply by the Under-Secretary of State for Scotland. Figures are still unavailable, and I must now press the Government to obtain them. It must be a very mistaken sense of economy that leaves the statutory and voluntary sectors with no figures from which to work. Of course, all who work in the area know—as I was told by Shelter yesterday—that the numbers are increasing, especially among youngsters, boys and girls alike, under 16 years of age. More and more of them sleep rough in the streets.

In a further parliamentary question, I asked whether the DHSS would support a study being mounted jointly by the Disabilities Study Unit and European Research on Consumer Affairs to collect information on the voluntary organisations concerned with "street children" and "street youth" in the countries of the European Economic Community. The aim was to learn more about their objectives, their modus operandi and their sources of funding. In reply, I was told that an application would be considered on its merits. But when Duncan Guthrie, as director of the Disabilities Study Unit, submitted a proposal to the DHSS he was told:

"This Department's responsibilities in the area of homelessness are concerned with special care and support needs rather than homelessness per se".

This could only have meant that the DHSS was not prepared to take steps to cure the disease, only to treat some of the symptoms. I am glad to say that the Disabilities Study Unit has now been able to raise funds, partly from voluntary grant-making bodies and partly from the EC, and that this important study can now be put in hand. Sadly, however, a great deal of time has been spent in seeking financial support which could otherwise have gone into constructive research.

I must ask the Minister whether he agrees that the present piecemeal approach to the problem of homelessness among young people is hampering other valuable work in this sector? The DHSS, the Department of Education and Science, the Department of the Environment, the Home Office and local authorities are all involved in different, but not very clearly differentiated, aspects of the problem.

The voluntary organisations are often at a loss to know which Government Department they should contact. They are often at a loss, too, to understand what the Government are expecting of the voluntary sector and in what areas Government, both central and local, are likely to provide a grant-in-aid.

Again, there are reports of important differences of opinion between the DHSS and the Department of the Environment. What exactly are the differences, and to what extent do they concern the new regulations? As the Minister must know, the Minister responsible for home affairs and the environment in the Scottish Office, speaking to the Shelter conference on young people's housing needs in Edinburgh on 26 October 1984, made a statement on homelessness in Scotland which many in the voluntary sector would like to see endorsed by the Department of the Environment Minister. Will the Minister, in replying to the debate, endorse his Scottish colleague's statement?

There are some other specific questions that I must put to the Minister. First, can he tell me what evidence, if any, has been given to adjudication officers on how to determine whether someone under 26 claiming a board and lodging allowance is so disabled that it is unreasonable to expect him to be in accommodation other than as a boarder? Secondly, will he look very urgently at the effect of the new board and lodging regulations on disabled claimants?

In Shelter's experience, much difficulty has been caused by the way that DHSS offices have sent out notices to claimants informing them that their benefit will be reduced unless they can show that they fit into an exceptional category, without the Department having any adequate information to make such an assessment. To put the onus on, for example, people who are mentally ill to

show that they fit into an exceptional category is clearly highly unsatisfactory. I am sure that the Minister will agree with me on that.

Such people may not understand that they fall into the category of "mentally ill or disordered persons". Even if they do understand, they are likely to be reluctant to provide the DHSS with detailed evidence to prove the case. The implementation of the regulations raises important questions of privacy of information which I should like the Minister to address himself to when he replies.

MIND and CHAR have said in a joint statement:

"Government policies on board and lodging charges are creating even worse homelessness among single people, including those with mental health problems."

They also state—and I hope that the Minister will share my concern about their findings:

"Many people are forced to live in appallingly overcrowded conditions, often with poor sanitation, and certainly with little support or help if they have additional disabilities."

In other words, handicap piles on handicap for the young disabled people concerned.

A third specific question concerns the initiative of the Children's Society to make contact with the parents of the children of youngsters who have left home and to whom the society gives temporary shelter. The Minister will be familiar with this and will know that there are legal difficulties. The initiative puts the Children's Society in what has been called

"a grey area of the law"

and I shall be grateful if the Minister will both comment on the initiative and say whether the Government have any plans to change the law to protect the society which, as he knows, wants to be helpful to both child and parent. How does he react to what has been achieved, and is there any possibility of state funding for this and other initiatives? I regard it as a bold and innovative action by a well-respected and responsible voluntary organisation.

The House is, of course, aware of the United Nations projected convention on the rights of the child. Since 1979, a working party has, at the request of the United Nations General Assembly, been drafting a text for the convention. The United Kingdom's contribution has been minimal and this country is not among those which have submitted either amendments or addenda for the working party's final meetings. The answer may be that the Departments concerned are already fully satisfied with the text as drafted. Is that so?

The Government's attitude to the convention contrasts sharply with that of the voluntary sector concerned with homeless youth. In Strasbourg recently, voluntary workers from this country drafted with members of the European Parliament a motion which, in less than 24 hours, had been accepted for tabling in the European Parliament and was subsequently debated there.

It is now 10 years since the DHSS published the report of the working party on homeless young people set up in the wake of that frightening television documentary, "Johnnie, Go Home!" What has happened in those 10 years? The number of homeless children and young people has increased dramatically and is still increasing. The Government should now set up an independent working party to look again at the position of homeless youth in our large cities. I hope that they will be pressed to do so from both sides of the House. Even the briefest look at Times square in New York shows what can happen when too little is done too late.

The time has come to call together in a working party all the voluntary organisations with an interest in the young homeless, and that working party should be enabled to use the best tools of scientific research to look at the problem, its causes and ways in which it can be solved.

The problem can be solved. To govern is to choose and the problem is basically one of priorities and resources. If nothing is done and if the DHSS continues to penalise young people for growing up — for that is what it amounts to when they are forced on to the streets because they are young, out of work and looking for independence —we could soon find ourselves in deeper crisis.

As I have said, this is the International Year of Youth and 1987 is the International Year of the Homeless. What preparations are the Government making for 1987? What plans are there to reduce the cruelty of homelessness among young people? This debate gives the Government an opportunity to show that they appreciate the increasingly widespread concern about the young homeless. I implore the Minister at least to give them some hope. What hope can he offer to the "street children" and "street youth" in Britain today?

1.16 pm

The Parliamentary Under-Secretary of State for the Environment (Sir George Young): The right hon. Member for Manchester, Wythenshawe (Mr. Morris) has raised the subject of homelessness among young people. In doing so, he drew on his extensive background of personal knowledge and commitment and made a substantial case. This is a matter of public concern and it is right that the House should have the opportunity to review the present position.

I will begin by considering the situation in Manchester, which the right hon. Gentleman mentioned in his speech. I was interested to read the report of the director of housing entitled, "Strategy for housing single people in need", and I believe that that report has been adopted by the council. I was interested to see the proposals now coming forward from Manchester to try to deal with homelessness. At this stage, there is a problem about the cost of the submissions put forward. We have made it clear to the council that we have no objection to what it proposes to provide. It is simply a matter of the cost of the particular propositions before us. I believe that the strategy adopted by the council is correct.

It is interesting to note that on the general needs index Manchester did not score at all on the homelessness indicator in 1984-85 and scored only 0·5 on the weighted homelessness indicator for the current year out of a total weighted GNI score of 499. That may indicate that the problems of homelessness in Manchester are less severe than in other parts of the country.

I was also interested to see that the housing corporation in Manchester provided housing associations in the area with £665,000 last year for hostels, mainly for the single homeless, and that in the current year £654,000 is being made available for further hostel provision, with an additional £800,000 for hostels for the young homeless. It seems, therefore, that a substantial attack is being made on the problems of homelessness in Manchester.

Towards the end of his speech, the right hon. Gentleman made some interesting comments about the need for more research into the causes of homelessness. I believe that something is happening in our society causing people to leave home in greater numbers than

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before. This may be to do with the incidence of marital breakdown, or there may be other reasons. Certainly, we need greater insight into the causes of homelessness as well as to find better solutions.

The right hon. Gentleman also touched on what he described as the piecemeal approach of Government to the single homeless. He knows as well as I do, if not better, that Government Departments are based on services. They provide for education, social services, transport, health, and so on, and at any given time an individual member of the public may be looking to a number of Departments for help. As the right hon. Gentleman said, if the single homeless have drug problems that is a matter for the Home Office. If they are on supplementary benefit or if they are ill, it is a matter for the DHSS. Their housing needs are the concern of the Department of the Environment.

The right hon. Gentleman may have been implying that Government Departments should be rearranged so that there was for example, a Department for the single homeless, a Department for the elderly, and a Department for the disabled. That would create some difficult administrative problems as each Department tried to provide services for its client group in isolation, when the services required by all the client groups — such as hospitals or a supplementary benefit system—might be identical. I think that it would be better to retain the present system, with better co-ordination, than to appoint Ministers for individual client groups. I know that this is a sensitive subject, because the right hon. Gentleman has been the Minister with responsibilities for the disabled and appreciates better than anyone else the problems of trying to deal with a single client group within Whitehall or local government.

The right hon. Gentleman rightly said that the homelessness statistics that we collect from local authorities do not include any age breakdown. We are currently talking to the local authority associations about the possibility of including such a breakdown, so that we would know how many young people there were among the homeless. We may well wish to return to that point when our research project on how authorities record their statistics on activity under the Housing (Homeless Persons) Act 1977 has been completed. The project is due to start later in the year.

At the moment information on homelessness among young people is patchy. However, I would not deny that the evidence from all sides — advice agencies, local authorities, supplementary benefit figures and one's own constituency advice bureau — suggests a substantial increase in homelessness among young people and a disproportionate representation of ethnic minority groups. Given the importance of the home in providing a background of security in people's lives, and given the serious and lasting effects that homelessness can have on people's development, especially when those effects are felt at a young and impressionable age, that is certainly a situation that the Government are concerned about and are anxious to improve.

There are many reasons why a young person may become homeless. Often a combination of factors are involved. The decision to leave the parental home will not always be the result of some crisis or problems; moving away from parents and setting up independently is after all very much a part of growing up. But likewise so is learning to be realistic, and it is only reasonable to expect young people to take account of the availability of accommodation before deciding to leave home.

There are occasions when it is difficult or impossible for young people to remain in the parental home, and local authorities need carefully to consider such special circumstances when dealing with homeless young people. Research published by my Department in 1981 as "Single and Homeless" identified a number of important factors contributing to homelessness among young people. When asked why they had left their last settled base, 29 per cent. of those under 30 gave family break-up or marital dispute as a reason, and this was a particularly important explanation in the under-20 age group, in which the figure was 43 per cent. Disputes with parents accounted for 22 per cent. of those under 30. Other important reasons related to employment—nearly 20 per cent.—or entry to or discharge from an institution—12 per cent.

The right hon. Gentleman mentioned the new supplementary benefit board and lodging regulations that came into effect at the end of April. They have aroused widespread concern, especially the aspects that affect young people aged under 26. The right hon. Gentleman asked me a number of questions about adjudicators that would fall more appropriately to my right hon. Friend the Secretary of State for Social Services. I shall ask my right hon. Friend to write to the right hon. Gentleman.

In a lengthy debate on 2 April, my hon. Friend the Minister for Social Security explained the changes involved and the reasons for them. At the end of the debate, the House approved the changes. I do not wish to cover all the ground again now. The important point is that the DHSS is carefully monitoring the effects of the changes and Ministers are prepared to consider whether further changes should be made in the light of experience. I know that Shelter, CHAR and other voluntary bodies concerned with homelessness are also monitoring the position from the point of view of homelessness. My Deptartment will keep in close touch with the DHSS as experience of the new regime grows.

On the practical side, I commend what the voluntary bodies are doing. The right hon. Gentleman mentioned some in his speech. I commend what some local authorities are doing to inform existing supplementary benefit claimants in board and lodging of the effects of the new regulations, the accommodation options open to them and their rights under the 1977 Act. One must be clear that authorities that have a minimum duty under the Act to provide "advice and appropriate assistance" to homeless people should not interpret that simply as giving lists of bed and breakfast establishments with charges that are above the new ceilings for board and lodging payments. That would not count as appropriate advice or assistance.

With regard to investment in housing, the right hon. Gentleman knows that difficult decisions on priorities have to be made, in terms of what we can make available. However, on the homelessness factor, we already take into account in the capital allocations to local authorities and in the allocations to the Housing Corporation, the incidence of homelessness in a particular area. We are reviewing with the local authorities the possibility of altering the weighting—currently 10 per cent.—or the form of the homelessness indicator so that it reflects needs more fairly. As the right hon. Gentleman knows, we have also asked authorities to concentrate their available resources on those in the greatest housing need and, of

course, that must include the homeless. Then it is up to the local authorities to decide how to use the resources that are available.

We have tried to help with the hostels initiative, which I hope the right hon. Gentleman knows about. That involved a major expansion in the provision by housing associations of small modern hostels, often providing care and support. Since May 1979 some 11,000 places have been approved. Young homeless people will certainly be among those who have benefited. Under the housing association grant arrangements, associations that provide accommodation in hostels, other forms of shared housing, and self-contained dwellings for renting are supported by my Department with capital and, when necessary, revenue finance.

We are sending a circular to local authorities next month advising them how to introduce better housing management measures, which will reduce the number of empty dwellings. It is a scandal that so many local authority dwellings remain empty while the numbers of homeless people increase. On 1 April 1984 more than 25,000 dwellings had been empty for over a year. We must have another blitz on that figure if we are to make progress with the numbers of homeless people.

We are also looking at several other initiatives. Perhaps more should be done to encourage people to transfer out of under-occupied houses to the smaller homes that might suit them better. Perhaps the Government or local authorities should take further steps to encourage householders to take in lodgers, either directly or through special local agencies. We are looking at several initiatives to encourage the private rented sector at this stage to see what might be done to get private resources into housing.

With regard to preventing the existing housing stock from deteriorating, we recently published a Green Paper on improvement grants. Last week my right hon. Friend the Secretary of State and I met some voluntary bodies concerned with homelessness including the Shelter Housing Aid Centre and CHAR. As a result, we are having another look at our policy on homelessness to see whether fresh initiatives might be introduced to tackle the problem mentioned by the right hon. Gentleman.

We reviewed the 1977 Act three years ago and decided against any extension. However, we monitor the position through the statistics that we collect and the information that comes in from a range of sources. I hope that local authorities will interpret sensitively their obligations under the Act. They can treat as vulnerable some of the young people about whom I know the right hon. Gentleman is concerned—those who are at risk of financial or sexual abuse. The Department's code of guidance encourages authorities to secure accommodation wherever possible for those groups of young people. I welcome the fact that some authorities at least feel able to do that or even more.

I know that I have not answered all the questions asked by the right hon. Gentleman, but I shall write to him. However, I hope that I have said enough to make it clear to him that we are seriously concerned about the increase in homelessness, particularly among young people. At the discussion last week the voluntary bodies made a number of useful points. We are taking a fresh look at this problem and are looking at a range of measures which I hope will relieve the situation described by the right hon. Gentleman.

Leasehold and Tenanted Properties

1.30 pm

Mr. Anthony Nelson (Chichester): I welcome the opportunity to raise a matter which I consider to be of considerable national importance. It is both timely and a happy coincidence that this is a housing matter. I hope that my hon. Friend the Under-Secretary of State will not feel that he is overworked this afternoon, but at least the two debates to which he is replying follow each other.

This debate is prompted by my growing anxiety over many years about the deteriorating fabric of dwellings and the liability that we shall be storing up for occupiers and taxpayers if we fail to devote the resources and attention that are required. It is appropriate, therefore, for me to ask the House to consider the whole issue of the maintenance and repair of leasehold and tenanted properties. Although I recognise that the problems of disrepair are not isolated in the private sector but apply also in the public sector, in the latter case the Government have done a great deal to assist local authorities' abilities to maintain the fabric of those dwellings. Substantial new efforts are needed in the private sector where the problems are greatest.

I am especially concerned about the leasehold and privated tenanted sector where the neglect of mansion blocks, the squalor of tenement flats and the impoverished conditions of their occupants are most marked.

I am fortunate to represent a beautiful rural constituency. I recognise that some of the problems to which I refer are most prevalent in our cities, but the conditions of leasehold and tenanted properties are current throughout the country and many of the problems to which I refer will be found in agricultural dwellings and smaller blocks of leasehold properties in towns and provinces and not just in the major cities. This is a matter of great national interest.

The problem was clearly brought to the attention of the public through the 1981 English house condition survey which revealed that, of a national total of 18 million dwellings, more than 3 million were in serious disrepair, unfit for habitation or lacked basic amenities. The worst conditions are in the private sector, especially the private rented sector where one in six dwellings are unfit for habitation, amounting to 370,000 dwellings.

An unquantifiable number of leasehold dwellings have become rundown, but the evidence is there to see in our city mansion blocks where, over the years, the deteriorating fabric and structure of those dwellings has not been assisted by a combination of a lack of private resources and the anomalies and artificialities of our property law. These properties are often occupied by old people, those on low incomes and those least able to help themselves.

We know that the number of very elderly people will rise significantly during the remaining years of this century. The quality of their housing stock will, therefore, become a more costly and pressing problem. We cannot afford to wait for that responsibility to arise. We must tackle it over a period of years, and we must start now. We know also that the worst living conditions are suffered in the oldest properties. Of the 1 million dwellings that are categorised as unfit for habitation, 88 per cent. were built before 1919. The average cost of repairs per dwelling is

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more than £7,000—a sum far in excess of owners' resources or their ability to raise through earnings and savings.

Few people in the very poorest housing stock can finance the necessary remedial work from savings. Even with grants or loans, a substantial sum must still be found. Curiously, a number of surveys, including the English house condition survey and the first report of the inquiry into British housing, chaired by the Duke of Edinburgh, have found that many owners are not alert to the need to carry out essential repairs and many make no complaint about living in the poorest housing conditions.

While some people become inured to the appalling housing conditions that they suffer, that should not be interpreted as meaning that the problem is more imagined than real, for many have no experience or hope of anything better, and for every resident who is content, there are a multitude who are not.

There is also the pressing and contentious issue of what to do about the increasingly dilapidated mansion blocks throughout the country, and particularly in London, where lessees and tenants have limited ability, even if they had the incentive, to maintain and repair the structure, common parts and fabric of these aging buildings.

Most mansion blocks were built at the turn of the century and are now badly in need of repair. Successive Rent Acts forced landlords away from letting and into selling long leases. Service charges used to be small, but the quadrupling of oil prices and the cost of repairs to lifts, roofs and common parts sent them soaring in the 1970s and they are now a considerable outgoing to most lessees and tenants, particularly in urban areas.

The problem is that neither lessees nor freeholders have the incentive to maintain these properties, partly because of our curious leasehold system, which gives the lessee an inadequate interest in the building as a whole, and because it has been easier and more profitable for many freeholders to exploit lessees, asset-strip what they can and sell before any legal obligation is placed on them.

Complaints about faceless offshore companies trading in the freeholds of blocks of flats with a complete disregard for the wishes or interests of lessees or tenants have abounded for years. Despite the welcome improvements in the rights and protection of residents in the Housing Act 1980, thousands of them are still vulnerable to the worst practices, and in the meantime prudent and necessary repair and maintenance work is left undone.

The consequences of that neglect will be a massive social and financial problem in the years ahead as increasing numbers of blocks become literally uninhabitable, even though the lessees may ostensibly own long leases on flats or tenants believe that they enjoy security of tenure.

However, the problems for lessees and tenants go beyond the structural conditions of the building. The Federation of Private Residents Associations in its submission to the Government committee that was set up to look into the management of blocks, complained about poor workmanship on repairs, inadequate accounting, lack of control over management fees, dishonesty, abuse of reserve funds, managing agents being elusive or in collusion with landlords and landlords disappearing or even thieving the reserve funds. The federation has called for tenants to be protected by setting up housing courts to hear disputes and by strengthening the powers of local council tenancy regulation officers. Its proposals deserve serious consideration by the Government.

Who is looking into these problems, which are not new but which have become more apparent in recent years with the coming together of the deterioration of properties built nearly a century ago, the steep rise in the cost of maintenance and the problems of people being unable to afford the high cost of reparation works?

I am pleased to say that the Government and a number of outside bodies have taken these problems seriously. Though more should be done, I pay tribute to the housing policies of the Government, which have been imaginative and radical. The Under-Secretary, who has been associated with the housing policies of the Administration for the last four years, has made an incisive, outstanding and sensitive contribution to the alleviation of the serious social problems to which I am calling attention.

From the Housing Act 1980, which extended new rights to tenants, to the Green Paper on a new approach to home improvements, from the partnership projects between the public and private sectors which the Government have encouraged to record expenditure on home improvement grants in the past six years, from the assistance readily provided to occupiers of defective housing to promotion and sponsorship of the voluntary housing movement, the Government have demonstrated that they care about people's housing conditions and are not prepared to sit back and ignore the plight of those who want to improve their lot.

I should like to draw attention to the inquiries on the Government committee on the management of mansion blocks—the Nugee committee—which comprises several eminent people who are responding to the Government's wish that there should be objective consideration of these problems and recommendations on how to tackle some of the worst practices in the private rented and private leasehold sectors.

I should like also to pay some respect to the forthcoming final report of the inquiry into British housing. The first report was a useful contribution to the discussion of these issues. I understand that the final report might be out in July. It is worthy of serious attention. I hope that Ministers will consider the recommendations of those important inquiries sympathetically and constructively. Failure to do so will have bitter social and political consequences. A substantial number of people live in such properties. They all have a vote, but, quite apart from that, we should take seriously their housing conditions and worries about maintenance costs.

Is a new English house condition survey being prepared? It is an important assessment of progress in, or the problems of, maintaining and improving the housing stock. Governments are sometimes too defensive and dismissive of the survey and I hope that the present Government will not be. A package of measures are necessary if we are to deal with the problems of leasehold and tenanted properties. The problems fall broadly into two categories—financial and legislative.

As for financial measures, we should consider Government expenditure on housing. Provision this year remains just over £3 billion, of which more than half is allocated for the housing investment programmes of local authorities. That is a significant budget, but I cannot avoid the implication of my remarks, which is that tackling these

problems will require more resources or a diversion of planned resources. Doing that would have beneficial employment consequences.

I was unhappy about the changing of the rule about the amount of capital receipts which local authorities are allowed to spend on improvements and other matters. I am aware of the immediate economic constraints within which the Government must operate, but I hope that it will be possible to review the rule, because it has significant employment and housing implications.

Expenditure such as I have mentioned would be a good investment. Just as I said in last year's debate on the autumn statement, I regret the cut in this year's housing budget to pay for an increase of the same size in the social security programme. There is an almost exact transfer of resources from the capital side to the current side of the expenditure programme. That might alleviate immediate personal difficulty, but it will do nothing to add to the infrastructure and the quality of housing.

Home improvement grants are important. The Government have a creditable record on providing them, but they were right to review the system to provide greater continuity, simplicity and fairness in supply. This month's Green Paper on a new approach to home improvements offers means-tested automatic grants for unfit houses and discretionary loans for others in exchange for an equity in the property. It is a useful discussion document, and I agree with the proposal on mandatory grants.

However, as my hon. Friend knows, I have misgivings about equity loans, as they run counter to Conservative party policy of promoting whole personal ownership, would be costly and time-consuming to administer, and would not be popular with either householders or local authorities. They would be even less workable or in demand for leasehold or tenanted properties where the landlord has to consent to a percentage charge being taken on his interest.

The standard of improvement work also needs to be raised. The Director General of Fair Trading found in 1983 that there had been almost 27,000 complaints in one year about home improvement work. Local authorities should exercise tighter control over standards of work financed by them and should institute lists of recommended contractors.

There need to be changes in the Rent Acts. As far back as 1981, the Select Committee on the Environment concluded:

"policies designed to give landlords an incentive to improve their properties inside the existing legislative framework will only have a limited effect on the longer-term quality of the private rented stock. Only if rents rise substantially . . . is it likely that in the long term significant quantities of improved stock will be retained in this sector."

Two changes are called for. First, there should be an end to the phasing of registered rent increases. Rates of inflation are now much lower than in 1975, when phasing was introduced in the Housing Rents and Subsidies Act. Registered rents, based on a notional rent without regard to scarcity value, are still preferentially low and there is no longer a good case for continuing to phase increases.

While the security of tenure and registered rent regime for existing protected tenants should continue, future lettings should be free from those restrictions. The quantity of vacant property available and the high demand for private rentals are a terrible reflection on existing law. It is surely time to introduce legislation to end the Rent Acts regime for future tenancies while ensuring that that is not made retrospective to end existing tenancies, or used as a benchmark for hiking up fair rents.

There is a case for instituting freehold buy-outs for leaseholders. The best way to upgrade the structural repair of mansion blocks is to give the residents the incentive, interest and control to make it worth their while. If the Rent Acts are abandoned for future tenancies, there will be less reason for the present leasehold system, and people will either rent or own the properties in which they live.

As a first step, leaseholders should have a pre-emption right in law to enable them to have first refusal on the transfer of the freehold or head lease on the whole building. Such is the enormity of the problems to which I referred earlier that lessees should probably have the right to buy the freeholds of their mansion blocks, thereby assuming the control of and financial interest in improving the fabric of the building.

I know that the Government are reluctant to go that far, but the principle was breached with the leasehold enfranchisement legislation, and in other spheres the Government have recognised the benefits of housing co-operatives. Why not, then, respond more radically to the wishes and interests of the tens of thousands of people who want to assume full ownership of the properties in which they live, and thereby extend the life of those properties? It would mean the end for the many charlatans who have ripped off lessees for too long and have prejudicially affected tenants over the years while remaining anonymous and well-heeled themselves.

I hope that the Government will recognise on which side the political butter is spread and take action to stamp out the smart operators. It is a national problem that needs tackling by central Government. I hope that the measures that I have proposed will be taken on board by the Government and, in due course, will provide the basis on which there can be a genuine upgrading and a welcome improvement in the standard of our tenanted and leasehold properties.

1.49 pm

The Parliamentary Under-Secretary of State for the Environment (Sir George Young): My hon. Friend the Member for Chichester (Mr. Nelson) has made a wide-ranging and reflective speech on housing. It is a compliment rather than a discourtesy if I say that in the 11 minutes left to me there is no way in which I can address myself to all the important issues that he raised.

Of course the Government are working on fresh initiatives on housing. My hon. Friend mentioned, in particular, the private rented sector. As I think he knows, we have carried out a review to see whether we can build on the initiatives that he referred to. We want to promote a healthier private rented sector and to see an improvement in the general state of repair of the privately rented stock. If the private rented sector is to make a proper contribution towards meeting housing needs, the landlords must be both willing and able to put more accommodation on the market and to keep what they have in a good state of repair.

I cannot say today what the outcome of our review is likely to be. The area is complex, and requires a lot of thought and consideration. However, the ideas developed by my hon. Friend will be fed into the decision-making process, and we shall pay close attention to his views. Next month, we hope to announce a fresh housing

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initiative to help those who live on the difficult-to-let estates — the local authority estates that are under-utilised and that have become almost impossible for some local authorities to cope with. We are certainly developing radical policies to tackle housing problems.

I shall deal briefly with the English house condition survey. My hon. Friend asked whether a new survey was being prepared, and what the Government's reaction to it would be. My hon. Friend the Minister for Housing and Construction announced on 9 May that a new survey would go ahead in 1986. The preparatory work is already in hand, and the new survey will use a larger sample than its predecessors. The Government are in no way dismissive of the findings of such surveys. They are a valuable guide to the state of the nation's assets. My hon. Friend mentioned the Green Paper on home improvement policy. The results of the 1981 survey provided the starting point for the initiatives in that document.

My hon. Friend also mentioned that he represented a beautiful rural seat. I represent the other side of the political coin—an urban constituency that no one in his right mind would consider beautiful. However, it has many mansion blocks. Indeed, as I am acquiring a lease in a mansion block in my constituency, my ears pricked up when he reminded me of some of the problems that I might face. He was right to say that the problems of repair and maintenance, especially for the older mansion blocks, are becoming very real. Some are just due to the sheer age of the blocks. Many of the traditional mansion blocks in inner London date from Edwardian times or even earlier. Blocks of that age are, by their very nature, expensive to run, and the maintenance of the structure and the renewal of essential services, such as central heating and lifts, can place an enormous burden on those who have to pay for the work.

My hon. Friend also mentioned the break-up of blocks of flats formally let to rack-renting tenants, and the sale of the individual flats on long leases, which became such a feature of the property market in the 1960s in London and elsewhere. That, in turn, has brought other problems in its wake. But there are also well-built and well-managed blocks of flats where problems have, happily, not arisen. There is no a priori reason why they should, but we must recognise that as time goes on, the block may become more expensive to run, there will be a need to renew essential services, and the leases — typically 99-year leases—will have less unexpired time to run.

There is a whole variety of arrangements for dealing with the management of the block. Sometimes the landlord retains responsibility. In some cases management companies have been formed with no direct interest in the property, and in other cases the residents have formed their own management company. Problems have tended to arise not because of the form of the management arrangements, but because of the way that the original leases were drawn up, so that it is not clear who is responsible for what; or because particular covenants are no longer enforceable; or because on assignment of the lease, the chain of obligations has been inadvertently broken.

My hon. Friend rightly mentioned some landlords who are unscrupulous in their attitude to residents, or to the reserve funds and who do not care about the upkeep of their properties. I have great sympathy with residents who find themselves in such circumstances, and I deplore the activities of such landlords. That brings me to the Nugee committee that my hon. Friend mentioned.

In 1982, the Royal Institution of Chartered Surveyors set up a working party under Mr. J. N. C. James to identify the nature and extent of problems for landlords and tenants in the management of blocks of flats and to make recommendations as to codes of good practice and other steps which might be adopted in the interests of both landlords and tenants. The working party included nominations from the British Property Federation, the Federation of Private Residents Associations, the Law Society and the Royal Institution of Chartered Surveyors, although the members sat in their own right.

The publication of that report in 1983 was a step forward, which we very much welcomed. Some of its wide-ranging series of recommendations included giving tenants greater powers to help them to identify the name and address of their landlords; the appointment and role of managing agents; deficiencies in leases and the use of standard and model clauses; service charges, including insurance; and the creation and protection of sinking and reserve funds. Some of these were matters for the parties involved — for example, the working up of an agreed code of practice for the management of blocks — but others would involve legislation.

Before the Government could decide whether it would be right to alter the statutory relationship of landlords and tenants we needed more evidence, which is why we set up the Nugee committee in 1984.

My hon. Friend has drawn attention to the work of the committee and it has commanded much attention elsewhere. The committee invited evidence from people who had experienced problems and over 3,000 replies were received covering the whole range of issues, including the repair and maintenance of common parts of blocks and the level of service charges. A number of local authorities, the Federation of Private Residents Associations and other bodies have also submitted detailed evidence, much of which was documented. A number of residents associations in my constituency have also written to the committee. As a result of the mass of evidence that the committee has received, we shall have a much clearer picture than ever before of the nature, scale and incidence of problems that exist in this sector. The Government are very much looking forward to receiving the report which will be available later in the year. I shall ensure that a copy of the report is sent to my hon. Friend when it is published. We shall consider very carefully any recommendations for change that it makes.

My hon. Friend also referred to the Duke of Edinburgh's committee which I understand is to report towards the end of July. Having looked at the initial report, which was published in January, I think that it will be a radical report suggesting wide-ranging changes and that it will make many criticisms of Governments of both parties. I am sure that it will be the forum for a wide-ranging debate on housing policy. The Department will pay very close attention to its recommendations.

My hon. Friend referred to proposals put forward for a housing court to hear disputes in housing matters. We have given careful consideration to the representations received about that matter. We believe that the wide and complex issues raised can best be carried forward in the

context of the full and systematic review of civil justice which my noble and learned Friend the Lord Chancellor announced on 10 February.

I turn to improvement grants, which my hon. Friend mentioned towards the end of his remarks. I welcomed what he had to say about our policy on home improvements. I noted his reservations about the proposal for equity loans that are contained in the Green Paper. As it is a Green Paper, we are very much open to suggestions about ways in which it can be improved or altered. Equity loans are a way to improve property, while saving grants for those who are living in homes that are below the fitness standard. As the Green Paper points out, grants are an outright gift. Therefore it is proper that they should be restricted to circumstances where such a generous form of help is really needed to get bad property improved.

My hon. Friend referred to the review of the home improvement policy. I welcomed what he said about mandatory grants as an element in our housing policy.

Perhaps I could write to my hon. Friend about some of the problems that he mentioned — for example, the problems facing elderly residents in blocks of flats — either tenants or those with long leases — and the problems that have arisen over the repair of common parts of blocks of flats. Perhaps I could also write to him about strata freeholds which have aroused interest in this country and might provide a way forward for dealing with some of the problems faced by those who hold long leases.

In conclusion, I hope that my hon. Friend's speech will receive a far wider audience than it has commanded this afternoon. He touched on nearly all the housing matters, into which my Department is looking, or on which it has legislated. He touched on some of the options that remain open to us in the remaining years of this Parliament, which we are actively examining. He dealt knowledgeably and sensitively with the problems of those in mansion blocks. When we receive the report of the Nugee committee, the Government hope to announce any initiative that may be needed to improve matters.

It has been a worthwhile debate, and I commend my hon. Friend for his perceptive speech, which one would have expected from an hon. Member who was for so long a parliamentary private secretary to the Minister for Housing and Construction.

Social Security Act 1975

2 pm

Mr. Chris Smith (Islington, South and Finsbury): I wish to raise the issue of the implementation or non-implementation of section 152(4) of the Social Security Act 1975. Before I deal in detail with the matter, I wish to make it clear that it is a pleasure to be sparring with the Under-Secretary of State on this issue. The last time that we met in the Chamber we were dealing with matters further afield—human rights in Turkey. I hope that his response to this debate will be a little more fruitful than his response on that occasion.

At first sight the matter may seem to be highly technical, but it is not merely a technical matter, because it relates to the national insurance contributions of many hundreds of people. Section 152(4) relates primarily to contributions that are paid by individual employees, but not then paid on by their employer to the Department of Health and Social Security. It relates to the means by which the Department can seek redress against those employers. It may be helpful if I sketch in the background.

The Social Security Act introduced a system under which the collection of national insurance was passed to the Inland Revenue under the PAYE system. Before 1975, everyone had a card which had to be stamped. Since then only the self-employed and non-employed have had such cards. Under the Act, responsibility for deducting and paying national insurance for employees was put squarely on the shoulders of the employer. If the contributions were either not deducted or not remitted because of negligence by the employer, he could be prosecuted.

Obviously, problems arise if a business has no assets. Ordinarily, the owners of the business would be liable, but the position of limited companies excludes that possibility. As non-payment of contributions can lead to a prosecution through the criminal or civil courts, section 152(4) allows for criminal prosecution of a limited company followed by civil proceedings against negligent directors.

In November 1984, Ministers made it clear that they wished to remove this provision from the Act. What is more, even before its removal has passed through the House, they have ceased to apply that section. I shall return to that point because it is important, but I shall deal first with the reasons which Ministers have advanced, and which doubtless will be advanced again this afternoon, for the repeal of that part of the Act.

The reasons are openly stated in the information that was sent out by Ministers to individual local offices of the DHSS. The reasons were twofold. The first was that other revenue collection departments did not have the facility of prosecution under this section and they wished to bring the DHSS into line with other departments. Secondly, they feared that the threat of action under the section would be a disincentive to directors striving to save their companies or to people willing to become directors of companies.

Those two reasons are unsound. Although other Departments do not enjoy those special powers, other measures are available to them, such as extensive powers to enter and search premises and seize records, which the DHSS does not possess. Those powers are much more daunting to directors of businesses in financial trouble. Indeed, many more staff are employed by Departments in those areas than were employed by the DHSS in following up action under section 152(4). Therefore, to have any

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effective counter to the possibility of deliberate negligence by employers in forwarding their employees' contributions, and to have any effective weapon, such power should rest with the DHSS. in the absence of the draconian powers granted to other Departments.

Another point that must be made about the disincentive to become directors is that action can be taken by the DHSS only when deductions made from employees' wages are not remitted with the appropriate employers' contributions, or where no deductions were made when they should have been. The latter case is extremely rare, except with regard to directors' liability to contributions. However, the fact that some employers deduct money from their employees' wages and then do not pass it on to the DHSS acts not just against the DHSS but against the employees. Furthermore, the DHSS can act only against negligent directors—those who were aware, or could reasonably be expected to have been aware, of the offence.

It should be remembered that, although section 152(4) may dissuade some from becoming directors, its removal allows directors to deduct contributions from their employees' wages and pocket the money by way of increased remuneration, knowing that they cannot be touched under social security law. A responsible director would not wish or intend to act in such a way. The argument that the threat of social security law prevents or discourages such people from becoming directors is nonsense. If they act within the law, take money from their employees and pay it to the DHSS in the proper, lawful manner, they have nothing to fear from the section. The two arguments that the Government have advanced, and which they will doubtless advance again today in favour of the removal of the section are groundless.

I should make some further points. First, and most important, the withholding of deductions must be regarded as theft or fraud or both, whether from the point of view of the DHSS or, more important, from the point of view of the employee. The deductions are a personal contribution credited to a personal account where details of contributions are recorded and used for calculating the individual's benefit position, including his pension rights. Therefore, if an employer does not pass on money contributed by himself and the employee, it acts to the detriment of the employee's pension record in the national insurance system.

Secondly, the general trend of DHSS policy towards companies and large contributions is becoming increasingly lenient, while individual directors and claimants alike are harshly treated. The priorities that the DHSS seems to attach to chasing the small fry while letting the big fry go loose, are wrong. Since April 1983, the authority to write off large amounts of arrears in any individual case can be given without reference outside the local office of the DHSS. Therefore, the decision can be taken locally by local managers.

Thirdly, while it is true that most cases of section 152(4) action arise in cases of liquidated companies, they are the most difficult to deal with because of the time lapse involved in getting to see records. In future, with this part of the legislation gone, directors will have plenty of time to distribute the assets of the company knowing that they may not be touched, and may even be in a position to blackmail the DHSS into writing off arrears with the threat of putting the company into liquidation. It will be much more difficult when this power is no longer on the statute book, to ensure that the DHSS can follow up money that is owed to it by employers under the national insurance system.

Recently, some figures were reported to me. Will the Minister tell me whether they are correct? They show that over the past year about £1 million was collected due to section 152(4) action taken by the DHSS. In addition, at the time that the DHSS officers were told by the Minister to stop taking action, the solicitors' office had a backlog of cases worth some £4 million.

The decision by Ministers to remove this power from the statute book was bad enough, but even worse has been the fact that since they made the announcement of their intention to stop this power, Ministers have been instructing the DHSS to stop taking action under section 152(4). That is presumptive of the decision that might be taken by the House of Commons on the future of the legislation. The removal of that section of the Social Security Act is only now being considered in the Committee on the Insolvency Bill. It is also strange that a Government who constantly advise the populace to maintain and uphold the law have unilaterally, without legislative backing, taken a decision to stop taking action that they are advised to take by the law in particular cases.

Only a few days ago the Prime Minister spoke in the House about local authorities that found themselves in an extremely difficult position because of legislation passed by this Government. The Prime Minister berated them for failing to observe the law to the letter. It is strange and ironic that in those circumstances, in this social security legislation concerning individual contributions to national insurance, the Government have seen fit to take unilateral action not to implement the law.

A clear instruction has been given by Ministers to local DHSS offices. The instruction from the DHSS to its local offices states baldly:

"When the decision was announced LOs were told to stop proceedings on current cases immediately and it will now be necessary to inform Courts, liquidators, receivers and directors."

Yet section 152(4) of the 1975 Act is still on the statute book. The law still stands and the Government have a duty to implement it, but they are deliberately and openly failing to do so. It will be interesting to hear what justification the Minister has to offer for the Government's failure to uphold the law.

The next time the Prime Minister stands at the Dispatch Box telling us that the law is sacrosanct and must be obeyed, she should consider the way in which Ministers at the DHSS are behaving. She might also consider the way in which the DHSS spends enormous amounts of time, effort and resources chasing small individual claimants suspected of defrauding the system in some way. Any fraud is inexcusable, but the extravagance of the DHSS in pursing the small malefactor stands in strange contrast with the way in which it is not just failing to pursue the big fish—the large contributors who, as employers, fail to pass on the contributions of individuals—but in so doing is abrogating legislation passed by the House and still on the statute book.

I shall listen with great interest to the Minister's attempts to justify the actions of the DHSS.

2.17 pm

The Parliamentary Under-Secretary of State for Health and Social Security (Mr. Ray Whitney): As this

is the last debate in this series before we enter our all too short Whitsun recess, I should normally, on the last day of term, approach it full of good will and charity. The hon. Member for Islington, South and Finsbury (Mr. Smith), however, referred to previous exchanges between us on the subject of human rights in Turkey and I must tell him that his comments on the impact of ceasing to implement section 152(4) of the Social Security Act 1975 were even more misguided than his comments on human rights in Turkey. There are three issues at stake but, sadly, the hon. Gentleman seems not to have understood any of them.

First, there is the need to protect the workers and their national insurance payments. Secondly, there is the absolute need for the DHSS to take all proper steps to ensure that contributions due under the national insurance system are paid and collected. There is also a third duty and responsibility on the Government which the Opposition entirely fail to appreciate. It is to bring about the conditions in which businesses can go on creating more and more jobs in our economy. In the past two years, no fewer than 613,000 more jobs have been created. We intend to go on improving the situation so that businesses can continue to create jobs. That was one of the most remarkable lacunae in the hon. Gentleman's speech today.

The history of the matter—not surprisingly, given the fact that it has been raised by an Opposition Member—dates back many years, to the situation that obtained in 1928. The National Health Insurance Act 1928 was introduced at a time when employees would lose their benefit rights and suffer financial hardship if their employer failed to stamp their cards despite having made the necessary deductions from wages.

In consequence of that intolerable situation, section 18 of that Act was introduced as a deterrent to such employers. They would know that they might become personally liable for outstanding debts if the contributions were not paid at the right time.

The provisions survived in the National Insurance (Contributions) Regulations 1948. In 1949, however, an important change was made, that restored the position of workers in such firms. Regulation 21 of the National Insurance (Contributions) Amendment (No. 2) Provisional Regulations of 1949 provided for unpaid contributions in respect of employees to be deemed as paid when the employee himself was in no way at fault for their non-payment and recovery of the contributions from the employer was not possible or was likely to be delayed.

The first essential point, therefore, was guaranteed as far back as 1949. Whatever may go wrong with the company or the employers, and however the directors may fail to meet their responsibilities, the rights of the worker are protected by that regulation of 1949. However, the effect of the 1928 legislation making action possible against employers remained on the statute book, eventually re-appearing as section 152(4) of the Social Security Act 1975. It came under careful scrutiny during the proceedings of the Cork committee on insolvency law and practice, whose report concentrated the mind of the Government upon the whole subject of insolvency practice and provoked many strong and well-founded representations about the effect of the application of section 152(4) in cases involving insolvent companies.

It became clear that the original justification based upon the interest of the worker disappeared with the impact of the regulation made in 1949. Given that no discretion was allowed under the law, action was taken indiscriminately under section 152(4) against the directors, regardless of the effort or finance that they had put into a company in an attempt to keep it viable. The section did not require the Department to prove the directors' culpability in running the company's affairs and therefore was clearly contrary to natural justice. Even more seriously, its use discouraged "company doctors" from stepping in to help companies in trouble, for fear that they might become personally liable for any outstanding national insurance debts.

The use of the section led to the premature winding-up of companies by directors who were rightly apprehensive that if they failed to save the company their own personal assets would be put at risk. In other words, what began as a well-meaning provision, and had ceased to be really necessary, came to work against the interests of workers themselves. Directors were under heavy pressure not to persevere with their efforts to save a company. The section added to the discouraging prospects of anyone contemplating setting up his own firm.

Therefore, my right hon. Friend the Secretary of State for Social Services called for a review of the operation of section 152(4) and came to the conclusion that, as soon as the parliamentary opportunity arose, he would endeavour to have that section repealed.

Apart from the factors that I have outlined, which are powerful in themselves, it was clear that, in terms of recovery of national insurance contributions, the Department of Health and Social Security was out of line with other revenue departments—the Inland Revenue and the department responsible for VAT. The DHSS was the only one that had the special powers contained in section 152(4), which was particularly incongruous because the other revenue departments were frequently pursuing much larger debts than the DHSS, but did not have the same powers to do so. Particularly important was the disincentive effect that it had, which my right hon. Friend quite properly took into consideration.

There is another point that the hon. Gentleman did not mention; perhaps he is not aware of it. Recently, the Inland Revenue introduced provisions that will allow it to pursue companies that fail to pay their monthly pay-as-you-earn and national insurance contribution liability within a very short period of their due date without having to visit the employer to quantify arrears. The hon. Gentleman mentioned that the Inland Revenue has that power. Now there is no requirement for such a visit. There is no doubt that those provisions will prevent large debts accruing and ensure that employers keep up to date with their payments. That reinforces all our other powerful reasons for seeking to repeal section 152(4) in that, by definition, the new arrangements will prevent the accrual of large debts.

I emphasise that the real need for the repeal is that we must intensify our efforts to regenerate the spirit of entrepreneurism in Britain, precisely because we need those jobs. I understand the reluctance of Opposition parties to adopt that approach. The results of their efforts over the years are what we are living with today. The clear disincentive under which directors in particular labour was definitely harmful and deleterious.

The hon. Gentleman made a good deal of play of the fact that we had not yet completed the repeal of section 152(4). However, under the legislation that is now on the statute book, the Secretary of State is not obliged to take action, and the problem that the hon. Gentleman sought

[Mr. Ray Whitney]

to pose does not arise. The hon. Gentleman suggested a figure of £4 million. My information is that the figure is about half that. However, we are talking not about a total waiving of the liabilities but about a removal of the special privileges—the incongruous position that section 152(4) gave to the DHSS in the recovery of those liabilities. The decision to change was taken on the basis that the employee was already well protected, and had been since 1949. There is an urgent need to ensure that citizens are encouraged to set up companies and to rescue companies that are in trouble. It is in all our interests that that degree of enterprise is encouraged and that the Government should continue to do all that they can to lighten the burden and remove the obstacles to such enterprise. The repeal of section 152(4) is a good example of the positive spirit of job creation in which the Government are approaching this matter.

It being half-past Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Cystic Fibrosis (Prescription Charges)

Motion made, and Question proposed, That this House do now adjourn—*[Mr. Durant.]*

2.30 pm

Mr. Ivan Lawrence (Burton): I am grateful for my good fortune in drawing this debate in the ballot, especially as I understand that I nearly did not. I am asking the Government to say, five and a half years after I last asked them—they did not say this the last time—that the time has now come to add the disease of cystic fibrosis to the list of medical conditions from which its unfortunate sufferers are exempt from the need to pay prescription charges in the years between 16 and 65 when they again qualify for exemption.

I declare a substantial personal interest and a far less substantial interest. I have a 16-year-old daughter who suffers from cystic fibrosis. I would therefore receive the benefit of any financial relief that the Government may give in this matter for as long after the age of 16 as my daughter is dependent on me. Since she is blossoming, it may be that my financial gain will be exceedingly modest.

The Parliamentary Under-Secretary of State for Health and Social Security (Mr. John Patten): I am glad to hear that she is blossoming.

Mr. Lawrence: I thank my hon. Friend.

I should like to pay tribute to the Cystic Fibrosis Research Trust — the organisation that represents sufferers of cystic fibrosis and their parents. Adorned by the patronage of Her Royal Highness Princess Alexandra, the Honourable Mrs. Angus Ogilvie, the charity is dedicated to raising money to fund medical and scientific research projects—there are currently more than 50—in hospitals and universities all over the country into cystic fibrosis, its causes, treatments and, I hope, one day its cure. The trust is dedicated also to providing comfort, education and morale-boosting support to those whose sufferings may be greater than their children's — the parents—for cystic fibrosis, being a genetic disease, is inherited by the children from their parents, who usually have no idea that they are carriers of the recessive gene. The charity is an example of how much wonderful work can be done for the disabled without state aid.

Cystic fibrosis is a condition in which mucus glands secret abnormal amounts of mucus. This principally affects two areas of the body. First, the digestive system is affected by the mucus clogging up the flow of digestive enzymes, the pancreas does not function properly, or sometimes not at all, proteins and fats are not properly digested, and the child does not flourish. The treatment for that malfunction is for the child to follow an expensive, high-protein diet and to swallow several capsules—my own daughter needs 10—of powdered pig's pancreas with every meal. That more or less does the work that the human pancreas would have done had it been working properly.

Secondly, the lungs are affected. The abnormally thick mucus builds up in the bronchial tubes and tends to seal in bacterial and viral infections which, if not shifted, cause progressive deterioration, leading to lung failure and death. The treatment is usually in the form of physiotherapy for 20 minutes at least twice a day. The trust knows of one case where 12 hours a day is spent using physiotherapy and other cases where young students spend

a major part of their school or college holidays getting their lungs cleared to go back to study when term starts. In addition, the disease requires the sufferers to take antibiotics and often the use of such artificial aids as decoagulating atomisers and mist tents at night.

It is obvious that the burden of care and extra responsibility falling on parents to keep their cystic children alive and enjoying as near a normal life as possible is considerable and that to relieve many of them of the additional worry of ever-inflating regular prescription payments, even if reduced by the season ticket facility, would be a highly desirable aim which hon. Members on both sides of the House would support.

If cystic fibrosis is not diagnosed and treated early, it is a killer. A generation ago it usually killed children in the first year of their lives. Now, as a result of work done by doctors, scientists, nurses and parents, with the help and guidance of the Cystic Fibrosis Research Trust, three-quarters of the children reach adulthood in reasonably good health. There is, therefore, even more need now for the medication to be made available on prescription than when I last asked the Government to do so.

It is believed that one in 20 of the population is a carrier of the recessive gene, that there is one in 625 chances of carriers marrying and a one in four chance of two carriers producing a cystic fibrosis child. There are known to be between 5,500 and 6,000 sufferers from cystic fibrosis in the United Kingdom, of whom 1,200 are adults, a number which, happily, increases by about 200 a year moving into adulthood.

What would be the likely cost of exempting cystic fibrosis sufferers from the cost of prescriptions? When I spoke five years ago on this subject, the pre-payment season ticket for prescriptions, the season ticket which reduces the cost over a period, was £4·50 for six months and £8 for 12 months. For what was then thought to be a total of 1,000 adults, the cost to the Government would have been £8,000 a year.

That was all I was asking for then, but the Government said no. Now the season ticket is £11 for four months and £30·50 for 12, so with, say, as many as 1,500 adults, the cost, if everyone claimed, would be £1,500 multiplied by £30·50, which is £45,750, still peanuts in a spending budget of many thousands of millions of pounds.

Once it is conceded—as the Minister will, I am sure, concede—that the cost of this concession would not be great, the case for it becomes particularly strong. I am not asking the Government to change the rules for granting exemption so as to accommodate cystic fibrosis, but merely to apply the existing rules. The rules are that the condition shall be a permanent and clearly identifiable condition, requiring continual medication, in most cases by replacement therapy.

As it cannot be denied that cystic fibrosis is permanent, that it is clearly identifiable, that it requires continuous medication and that it involves replacement therapy, one is left wondering why it was not put on the list, together with diabetes, Addison's disease, epilepsy and illnesses of the thyroid, pituitary and adrenaline glands, in 1968. The answer must be that in the 1960s it was difficult to diagnose the disease. Few doctors knew anything about it. There was then insufficient knowledge of the disease, and when the exemption list was drawn up few children were surviving past 16 years of age. In short, there was no demand for the measure.

Why, then, was it not added to the list subsequently? My hon. Friend the Member for Ealing, Acton (Sir G. Young), now the Under-Secretary of State for the Environment, gave the answer when, as Under-Secretary of State for Health and Social Security, he replied to my debate in October 1979. He explained that any decision had to be by agreement with the medical profession, and went on:

"Speaking as a layman I have a great deal of sympathy with the call to add cystic fibrosis to the list, and I would hope that the medical profession; if it were asked, would agree that it seems to satisfy the normal criteria for inclusion. . .

What I have had to ponder over is whether I should ask the doctors to add cystic fibrosis to the list and I have seriously considered doing so, as I personally think that if as many CF patients had survived to adulthood when the list was originally drawn up, that condition might well have been included."

We were grateful for my hon. Friend's sympathy and hope that it has been transmitted to his successor. It will be a good start if it has.

My hon. Friend the Member for Acton continued:

"If one advanced the boundary a little further to include cystic fibrosis, one would also in justice have to conduct a more general review of the whole scheme, and probably put in those who have phenylketonuria or coeliac disease. Therefore, one has to take a slightly broader view of the exemptions than my hon. Friend would like. . . If I seek to add this condition to the list, can I really defend not going further? Should not I consider whether the list of exempt conditions is the best way of helping the chronic sick, and is it right to go on trying to improve the list as my hon. Friend would wish in a rather piecemeal way, instead of seeking an alternative, within the resource constraints imposed by our present financial circumstances, to help more of the chronic sick?"

The question "Should the boundaries be advanced?" arises, but, as cystic fibrosis is the commonest inherited disease, making the concession for other worthy diseases would hardly break the bank. Besides, one hopes that the restricted list of drugs which my hon. Friend the Minister is helping to introduce will be added to as deserving drugs which fulfil the Government criteria of being necessary and not otherwise clinically available present themselves, so the process of adding to lists is not an unheard of breach of principle which the Government do not indulge in.

My hon. Friend the Member for Acton continued:

"If I have decided to make no approach to the representatives of the medical profession at present it is because I feel that we must first see whether it is possible to work out some fairer way within our present financial constraints to help all the chronic sick with the costs of the drugs they need than this present method of listing specified medical conditions."

That was a kind and well-motivated intention. My answer must be that the Government have had five and a half years in which to work out

"some fairer way within our present financial constraints to help all the chronically sick with the costs of the drugs they need"

and have not been able to do so. I do not blame them for that; it might not be possible. No better way has been found. My hon. Friend the Member for Acton continued:

"If we conclude that there is no better way than the present, I will return again to the request of my hon. Friend that we should consider, with the representatives of the medical profession, whether the list is fully up to date and whether there is a case for adding cystic fibrosis to it and perhaps some other similar conditions."—[*Official Report*, 25 October 1979; Vol. 972, c. 688-91.]

The situation has got worse and the hardship grows. The Cystic Fibrosis Research Trust, thousands of parents, senior paediatric consultants from all over the country and many of my parliamentary colleagues whose names I listed on 25 October 1979 are asking the Government to make this change after consultation with the medical profession.

[Mr. Lawrence]

Will my hon. Friend now return to this matter, as promised by his predecessor, and show once again that Conservative Government care by granting this request?

2.45 pm

Mr. Laurie Pavitt (Brent, South): One of the most comprehensive cases that I have ever heard in the House has just been presented by the hon. and learned Member for Burton (Mr. Lawrence). I hope that this time he will be successful.

I remind the Minister of the history of this matter. When Kenneth Robinson reintroduced prescription charges in the 1960s, the Government undertook to exempt acute illnesses. That has proved impossible because of the problem of identifying them precisely. Even Parkinson's disease is not exempted. I think that the hon. and learned Gentleman's case should be considered entirely on its merits and not turned down on the thin-end-of-the-wedge argument. He has made the case for a single drug, and it should be possible for cystic fibrosis to be listed. That would still give a total of only nine on the list. Because, in five years' time, I may raise a similar issue on an Adjournment debate, that is no reason why the hon. and learned Gentleman's case should be put out of court now.

With the growth of the application of chemotherapy to a number of diseases where previously drugs were not available, and as we can precisely identify a drug used, if the patient cannot be exempted will the Minister consider exempting the drug? The dispensing chemist would have permission to exempt a script for that drug. If such a new approach could be discussed with the British Medical Association, that would solve many problems in addition to that so effectively raised by the hon. Gentleman.

2.47 pm

The Parliamentary Under-Secretary of State for Health and Social Security (Mr. John Patten): I agree with the hon. Member for Brent, South (Mr. Pavitt) about the effectiveness of the speech of my hon. and learned Friend the Member for Burton (Mr. Lawrence). In recent months I have become used to being exposed to lengthy sessions of his forensic debating style and eloquence. Anyone who sat in the Chamber during our debates on fluoridation will remember that.

Characteristically again today, my hon. and learned Friend, with his usual clarity and force and his knowledge based on experience as someone with a 16-year-old daughter with cystic fibrosis, has made a case for having those who suffer from that disease exempted from prescription charges. He reminded the House about his speech on 25 October 1979, which I have read with great care, and the undertakings given by the then Under-Secretary, my hon. Friend the Member for Ealing, Acton (Sir G. Young)—that veteran of Adjournment debates.

I want to go over the history of our attitude towards those suffering from this and similar conditions, and then to answer my hon. and learned Friend's specific questions. When prescription charges were reintroduced in 1968 by the Labour Government, a list of specified medical conditions was drawn up as a means of exempting some of the chronically sick. Such a scheme could operate only with the full co-operation of general medical practitioners. Their representatives made it clear that they could agree to exemption only for readily identifiable medical conditions that called automatically for continuous life-long medication—in most cases replacement therapy.

My hon. and learned Friend believes—and the hon. Member for Brent, South supported him—that a caring Government should update that list and add a number of other conditions. That the Government care is self-evident because we are treating so many more patients in the NHS, both in hospitals and in general practice. We are employing many more nurses and midwives who do excellent work that is much appreciated by us all. We are employing many more doctors and spending more money. I mentioned money last, but it is by no means the least important factor. It is probably one of the most important factors because of the possible cost of extending the list.

I can appreciate the profession's insistence that only conditions about whose diagnosis, lifelong character and need for medication there can be no doubt should be included. I think that that is common ground. The hon. Member for Brent, South made the important point that medical science is advancing so quickly that diseases often have be reassessed, and there are earlier and better diagnoses.

A doctor would not wish to enter into a debate with a patient about whether his condition was severe or permanent enough to attract exemption. Yet such arguments would be inevitable if ill-defined or complex diseases were added to the list or conditions were added that were so variable in their prognosis or treatment that exemption would not always be justified. The doctor would have to make, and defend, difficult judgments between two patients at different stages of the same disease, and that could put at risk the important relationship between doctor and patient: a relationship where we tread rather delicately and tend to leave as much as possible, quite properly, to the medical profession's ethical views.

Cystic fibrosis was not included in the exempt list drawn up in 1968, but it has been looked at again since then. Indeed, the list was kept under review—to use that classic Civil Service and, alas, ministerial terminology. As my hon. and learned Friend the Member for Burton knows, it was last discussed with representatives of the medical profession as long ago as 1976, when cystic fibrosis was one of the conditions considered. But the General Medical Services Committee, representing the medical profession, did not at that stage come to an agreement over the addition of any conditions to the list.

Had sufferers in the run-up to 1968 enjoyed the life expectancy that they now enjoy, the illness might have been included. I am the first to admit that that is a very strong possibility. My hon. and learned Friend spoke very calmly but movingly about the problems from which many of those with cystic fibrosis and those who care for them suffer. The thought of 12 hours of physiotherapy is indeed daunting. But thanks to the advances made in treating and caring for such people, it is estimated that there are well over 1,000 young people with cystic fibrosis who are aged over 16, which is the age of my hon. and learned Friend's daughter.

Because his parents came to see me, I know of one undergraduate aged 18 who has cystic fibrosis, and who is going up to Exeter college, Oxford, next autumn to read mathematics. I understnd the problems facing his parents and other young sufferers who go to college. I do not need

to describe the condition, as my hon. and learned Friend has described it all too well. It is, to put it mildly, understandable that the condition should cause great distress to those who suffer from it and to their parents, relatives and friends who strive to help them for the very long hours that are sometimes necessary.

We all want to do what we can to help, but the case for free prescriptions for that group of people must be seen, I am afraid, within the wider context of the whole range of services provided by the NHS, the resources availabe, and the resources that exist to improve those services. I am well on the way to accepting my hon. and learned Friend's point that cystic fibrosis deserves very strong consideration. Alas, however, I am not at all convinced of the argument that it could be considered in isolation.

Mr. Lawrence *rose*——

Mr. Patten: Before my hon. and learned Friend cross-questions me on that point, I should like to explain my reasons. However, I can see that my hon. and learned Friend is anxious for me to give way now, so I give way to him.

Mr. Lawrence: Will my hon. Friend at least give an undertaking to refer this issue to the medical authorities that last considered it in 1976? It was last given consideration by the medical profession an appallingly long time ago.

Mr. Patten: I shall consider that point and directly answer it when I answer my hon. and learned Friend's main question at about 2.59 pm.

To exempt the cost of treating about 1,000 patients with cystic fibrosis would be relatively small, but there are many other groups of people who understandably believe that they too should be included in the list. One could argue that it is obvious that certain other conditions should be included, but it is not quite as easy as that. There are people who are suffering from Parkinson's disease, multiple sclerosis, coeliac disease, schizophrenia, glaucoma and Crohn's disease—happily a disease which is not suffered by very many people. Hypertension and disease of the heart are also conditions that last for a long time and are on the increase in this country. That applies to cancer, too, despite all the research efforts.

I am not trying to muddy the waters. I am only trying to point out to my hon. and learned Friend the Member for Burton and the hon. Member for Brent, South that there is a whole host of conditions for which a very good case could be made. That is where the rub comes. *[Interruption.]* I shall not criticise the hon. Member for Brent, South for shouting at me from a sedentary position after I allowed him to intervene earlier, but that is uncharacteristic of him.

That is not the end of the list of illnesses for which requests for free prescriptions are made; I could give more. If the list were extended, it would, in fairness, have to be extended substantially beyond cystic fibrosis. That is where the rub comes. That is where the cost comes. We shall have to examine again the cost of a significant extension of the list.

I defend the Government against any charge that theirs is an uncaring approach. We are concerned to ensure that nobody should be deterred from obtaining the necessary medication, whatever the illness. To the best of my knowledge, nobody is deterred from getting the necessary medication because of his or her illness. There are wide-ranging exemptions. Seventy-two per cent. of all prescriptions dispensed — rather than 72 per cent. of people receiving prescriptions — are free of charge. In recent years that number has increased. There are also pre-payment certificate arrangements to which my hon. and learned Friend the Member for Burton referred. The wide-ranging exemption from prescription charges, affecting 72 per cent. of all prescriptions, as well as the pre-payment arrangements mean that less than one quarter of all prescription items attract a charge when they are dispensed. Only 22 per cent. of all prescription charges are met by those who need prescriptions.

I must remind the House of the arrangements for the exemption of those on low incomes which can be claimed by anybody over the age of 16. This is a very important provision in both this and similar contexts. Even if somebody is not exempt on medical, financial or age grounds, the purpose of a pre-payment certificate can lead to considerable savings where frequent medication is required.

In conclusion, I wish to answer the questions asked by my hon. and learned Friend in his speech and when he intervened a few moments ago. I deal first with his second question—the reference of these issues to the medical profession. The co-operation and agreement of the medical profession will be needed to make this work, but the impetus for the reconsideration of this policy will have to come from within my Department, not from an independent medical body. I have not tried to hide behind a medical screen and to place the responsibility upon the medical profession. I have been honest with the House and have said that there are wide financial and policy implications.

Secondly, my hon. and learned Friend asked whether the Government would consider this matter further. He may not have noticed that on 11 March 1985 my right hon. Friend the Secretary of State for Social Services said that he would reconsider this issue. He gave that undertaking following his statement to the House on 11 March about National Health Service charges when he answered a question from my hon. Friend the Member for Chislehurst (Mr. Sims). That re-examination is taking place within my Department, and we hope that it will be completed before the end of this year.

Question put and agreed to.

Adjourned accordingly at one minute to Three o'clock, pursuant to the resolution of the House of 16 May.

Written Answers to Questions

Monday 13 May 1985

ENERGY

Atomic Energy Authority Special Constabulary

Mr. D. E. Thomas asked the Secretary of State for Energy if he will list the Atomic Energy Authority special constabulary standing orders in the *Official Report*.

Mr. Goodlad: It is not customary for standing orders issued to police forces to be published and I consider that it would not be prudent to make an exception in this case.

Mr. D. E. Thomas asked the Secretary of State for Energy if he will state the annual cost of the Atomic Energy Authority special constabulary for each year since 1976.

Mr. Goodlad: The total expenditure on the Atomic Energy Authority constabulary since 1976 is as follows:

Date	*£ million*
1976-77	2·0
1977-78	2·5
1978-79	2·8
1979-80	4·4
1980-81	6·2
1981-82	6·9
1982-83	7·7
1983-84	8·8
1984-85	*9·6

* Estimate.

Mr. D. E. Thomas asked the Secretary of State for Energy how many constables are currently employed under the Atomic Energy Authority (Special Constables) Act 1976.

Mr. Goodlad: The strength of the Atomic Energy Authority constabulary as at 1 April 1985 was 654. Officers of the Atomic Energy Authority constabulary are not employed under the Atomic Energy Authority (Special Constables) Act 1976. The constabulary exists by virtue of the Special Constables Act 1923 as applied by the Atomic Energy Authority Act 1954.

Atomic Energy Authority (Privatisation)

Mr. D. E. Thomas asked the Secretary of State for Energy if he intends privatising the United Kingdom Atomic Energy Authority; and if he will make a statement.

Mr. Goodlad: As I told the House on 11 February in response to a question from the hon. Member for Midlothian (Mr. Eadie) at column *31*, there are no plans to privatise the Atomic Energy Authority.

HOUSE OF COMMONS

Written and Oral Questions

Mr. Deakins asked the Lord Privy Seal what is the latest estimate of the cost of answering written and oral questions, respectively; and what is the cost upper limit for providing answers in each category.

Mr. Biffen: The costs of individual questions vary considerably, but the current average cost is estimated at £41 for written answers and £67 for oral answers. Ministers may decline to give a substantive reply to a parliamentary question if they consider that the cost of providing that reply would be disproportionate to its value to Parliament and public. An advisory figure of £200 was introduced in 1982 as the level at which Ministers might consider whether the expense of a full reply was justified. It is for individual Ministers to decide particular cases; there is no upper level of cost which automatically disqualifies a question from answer.

Research Assistants (Passes)

Mr. Tracey asked the Lord Privy Seal how many temporary research assistant passes are at present issued to *(a)* United Kingdom nationals, *(b)* United States nationals and *(c)* other nationals.

Mr. Biffen: Of the 269 temporary research assistants' photo-identity passes on issue on 1 May 1985, 169 were issued to United Kingdom nationals, 91 to United States citizens and nine to other nationals.

Mr. Tracey asked the Lord Privy Seal how many temporary research assistant passes have been issued to *(a)* United Kingdom nationals, *(b)* United States nationals and *(c)* other nationals, since 1 May 1984.

Mr. Biffen: This information is not available, except at disproportionate cost.

Secretaries (Passes)

Mr. Tracey asked the Lord Privy Seal how many hon. Members' secretarial passes are at present issued to *(a)* United Kingdom nationals, *(b)* United States nationals and *(c)* other nationals.

Mr. Biffen: A total of 636 secretaries' photo-identity passes were on issue on 1 May 1985. Of these, 562 were permanent passes and all these were held by United Kingdom nationals. Of the remaining 74, who were issued with temporary passes, 58 were United Kingdom nationals, 11 were United States citizens and five were other nationals.

Mr. Tracey asked the Lord Privy Seal how many hon. Members' secretarial passes have been issued to *(a)* United Kingdom nationals, *(b)* United States nationals and *(c)* other nationals since 1 May 1984.

Mr. Biffen: This information is not available, except at disproportionate cost.

NORTHERN IRELAND

Asbestos

Mr. Frank Field asked the Secretary of State for Northern Ireland if he has any plans for removing asbestos from Northern Ireland Housing Executive property where it is discovered.

Mr. Chris Patten: This is a matter for the chairman of the Northern Ireland Housing Executive, who has advised me that, when improvement work is to be carried out to Executive dwellings, consideration is given as appropriate to the removal of any materials containing asbestos or their encapsulation (protection with a sheet of asbestos-free board or treatment with a suitable sealer). In addition to this general policy, asbestos in solid fuel room heaters is removed when planned maintenance is carried out and a programme for the replacement of all electric warm-air units containing asbestos is being drawn up.

Publications (Subsidisation)

Sir John Biggs-Davison asked the Secretary of State for Northern Ireland if he will list the publications subsidised from the public funds of Northern Ireland Departments, other public bodies and the Arts Council of Northern Ireland, respectively.

Dr. Boyson: This information is not readily available and could only be obtained at disproportionate cost.

Security

Mr. William Ross asked the Secretary of State for Northern Ireland (1) whether all the recommendations in regard to staffing levels and security measures outlined in the Baker report have been met;

(2) what are the numbers of maximum security prisoners in each prison in Northern Ireland; and how the staffing levels to deal with them compare with the staffing levels required for similar prisoners in Great Britain;

(3) what are the staffing requirements for each prison including the new prison in Northern Ireland; and what are the actual staffing levels for prison staff in each grade;

(4) what is the design capacity by modern standards for each prison in Northern Ireland, including the new prison; and what are the actual numbers in each prison at the present time;

(5) If he will publish in the *Official Report* a table to show the following information, for each year since 1 January 1982: *(a)* the value of goods produced by each prison workshop in each Northern Ireland prison, *(b)* the value of goods produced on a per capita basis in each case, *(c)* the average number of hours worked by each prisoner in each prison per week and the average for the United Kingdom as a whole, *(d)* the number of prisoners who did not work in each year in each prison in Northern Ireland and *(e)* the average number of prisoners who are in each prison in Northern Ireland;

(6) what have been the average hours worked in each week in each prison in Northern Ireland by civilian teachers and instructors in each of the years or financial years 1982 to date;

(7) how many civilians are employed as teachers and instructors at each prison in Northern Ireland.

Mr. Scott: I shall reply to the hon. Gentleman as soon as possible.

Employment and Trade Union Legislation

Mrs. Roe asked the Secretary of State for Northern Ireland if he will take steps to introduce in Northern Ireland the provisions of the Employment Act 1982 and the Trade Union Act 1984.

Mr. Hurd: Following consultations with interested bodies, it is my intention to bring forward a proposal for legislation in Northern Ireland which will reflect the changes introduced in Great Britain by the Employment Act 1982. The application to Northern Ireland of the provisions of the Trade Union Act 1984 will be addressed in further discussions with interested bodies which will now get underway.

PRIME MINISTER

Former Prime Ministers (Pensions)

Mr. Rooker asked the Prime Minister if she will make a statement outlining how the pension payable to former Prime Ministers is funded, detailing what part contributions play, how it takes account of length of service and cost of living changes and if it is based on salary as approved by the House.

The Prime Minister: Former Prime Ministers are awarded immediate non-contributory pensions, on leaving office, under section 26 of the Parliamentary and other Pensions Act 1972. Irrespective of the length of service, the amount of pension is 15/40ths of the Prime Minister's full salary as approved by both Houses of Parliament. The pensions are not funded in advance, but are paid directly out of the Consolidated Fund. They are increased annually in line with increases in the cost of living but may not exceed the amount that would be paid to the current Prime Minister if he or she were to leave office.

On assuming office, Prime Ministers cease to belong to the parliamentary pension scheme. They lose all the pension rights accrued to date, and the contributions they have paid become refundable with interest, and are repaid to them when they leave office.

The pensions of former Prime Ministers are withheld at any time while they draw a salary from public funds other than that paid to them as Members of Parliament.

EMPLOYMENT

Coppermill Lane Waterworks

Mr. Deakins asked the Secretary of State for Employment how many visits have been made by the Health and Safety Executive each year since 1978 to the Coppermill lane waterworks of the Thames water authority.

Mr. Peter Bottomley: Health and Safety Executive inspectors have visited the site on the following number of occasions each year since 1978.

	Visits
1978	1
1979	3
1980	3
1981	5
1982	2
1983	1
1984	1

Hazardous Chemicals

Mr. Deakins asked the Secretary of State for Employment what representations he has recently received from the chairman of the Health and Safety Commission as to the adequacy of the staff of the Health and Safety Executive to undertake inspection work related to the storage of hazardous chemicals.

Mr. Peter Bottomley: None.

Construction Industry (West Midlands)

Mr. Nellist asked the Secretary of State for Employment if he will give a quarterly breakdown of the number of workers employed in the construction industry in the west midlands for each quarter since 1979.

Mr. Alan Clark: The information is as follows:

Employees in Employment
Construction industry West Midlands region

		Numbers
1979		
	March	100,000
	June	103,000
	September	103,000
	December	103,000
1980		
	March	102,000
	June	102,000
	September	102,000
	December	98,000
1981		
	March	95,000
	June	94,000
	September	92,000
	December	88,000
1982		
	March	86,000
	June	86,000
	September	86,000
	December	84,000
1983		
	March	81,000
	June	81,000
	September	82,000
	December	80,000
1984		
	March	78,000
	June	78,000
	September	78,000
	December	76,000

Earnings (Wales)

Mr. D. E. Thomas asked the Secretary of State for Employment how many workers in Wales now earn less than the Council of Europe's decency threshold.

Mr. Peter Bottomley: The new earnings survey indicates that in April 1984 about 30 per cent. of full-time adult employees in Wales had gross weekly earnings for a full week of less than £108·3, the latter figures corresponding to 68 per cent. of the national average for all full-time adult employees. Although an advisory committee of the Council of Europe has suggested the figure of 68 per cent. of national full-time adult average earnings as significant in considering low pay, the figure has not been accepted or recognised by the United Kingdom or any other European country.

Wages Councils

Mr. Evans asked the Secretary of State for Employment if, pursuant to his answer of 7 May, *Official Report*, column *609*, he will publish the evidence upon which he based his statement that in certain instances it can be demonstrated that wages councils keep down rather than put up wages.

Mr. Peter Bottomley: I shall write to the hon. Member.

ILO Convention 26

Mr. D. E. Thomas asked the Secretary of State for Employment what representations the International Labour Organisation has made to his Department concerning the Government's proposed de-ratification of International Labour Organisation Convention 26.

Mr. Peter Bottomley: The International Labour Organisation has not made representations to this Department concerning the proposal to de-ratify International Labour Convention 26.

Information Technology Centres

Mr. Stuart Holland asked the Secretary of State for Employment how many information technology centres have earned revenue in excess of £10,000 during their third year of operation.

Mr. Peter Morrison [*pursuant to his reply*, 26 April 1985, c. *589*]: Final accounts from all sponsors are not now expected to be available until June or July, but current information shows that two information technology centres earned revenue in excess of £10,000 in their third year of operation. The large majority of centres have not yet completed their third year of operation.

The rules relating to revenue generation by information technology centres have recently been relaxed and this should provide a greater incentive for centres to generate income.

HOME DEPARTMENT

Swansea Prison

Mr. Williams asked the Secretary of State for the Home Department when he will respond to the request from the hon. Member for Swansea, West for a meeting to discuss deaths at Swansea prison.

Mr. Mellor: My right hon. and learned Friend has written today to the hon. Member.

Mrs. Nasdeen Shahid Ali

Mrs. Renée Short asked the Secretary of State for the Home Department if he will now reconsider the deportation case of Mrs. Nasdeen Shahid Ali in view of the medical report received about her.

Mr. Waddington: Mrs. Nasdeen Shahid Ali's case has been fully considered in the light of medical reports on her

condition,' on the basis of which I am advised that there is no reason to believe that her health would be at risk if she returned to Pakistan.

First Offences (Imprisonment)

Mrs. Renée Short asked the Secretary of State for the Home Department if he will list for each year since 1970 the number of *(a)* women and *(b)* men who have been sent to prison for first offences in respect of (i) shoplifting and (ii) domestic violence, respectively.

Mr. Mellor: The information on sentencing by type of offence published annually in "Criminal Statistics, England and Wales" (Chapter 7 of the issue of 1983, Cmnd. 9349, and Supplementary Tables, Vol. 1, Tables S1.1(A)-(E) — magistrates' courts and Vol. 2, Tables S2.1(A)-(E) — the Crown Court) does not distinguish first offenders from other offenders; nor are offences of domestic violence distinguishable from other offences of violence against the person. The results of a special study on the sentencing of first offenders in 1977 were published in tables 10.4 to 10.6 of "Criminal Statistics, England and Wales, 1978" (Cmnd. 7670); corresponding information for other years could be provided only at disproportionate cost.

Lancashire Police Force

Mr. Stan Thorne asked the Secretary of State for the Home Department what was the establishment of the Lancashire police force on 28 February; what was the actual strength on the same date; to what factors he attributes the difference in the two figures; and if he will make a statement.

Mr. Shaw: The authorised establishment of the Lancashire constabulary is 3,158, an increase of 40 since May 1979. The strength of the force was 3,067 on 28 February 1985. Police manpower levels fluctuate from month to month because of different recruiting and wastage patterns, seasonal changes and other local reasons.

Metropolitan Police (Road Accidents)

Mr. Peter Bruinvels asked the Secretary of State for the Home Department how many road accidents involving Metropolitan police vehicles on emergency calls have occurred in each of the last three years; and if he will make a statement.

Mr. Giles Shaw: The precise information requested is not readily available. In a very substantial mileage covered annually by Metropolitan police vehicles (amounting to some 50 million miles in 1984) the following are the numbers of accidents involving police vehicles responding, to an emergency call or pursuing a suspect vehicle where it was considered that the driving of the police vehicle was in some measure responsible for the accident.

	Answering emergency call	*Pursuing suspect vehicle otherwise than in response to an emergency call*	*Total*
1982	213	72	285
1983	252	78	330
1984	312	57	369

Mr. Peter Bruinvels asked the Secretary of State for the Home Department how many people have *(a)* been killed or *(b)* been injured as a result of road accidents involving Metropolitan police vehicles on emergency calls in each of the last three years; and if he will make a statement.

Mr. Giles Shaw: The number of people killed as a result of road accidents involving Metropolitan police vehicles engaged on emergency calls or pursuing suspect vehicles is as follows:

	Answering emergency calls	*Pursuing suspect vehicles otherwise than in response to an emergency call*	*Total*
1982	4	4	8
1983	1	2	3
1984	0	5	5

The precise information requested is not readily available. The following figures relate to the number of accidents involving Metropolitan police vehicles where injury occurred:

	Answering emergency calls	*Pursuing suspect vehicles otherwise than in response to an emergency call*	*Total*
1982	37	13	50
1983	36	8	44
1984	36	7	43

London Football League Clubs (Police Services)

Mr. Tony Banks asked the Secretary of State for the Home Department if he will state the amounts due from each of the London Football League clubs to the Metropolitan police for police services provided for the seasons 1981-82, 1982-83, 1983-84 and 1984-85 to date.

Mr. Giles Shaw: The Commissioner of Police of the Metropolis tells me that the information requested is as follows:

Amounts owed to the Metropolitan police as at 3 May 1985 for policing services during the seasons 1983-84 and 1984-85

	1983-84	*1984-85*
	£	£
Arsenal	—	4,135·03
Brentford	—	13,921·32
Charlton	—	2,372·30
Chelsea	—	19,022·90
Crystal Palace	21,911·79	34,931·55
Fulham	—	17,301·35
Millwall	—	7,862·82
Orient	—	4,002·98
Queens Park Rangers	—	3,583·23
Tottenham Hotspur	—	11,733·66
West Ham United	—	—
Wimbledon	—	2,488·68

No money is owed to the Metropolitan police for policing at football matches in the two proceeding seasons.

Mr. Tony Banks asked the Secretary of State for the Home Department who is responsible for determining the level of policing needed inside London Football League clubs; what criteria are applied; what discussions normally take place between the Metropolitan police and the individual clubs on the level of policing; and if he will make a statement.

Mr. Giles Shaw: The safety certificates issued by the GLC in respect of grounds designated under the Safety of Sports Ground Act 1975, require the holder of the certificate to

"seek to arrange for and use its best endeavours to secure, at the holder's expense, the attendance at the stadium of the appropriate number of officers of the Metropolitan Police force, determined by agreement between the holder and the police".

For the 1984-85 season the Commissioner of Police of the Metropolis has instructed senior officers to seek agreement with clubs on the number of police required both for normal games and for those likely to present special problems; but the certificates specify that in the absence of such agreement it is the decision of the commissioner that prevails. Where a ground is not designated under the Act, such agreement is sought with the club on an informal basis.

Holloway Prison

Mr. Corbyn asked the Secretary of State for the Home Department how many places there are in C1 wing of Holloway prison; and what has been the average monthly occupancy rate since January 1984.

Mr. Mellor: C1 unit, Holloway prison, holds a maximum of 46 inmates. The average monthly occupancy rate since January 1984 has been as follows:

	Average Numbers
1984	
January	31
February	30
March	28
April	31
May	32
June	38
July	43
August	42
September	41
October	40
November	40
December	39
1985	
January	35
February	36
March	33
April	31

Mr. Corbyn asked the Secretary of State for the Home Department what has been the total occupation and capacity of Holloway prison for each year since 1978 and for each month of 1985.

Mr. Mellor: The information requested is as follows:

Date	*Population*	*CNA*
1978	*359	†221
1979	*363	†245
1980	*355	†253
1981	*331	†247
1982	*315	†247
1983	*332	†247
1984	*335	†247
January 1985	‡330	‡247
February 1985	‡327	‡247
March 1985	‡344	‡247
April 1985	‡346	‡247

* Average.
† As at 31 December.
‡ On last day of month.

Refugees

Mr. Ernie Roberts asked the Secretary of State for the Home Department when considering applications for indefinite leave to remain in the United Kingdom, which Government Departments are consulted.

Mr. Waddington: No routine inquiries of other Government Departments are made in connection with applications for indefinite leave to remain but other Departments are consulted if it appears they may have information which is relevant to a decision under the Immigration Rules in a particular case.

Mr. Ernie Roberts asked the Secretary of State for the Home Department in what circumstances refugees recognised in terms of the United Nations Convention on Refugees 1951 may be deported from the United Kingdom.

Mr. Waddington: I would refer the hon. Member to articles 32 and 33 of the convention.

Mr. Ernie Roberts asked the Secretary of State for the Home Department how many refugees have been deported from the United Kingdom in each of the last 10 years; and on what grounds.

Mr. Waddington: I am not aware of any case in this period in which a person granted recognition as a refugee in the United Kingdom has subsequently been deported.

Mr. Ernie Roberts asked the Secretary of State for the Home Department what is the average period of time taken to deal with applications by refugees for indefinite leave to remain in the United Kingdom.

Mr. Waddington: This information is not readily available, but I am arranging for it to be obtained, and I shall reply to the hon. Member as soon as possible.

Deportation

Mr. Ernie Roberts asked the Secretary of State for the Home Department how many deportation orders have been served during each of the last 10 years on the grounds of national security; and how many have been carried out in each of these years.

Mr. Waddington: Two orders were served and enforced in 1977 and six served and enforced in 1984 on these grounds.

Mr. Ernie Roberts asked the Secretary of State for the Home Department how many aliens with indefinite leave to remain in the United Kingdom have been deported during each of the last 10 years; and on what grounds.

Mr. Waddington: The information requested is not available. Such persons could only be deported under sections 3(5)*(b)*, 3(5)*(c)* and 3(6) of the Immigration Act 1971. The total numbers of persons so deported in each year from 1973 to 1983 were published in table 20 of "Control of Immigration: Statistics, United Kingdom, 1983" (Cmnd. 9246); a large proportion of these would not have had indefinite leave to remain in the United Kingdom.

British Nationality

Mr. Ernie Roberts asked the Secretary of State for the Home Department how many persons have been deprived of British nationality within the last 10 years; and on what grounds.

Mr. Waddington: None.

Mr. Ernie Roberts asked the Secretary of State for the Home Department what is the procedure for depriving persons of British nationality.

Mr. Waddington: The statutory procedure for deprivation of citizenship is laid down in section 40 of the British Nationality Act 1981.

Travel Documents

Mr. Ernie Roberts asked the Secretary of State for the Home Department what is the average period of time taken to deal with applications for the renewal of travel documents; and for what period travel documents are normally renewed.

Mr. Waddington: At present straightforward applications for the issue and renewal of travel documents are being delat with in about four weeks. Travel documents are normally renewed in line with the holder's leave to enter or remain in the United Kingdom. For those with indefinite leave to remain documents are issued with five years' validity to refugees and with two years' validity to others.

Sunday Trading

Mr. D. E. Thomas asked the Secretary of State for the Home Department if his Department has carried out or sponsored any research into the economic consequences for Wales of the introduction of Sunday trading.

Mr. Mellor: The Institute for Fiscal Studies carried out an economic review of the likely effects of possible changes in the permitted trading hours of shops in England, Scotland and Wales which has been published as an appendix to the report of the Auld committee: "Late Night and Sunday Opening" (Cmnd. 9376). Specific research has not been sponsored separately for Wales alone.

Mr. D. E. Thomas asked the Secretary of State for the Home Department what is his latest estimate of the implications for employment in Wales of the introduction of Sunday trading.

Mr. Mellor: I have no reason to suppose that the predictions of the Institute for Fiscal Studies for England and Wales as a whole should not apply other than in a proportionate manner to Wales.

Mr. Salah Najem

Mr. Latham asked the Secretary of State for the Home Department on what date after the shooting on 17 April 1984 Mr. Salah Najem was escorted from the Libyan People's Bureau under police supervision; on what date he is believed to have entered it; whether he is currently resident in the United Kingdom; and in what permitted capacity.

Mr. Giles Shaw: I shall reply to my hon. Friend as soon as possible.

Great Ape (Experimentation)

Mr. Greg Knight asked the Secretary of State for the Home Department what species of great ape are or have been used for the purpose of experimentation in the United Kingdom at any time during the past three years; and for what purpose.

Mr. Mellor [*pursuant to his reply*, 2 April 1985, c. *570*]: The information collected centrally does not distinguish between types of primate. I understand, however, that no species of great ape—defined as a chimpanzee, a gorilla or an orang-utan—is currently in use in experimental work at any of the establishments which are the responsibility of my right hon. and learned Friend, and that no experiments involving the use of such species are known to us to have been conducted at such establishments at any time during the past three years.

TRADE AND INDUSTRY

Vosper Shiprepairers Ltd.

Mr. Stephen Ross asked the Secretary of State for Trade and Industry what progress has been made with regard to the proposed sale of Vosper Shiprepairers Ltd. of Southampton; and if he will make a statement.

Mr. Butcher: Vosper Shiprepairers is currently formalising a lease for an important part of its site. The company cannot be sold until this negotiation has been completed. Nevertheless, British Shipbuilders is in discussion with potential purchasers of the company and hopes to be able to complete the sale before too long.

Support for Software Products Scheme

Mr. McCusker asked the Secretary of State for Trade and Industry how much has been paid out in grants each year from the support for software products scheme; and what was the take-up in Northern Ireland.

Mr. Butcher: The information is as follows:

(a) From inception in 1972 to the relaunch of the scheme in 1982, £4·1 million was paid in grants. A further breakdown of the figures for this period would entail disproportionate costs.

Since the relaunch in 1982, figures are as follows:

	£
1982-83	1,633,193
1983-84	2,985,106
1984-85	8,249,004
*1985	768,868

* 1 to 30 April.

(b) Take-up of the scheme in Northern Ireland has been minimal with only one application received and one grant awarded. However, the Province's own scheme of assistance in research and development, set up by the Industrial Development Board and the local enterprise development unit, which operates along similar lines has had a substantial take up by the companies in the software sector.

Manufactured Imports

Mr. Gould asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing the United Kingdom share of imports of manufactures into the European Economic Community 10 in each year since 1962 and for the latest 12 months or part year for which figures are available.

Mr. Channon: The annual figures are in the table. It is estimated that the share in the period January to September 1984 was about 7½ per cent.

European Community Imports of Manufactures from the United Kingdom†*

	Per cent.
1962	11·2
1963	11·4
1964	10·8
1965	10·2
1966	9·6
1967	9·2
1968	8·7
1969	8·4
1970	7·9
1971	7·8
1972	7·4
1973	7·2
1974	7·2
1975	7·5
1976	7·8
1977	8·3
1978	8·4
1979	8·6
1980	8·5
1981	8·4
1982	8·0
1983	7·8

* Standard International Trade Classification sections 5 to 8.

† The proportion of imports of manufactures by the other members of the present European Community which come from the United Kingdom.

Source: OECD.

Trade Statistics

Mr. Gould asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing for European Economic Community countries and non-European Economic Community countries, United Kingdom imports as a percentage of United Kingdom manufacturing less exports for industrial headings 35, 3510.1, 3510.2, 353, 3634; 43, 431, 432, 433, 434, 435, 436, 438, 439, 45 less 451, 452, 453; 424, 481, 4811, 4831, 4833, 4954, 3452, 3453, 3454, 373, 4116, 346 and 415 for the years 1975, 1979 and the latest 12 months for which figures are available in each case.

Mr. Channon: The information could only be provided at disproportionate cost.

Mr. Gould asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing for standard industrial category headings 3137, 3161, 3165, 3212, 324, 3244, 3245, 3254, 3255, 326, 327, 3281, 3283, 3288, 342 and 3432 the ratio of imports to home demand in 1975 and at the latest available date for the European Economic Community and the non-European Economic Community countries together with the relevant import figures.

Mr. Channon: The information could only be provided at disproportionate cost.

Mr. Gould asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing for standard industrial category headings 2235, 224, 2245·2, 2471, 2479, 2489, 251, 2512, 2514, 2515, 2516, 2563, 2568, 2569, 259, 2591 and 2599 the ratio of imports to home demand in 1975 and at the latest available date for the European Economic Community and the non-European Economic Community countries together with the relevant import figures.

Mr. Channon: The information could only be provided at disproportionate cost.

Telecommunications Advisory Committee (Scotland)

Mr. Wilson asked the Secretary of State for Trade and Industry if he will list the membership of the Advisory Committee for Scotland appointed by him under section 54 of the Telecommunications Act 1984.

Mr. Fletcher: The following people are currently members of the Advisory Committee on Telecommunications for Scotland.

Mr. G. C. C. Duncan—*chairman*
Mr. W. J. Brown
Mr. J. G. Watson
Mrs. P. M. N. Stewart
Mr. J. D. M. Hardie
Mrs. I. E. McGowran
Mr. W. J. Humphries
Mr. T. J. Ransley
Mr. D. G. Walker
Rev. A. S. Hutchison
Mr. E. Young
Mr. G. J. Richards
Dr. C. M. McLean
Mr. A. J. Paterson
Mrs. J. Forbes-Sempill

Steel Industry

Mr. Hardy asked the Secretary of State for Trade and Industry if he will list the number of employees in the steel industry at the latest date for which statistics are available and one, three, five and seven years earlier.

Mr. Norman Lamont: The following is the information requested:

Total Labour Force engaged on ECSC Steel Activities in United Kingdom

	'000
End April	
1978	171·1
1980	142·8
1982	85·6
1984	62·5
1985	61·1

Source: Eurostat.

West Midlands (Inward Investment)

Mrs. Renée Short asked the Secretary of State for Trade and Industry what emphasis he intends to place on the West Midlands region during the course of the campaign which he is initiating to encourage foreign firms to establish themselves in the United Kingdom.

Mr. Trippier: The "Britain Means Business" (BMB) campaign will promote overseas a single, united image of the whole of the United Kingdom with no geographical bias. The promotional efforts of the relevant public sector inward investment bodies and the private sector will be co-ordinated to achieve maximum success and benefit for the United Kingdom.

The west midlands, in common with all the other areas of the United Kingdom, has the opportunity to play a full and active part in the campaign's activities. On their behalf

the West Midlands Industrial Development Association (WMIDA) is acting as co-sponsor at two events in the United States as well as being involved in other BMB activities.

Mrs. Renée Short asked the Secretary of State for Trade and Industry if he will list, region by region, the number of private enterprises which are contributing towards the sponsorship of the campaign which he is initiating to encourage foreign businesses to establish themselves in the United Kingdom.

Mr. Trippier: Fifteen private enterprises so far have agreed to contribute in cash or in kind to the "Britain Means Business" campaign. Most of these enterprises are in the banking or accountancy sectors and are based in London, although many have operational branches throughout Britain. Region by region, of the 15 enterprises, 13 are based in the south east of England, one in the west midlands and one in Scotland.

Mrs. Renée Short asked the Secretary of State for Trade and Industry if he intends to take any steps to seek to encourage his counterpart in the Japanese Government to persuade private companies in his country to consider establishing themselves in the west midlands.

Mr. Trippier: The Secretary of State made clear to Japanese Government and industry during his recent visit to Japan that the Government welcome Japanese companies whose investment will be of net benefit to the United Kingdom economy. The precise locations of those investments within the United Kingdom are for the companies themselves to decide.

Mrs. Renée Short asked the Secretary of State for Trade and Industry what specific assistance he intends to give to the West Midlands Industrial Development Association to promote further investments and new industries in the West Midlands Region.

Mr. Trippier: For the period April 1985 to March 1986, up to £130,000 of grant aid will be made available to the West Midlands Industrial Development Association, towards promotional activities directed to attracting new industry, especially from overseas, to the west midlands.

Nuclear Reactor (Chile)

Mr. Dalyell asked the Secretary of State for Trade and Industry what assistance he is giving to United Kingdom companies bidding for contracts for the Lo Aquerre reactor in Chile.

Mr. Channon: Assistance from my Department is available in the normal way in support of any British bids to refurbish the Lo Aquerre research reactor. Any transfer of nuclear materials to Chile would have to comply with the Government's general policy on the export of nuclear material as set out by my right hon. Friend the Prime Minister in her reply to the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) on 28 January at columns *24-5*.

Scott Lithgow

Dr. Godman asked the Secretary of State for Trade and Industry whether, in negotiations over the sale of Scott Lithgow, Trafalgar House was asked to give any indication of its employment projections for the years 1985, 1986, 1987 and 1988.

Mr. Butcher: At the time of sale Trafalgar House indicated that it expected employment to be about 2,000 initially, with subsequent levels depending on its ability to secure new orders.

Dr. Godman asked the Secretary of State for Trade and Industry what consultations took place between his Department and Trafalgar House over the decision by Trafalgar House to seek several hundred redundancies at the Scott Lithgow yard.

Mr. Butcher: None.

Dr. Godman asked the Secretary of State for Trade and Industry whether in his negotiations for the sale of Scott Lithgow, Trafalgar House was asked for a commitment to maintain manning levels at the yard.

Mr. Butcher: Trafalgar House was not asked for a commitment to maintain manning levels at the yard. When we returned the yard to the private sector we were giving it a second chance, not guaranteeing its future.

Official Receiver (Private Sector Accountants)

Mr. Wainwright asked the Secretary of State for Trade and Industry which firms of accountants have been sent an indication that his Department will accept private sector accountants on secondment for work under the Official Receiver.

Mr. Fletcher: Following a decision to apply to the insolvency service the practice of exchanges between private and public sector, a wide range of accountancy firms have been approached.

General Electric Company

Mr. Wareing asked the Secretary of State for Trade and Industry if a regional development grant and/or regional selective assistance was paid to the General Electric Company towards its recent £9 million investment programme.

Mr. Trippier: Information on regional development grants payments of £25,000 and over and regional selective assistance offers of £5,000 and over is published quarterly in *British Business*. It is not the usual practice, for reasons of commercial confidentiality, to give any further information about assistance to particular companies.

British Shipbuilders

Mr. Hickmet asked the Secretary of State for Trade and Industry if he will list the establishments and yards divested by British Shipbuilders since 1979, the nature of the business undertaken in each of the facilities divested and the names of the firms acquiring those facilities.

Mr. Butcher: The following companies have been sold by British Shipbuilders since 1979:

Establishment	Nature of Business	Purchaser
R. Harris and Sons Ltd.	Builders	C. H. Pearce and Sons Ltd.
Henry Robb (LPG) Ltd.	Liquid Petroleum Gas Distributors	John Mitchell for Oils Ltd.
Clark and Standfield Ltd.	Dry Dock Designers and Consultants	Newshott Holdings Ltd.
Thames Services (Felixstowe) Ltd.	Shiprepairers	Union Cold Storage
Blackwall Engineering Ltd.	Engineers	Energy and Marine Industries Ltd.
Tyne Shiprepair Ltd.	Shiprepairers	Former Management
V. O. Offshore Ltd.	Designers and Consultants	John Brown Engineers and Constructors
Scott Lithgow Ltd.	Rig Builders	Trafalgar House PLC
Wallsend Slipway Engineers Ltd.	Engineers	Marske Machine Co. Ltd.
K. and L. Marine Equipment Ltd.	Engineers	Energy and Marine Industries Ltd.
Falmouth Shiprepair Ltd.	Shiprepairers	Cuehold Ltd.
Barclay Curle Ltd.	Marine Engineers	Mr. J. Wilson and Langham Industries Ltd.
Sunderland Forge Ltd.	Engineers	Energy and Marine Industries Ltd.
Brooke Marine Ltd.	Warship-builders	Former Management

In addition the following facilities were sold shortly after closure and were thereafter re-opened by the purchasers:

Establishment	Nature of Business	Purchaser
Robb Caledon (Dundee) Ltd.	Shipbuilders	Kestrel Marine Ltd.
Grangemouth Dockyard Ltd.	Shiprepairers	Former Management
Wolsingham Steel Ltd.	Iron Founders	Langham Industries Ltd.

There have also been numerous sales and leases of land following the closure of yards and other establishments. Some of these yards are now again used for industrial purposes and are providing employment.

FOREIGN AND COMMONWEALTH AFFAIRS

Non-proliferation Treaty

Mr. D. E. Thomas asked the Secretary of State for Foreign and Commonwealth Affairs what progress has been made in the preparation for the non-proliferation treaty review conference since his answer to the hon. Member for Edinburgh, East (Mr. Strang), 19 March, *Official Report*, column *438*.

Mr. Luce: I refer the hon. Member to the reply I gave him on 8 May at column *428*.

Mr. Deakins asked the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to discuss with Commonwealth countries the issues to be raised in the 1985 review conference of the non-proliferation treaty.

Mr. Luce: We are keeping in touch with several Commonwealth countries, which are parties to the non-proliferation treaty, about the forthcoming review conference. We are also urging those members of the Commonwealth which are not parties to adhere to the treaty. In the past year, five have done so.

Sellafield

Mr. D. E. Thomas asked the Secretary of State for Foreign and Commonwealth Affairs whether the United Kingdom delegation to the non-proliferation treaty review conference in Geneva in September will be raising the matter of the current non-application of full physical inspection nuclear safeguards at the Windscale reprocessing plant at Sellafield.

Mr. Luce: We do not intend to raise this matter at the review conference. Although we have voluntarily offered to submit United Kingdom installations to International Atomic Energy Agency safeguards, our signature of the non-proliferation treaty, as a nuclear weapon state, did not require us to do so.

Comprehensive Test Ban Treaty

Mr. Deakins asked the Secretary of State for Foreign and Commonwealth Affairs what is his policy towards the potential contribution of the advanced verification techniques set out in the threshold test ban treaty and the peaceful nuclear explosion treaty between the United States of America and the Union of Soviet Socialist Republics towards the establishment of verification measures for a comprehensive test ban treaty.

Mr. Luce: Any consideration of how to verify a comprehensive test ban would naturally have to take account of the provisions of existing treaties on nuclear testing. The problems involved in the verification of a total ban on nuclear testing, however, are more difficult than in the case of the limited constraints which currently exist.

Mr. Deakins asked the Secretary of State for Foreign and Commonwealth Affairs what factors prevent an immediate resumption of negotiations for a comprehensive test ban treaty.

Mr. Luce: It would be premature to resume negotiations while key technical problems, including those of verification and compliance, remain unresolved. We believe these should be discussed by the Geneva conference on disarmament and are working actively to get a nuclear test ban committee established there. We also play a full part in the work of the scientific experts group set up by the conference.

Mr. Deakins asked the Secretary of State for Foreign and Commonwealth Affairs what degree of precision Her

Majesty's Government require in the scientific monitoring of underground nuclear tests as a prerequisite for agreeing to a comprehensive test ban treaty.

Mr. Luce: Considerable improvements in scientific monitoring techniques are required as a first step towards precluding, under a comprehensive test ban regime, a clandestine continuation of nuclear testing at levels sufficient to confer a significant military advantage. This is one of the verification issues which, along with other Western delegations, we have proposed should be the subject of substantive examination by the Geneva conference on disarmament, with a view to negotiation of a treaty.

El Salvador (Officer Training Facilities)

Mr. Terry Fields asked the Secretary of State for Foreign and Commonwealth Affairs whether he will cancel discussions with the El Salvadorean Government regarding training facilities for El Salvadorean officers.

Mr. Renton: No.

Gibraltar

Mr. Stanbrook asked the Secretary of State for Foreign and Commonwealth Affairs if any progress has been made in discussions with the Spanish Government on any outstanding issue dependent upon further British concessions on the issue of sovereignty over Gibraltar.

Sir Geoffrey Howe: There have been useful discussions with Spain on a number of matters relating to Gibraltar. These have not affected our position on sovereignty: we stand by the commitments in the preamble to the 1969 Gibraltar constitution.

North Atlantic Assembly (Delegation)

Mr. Michael Brown asked the Secretary of State for Foreign and Commonwealth Affairs if he will list in the *Official Report* the United Kingdom parliamentary delegation to the North Atlantic Assembly.

Mr. Rifkind: The following represent the United Kingdom at the North Atlantic Assembly:

Sir Patrick Wall MP (Leader)
Mr. Robert Banks MP
Mr. Julian Critchley MP
Sir Philip Goodhart MP
Sir Geoffrey Johnson Smith MP
Mr. Robert McCrindle MP
Sir Julian Ridsdale MP
Mr. Peter Viggers MP
Sir Peter Emery MP
Earl of Kimberley
Earl de la Warr
Dr. David Clark MP
Mr. Patrick Duffy MP
Mr. Bruce George MP
Mr. Kevin McNamara MP
Lord Ardwick
The right hon. Lord Mayhew
Mr. John Cartwright MP

OVERSEAS DEVELOPMENT

Ethiopia and Sudan (Food Aid)

Mr. Bowen Wells asked the Secretary of State for Foreign and Commonwealth Affairs by what means he monitors how much cereal and other foodstuffs are delivered by the European Economic Community as a result of the decision taken at the Dublin summit.

Mr. Raison: The Commission compiles shipment plans for Community and member states' food aid in preparation for coordination meetings between the Commission and member states. There have been two such meetings since the Dublin Council, and a third will be held shortly. Between these meetings my staff are in regular contact with Commission officials over the rate of delivery of Community food aid. Statistics are also included in the Food and Agriculture Organisation's monthly reports of food aid deliveries to countries affected by famine.

ATTORNEY-GENERAL

Coal Industry Dispute (Prosecutions)

34. **Mr. Maclennan** asked the Attorney-General how many prosecutions arising from the miners' strike were awaiting trial on 1 May 1985.

The Attorney-General: Statistics of this nature supplied during the course of the dispute were compiled by the national reporting centre, which has now closed down. I am therefore unable to say exactly how many cases arising from the miners' strike were awaiting trial on 1 May 1985. The available figures, although not covering all courts, continue to show steady progress in the disposal of these cases.

ENVIRONMENT

Smith Houses

Miss Boothroyd asked the Secretary of State for the Environment how many representations he has received about Smith houses since July 1984; and from whom such representations have been received.

Sir George Young: Since July 1984 my Department has received representations concerning Smith houses from six members of Parliament, two local authorities and nine home owners.

Faulty Sewers (Pollution)

Mr. Deakins asked the Secretary of State for the Environment what information is available to him about the proportion of sewage leaking through faulty sewers; what are the risks from such leakage of pollution of water sources; and if he will make a statement.

Mr. Macfarlane: Flow volumes in sewers, which include rain water run-off, are not generally recorded and therefore no estimate of leakage from sewers can be made. As a rule, water sources are located well away from sewers as a precaution against contamination. Further protection is given by disinfection at water treatment works where water enters the public supply system, and by regular sampling and analysis. These precautions are generally effective and sewage contamination incidents are very rare.

Lesnes Abbey Site

Mr. Evennett asked the Secretary of State for the Environment which authority will have responsibility for the Lesnes Abbey site and surrounding parkland following the abolition of the Greater London council.

Mr. Macfarlane: Subject to the views of Parliament, my right hon. Friend proposes that the site of Lesnes Abbey will be transferred by order to the ownership of the London borough of Bexley on the abolition of the Greater London council.

Multi-occupied Dwellings

Mrs. Renée Short asked the Secretary of State for the Environment when he last reviewed the safety and inspection procedures in respect of hostels, boarding, lodging or guest homes in multiple occupation; and when the next review is due.

Sir George Young: My right hon. Friend continues to review local authorities' powers in the light of representations which he receives. My Department is carrying out research which involves examining the condition of the HMO stock and local authorities' use of the existing legislation. My right hon. Friend wishes to see the outcome of this research before deciding whether further measures are necessary.

Listed Buildings

Mr. Heddle asked the Secretary of State for the Environment if he will introduce legislation imposing a duty on inspectors responsible for the listing of buildings to notify owners of intended visits and of the possibility that the property may be listed; and if he will make a statement.

Mr. Macfarlane: No. Unfortunately, there is a real danger that some owners would take advantage of prior notification to carry out works prejudicial to the special interest of a listable building. My Department takes all reasonable steps to explain to owners the implications of listing after a building has been added to the statutory list. Field workers carry identity cards to show to owners or occupiers in cases where internal inspection is necessary, and have been briefed to explain the nature of the survey as necessary.

Mr. Heddle asked the Secretary of State for the Environment if he will introduce legislation to provide an appeal procedure in relation to the listing of buildings; and if he will make a statement.

Mr. Macfarlane: No. A building is listed if it is considered to be of special architectural or historic interest. This is a professional and technical assessment made according to principles of selection formulated in 1970 by the former Historic Buildings Council, agreed with my Department and consistently applied ever since. Those assessments depend entirely on the actual merits of particular buildings and an appeal procedure would not therefore be appropriate. There is, of course, a full right of appeal by an owner against the refusal of consent to alter, extend or demolish a listed building.

Mr. Heddle asked the Secretary of State for the Environment what are the qualifications necessary for appointment as an inspector responsible for the listing of buildings; and if he will make a statement.

Mr. Macfarlane: Appointment to the Historic Buildings Inspectorate of the Historic Buildings and Monuments Commission for England currently requires a degree in architectural history or a related subject, together with evidence of relevant post-graduate research.

Right to Buy

Mr. John Fraser asked the Secretary of State for the Environment, pursuant to the answer of 22 April, *Official Report*, column *339*, if he will list by local authority area the addresses of the 39 cases which have been decided and give his detailed reasons in each case for making or declining to make a determination under paragraph 5 of schedule 1 to the Housing Act 1980, as amended.

Sir George Young: In deciding whether or not to exclude a dwelling from the right to buy under paragraph 5 of schedule 1, my right hon. Friend must consider very detailed evidence, both as to the dwelling's physical characteristics and as to its letting history. A full statement of reasons for all the decisions taken since 26 August 1984 could be provided only with disproportionate effort and expense. I shall, however, write to the hon. Member.

Local Government (Finance)

Ms. Harman asked the Secretary of State for the Environment if he will make it his policy to ensure that where money has been awarded under section 11 of the Local Government Act 1966, the local authorities are guaranteed a 100 per cent. disregard from rate capping of the money they allocate to maintain the projects in question.

Mr. Kenneth Baker: Under rate limitation a limit is set on the rate an authority may raise to finance its spending; but selected authorities had the opportunity to seek re-determination of the expenditure levels on which their rate limits were to be based. No such re-determination were sought. My right hon. Friend will consider carefully the representations he has received from Southwark and other authorities that this expenditure should be disregarded for grant penalty purposes.

Nurseries

Ms Harman asked the Secretary of State for the Environment (1) if he will list the local authorities which have been granted money under the urban aid scheme for nursery schemes for each year since 1979, giving the number for each authority:

(2) if he will list the number of schemes approved for urban aid to local authorities for the provision of nurseries in each of the years from 1979 to 1983;

(3) if he will list the amounts of money granted to local authorities from urban aid for nurseries for each of the years from 1979 to 1983, expressed in terms of 1979 prices.

Sir George Young: Information is not available in the form requested. In 1984-85, however, a total of 398 nursery schemes costing around £13·8 million were funded under the urban programme in 90 local authorities. A list of these authorities, and the number of nursery schemees supported in each, is as follows:

Local Authority	Number of Nursery projects funded
Partnerships	
Birmingham	17
Hackney	8
Islington	3
Lambeth	7
Liverpool	16
Manchester/Salford	16
Newcastle/Gateshead	8
Sub-total	75
Programme Authorities:	
Blackburn	9
Bolton	1
Bradford	8
Brent	7
Coventry	7
Hammersmith	10
Hull	2
Knowsley	6
Leeds	4
Leicester	–
Middlesborough	–
N. Tyneside	–
Nottingham	1
Oldham	9
Rochdale	7
Sandwell	5
Sheffield	2
S. Tyneside	1
Sunderland	–
Tower Hamlets	2
Wandsworth	10
Wirral	–
Wolverhampton	6
Sub-total	97
Traditional Urban Programme: London Boroughs	
Barnet	3
Camden	2
Croydon	3
Ealing	4
Enfield	2
Greenwich	1
Haringey	13
Hounslow	5
Kensington and Chelsea	4
Lewisham	1
Newham	14
Southwark	4
Sutton	1
Waltham Forest	5
ILEA	1
Sub-total	63
Traditional Urban Programme: District Councils	
Bristol	1
Bury	4
Clderdale	1
Doncaster	2
Dudley	3
Kirklees	6
Rotherham	4
St. Helens	4
Sefton	8
Solihull	2
Stockport	4
Tameside	4
Trafford	2
Wakefield	1
Walsall	6
Wigan	4
Sub-total	56
Traditional Urban Programme: County Councils	
Avon	4
Bedfordshire	1
Cambridgeshire	2
Cheshire	2
Cleveland	9
Cornwall	1
Cumbria	2
Derbyshire	9
Devon	2
Dorset	2
Durham	8
Essex	2
Hampshire	9
Hereford and Worcester	1
Hertfordshire	7
Kent	5
Lancashire	16
Leicestershire	3
Nottinghamshire	1
Northamptonshire	1
Northumberland	1
North Yorkshire	2
Oxfordshire	2
Shropshire	4
Staffordshire	4
k	1
Warwickshire	6
Sub-total	107
Urban Programme—Grand total	398

Structure Plans

Mr. Meadowcroft asked the Secretary of State for the Environment whether he will take note of alterations to structure plans in considering the reports of inspectors at public inquiries into local plans in the period between the submission of the alterations and his decision on those alterations.

Mr. Macfarlane: The inspector's report following a public local inquiry into a local plan is made to the local planning authority which prepared the plan, and not to my right hon. Friend.

Mr. Meadowcroft asked the Secretary of State for the Environment if he will state the expected timescale for the submission of structure plan alterations in metropolitan counties following their proposed abolition.

Mr. Macfarlane: Under the proposals in the Local Government Bill, following abolition approved structure plans will continue in force in Greater London and the metropolitan county areas until they are replaced by the unitary development plans which, under the provisions of the Bill, each borough or district council will prepare. There will be no power to alter structure plans for those areas after the abolition date.

Mr. Meadowcroft asked the Secretary of State for the Environment if he will list those counties for which he has accepted alterations to structure plans proposed by county councils and the dates concerned.

Mr. Macfarlane: Alterations to approved county structure plans were approved on the following dates:

Plan	*Date*
Warwickshire No. 1	August 1979
Warwickshire No. 2	August 1979
Teesside No. 1	December 1979
East Cleveland	December 1979
West Cleveland	December 1979
Staffordshire (transport)	December 1979
Leicestershire (transport)	February 1980
Worcestershire	March 1980
East Sussex No. 1	September 1980
Norfolk No. 1	October 1981
Derbyshire	December 1981
Warwickshire No. 3	June 1982
East Sussex No. 2	September 1982
Oxfordshire (minerals)	October 1982
Norfolk No. 2	December 1982
Norfolk No. 3	December 1982
Norfolk No. 4	December 1982
Northamptonshire	March 1983
Teesside No. 2	April 1983
Kent	December 1983
Hertfordshire	October 1984
South Wiltshire (transport)	December 1984
East Sussex No. 3	May 1985

Mr. Meadowcroft asked the Secretary of State for the Environment what research he has conducted into the accuracy of forecasting requirements for housing land in structure plans approved prior to December 1981.

Mr. Macfarlane: My Department has not carried out any research on the accuracy of forecasts of housing land requirements in structure plans generally. It monitors the adequacy of the provision carefully and has commissioned research on the assumptions underlying the provision of land for housing in structure plans for South-East England.

West Yorkshire Structure Plan

M. Meadowcroft asked the Secretary of State for the Environment what representations he has received regarding the obsolescence of the West Yorkshire structure plan; and if he will make a statement.

Mr. Macfarlane: Representations have been received from the West Yorkshire county council, Leeds, Calderdale and Bradford metropolitan district councils, the South and West Yorkshire branch of the Council for the Protection of Rural England, the right hon. Member for Leeds, East (Mr. Healey), and the hon. Member for Leeds, West (Mr. Meadowcroft). These will be considered before my right hon. Friend takes a final decision on whether to invoke his powers under section 6(1) of the Local Government (Interim Provisions) Act 1984 to defer consideration of the submitted alterations to the West Yorkshire structure plan.

Rate Poundage

Mr. Teddy Taylor asked the Secretary of State for the Environment what is the current average rate poundage for industrial and commercial premises in England and Wales.

Mr. Kenneth Baker: Based on information so far available, the latest estimate of the average non-domestic rate poundage in England and Wales in 1985-86 is 194p.

Rates (Agriculture)

Mr. Teddy Taylor asked the Secretary of State for the Environment what is his policy, in the context of the review of arrangements for financing local government services, as to the contribution to be made by the agricultural industry towards the cost of local government; and if he will make a statement.

Mr. Kenneth Baker: Those in the agricultural industry contribute towards the cost of local government services as taxpayers through central Government grants, as ratepayers through rates on agricultural dwellings and as users through fees and charges. Agricultural land and buildings have been fully derated since 1929 and I have no plans to change that position.

Defective Housing

Mr. Hardy asked the Secretary of State for the Environment (1) if he will estimate the number of defective houses which each local authority may be required to purchase; and if he will estimate the cost of this commitment for each local authority in England,

(2) what assistance he is providing to enable local authorities to acquire houses which are regarded as seriously defective.

Sir George Young: I will answer these questions shortly.

Asbestos (Faslane)

Dr. Godman asked the Secretary of State for the Environment what proportion of the asbestos-contaminated materials at the Faslane site will be transported by maritime transport to Greenock; and if these materials will be packaged or placed in containers.

Sir George Young: Of the lightly contaminated material agreed for removal at this stage, approximately 80 per cent. or some 2,400 cubic metres will be transported via Greenock. The material will be packaged in sealed polypropylene bags lined with polyethelene as approved by the Health and Safety Executive.

Dr. Godman asked the Secretary of State for the Environment if the safety regulations governing the transportation of asbestos-contaminated materials from Faslane meet the standards laid down by the Health and Safety Executive.

Sir George Young: Yes.

Dr. Godman asked the Secretary of State for the Environment if it is the responsibility of his officials or the transport contractors to determine the system of packaging and transportation of asbestos-contaminated materials from the Faslane site of the defunct British Shipbreaking Industries Ltd.

Sir George Young: Neither. While it is the responsibility of the contractor to devise a system of packaging and transport, this must be approved by the Health and Safety Executive, as in this case it has been.

Dr. Godman asked the Secretary of State for the Environment if consultations took place with local authorities, trade unions and other interested parties concerning the transportation of asbestos-contaminated materials from the site formerly owned by British Shipbreaking Industries at Faslane.

Sir George Young: Yes.

Heat and Power Feasibility Studies (London)

Mr. Rost asked the Secretary of State for the Environment when he expects to give his consent, under the Local Government Interim Provisions Act 1984, to the Greater London council's application to spend up to £150,000 on further work by consultants on combined heat and power feasibility studies for London.

Mr. Kenneth Baker: Consent was given on 10 May 1985.

Homeless Persons (West Midlands)

Mr. Nellist asked the Secretary of State for the Environment what information he has concerning the number of homeless people in the west midlands for each half year since 1979.

Sir George Young: The information is as follows:

Number of households accepted as homeless in the west midlands

	Half-year	*Metropolitan districts*	*Non-metropolitan districts*
1979			
	1st	2,380	870
	2nd	2,330	830
1980			
	1st	2,540	1,000
	2nd	2,920	1,270
1981			
	1st	2,970	1,390
	2nd	3,280	1,330
1982			
	1st	3,450	1,530
	2nd	2,960	1,530
1983			
	1st	3,440	1,470
	2nd	3,080	1,350
1984			
	1st	3,550	1,510
	2nd	3,740	1,590

Note: The figures are not directly comparable for the whole period because the method of collecting the information changed in the second half of 1980 for non-metropolitan districts and in the second half of 1982 for metropolitan districts.

Home Improvement Exhibition (Upper Waiting Hall)

Mr. Hoyle asked the Secretary of State for the Environment what response has been made by Ministers to the invitation sent to his Department to pay an official visit to the home improvement exhibition in the Upper Waiting Hall; and if he will make a statement.

Sir George Young: The National Home Improvement Council invited my hon. Friend the Minister for Housing and Construction to open the exhibition on 14 May. My hon. Friend will be out of the country on that date. I also have long-standing commitments in the midlands on 14 May. My hon. Friend the Minister of State, Department of Trade and Industry, has kindly agreed to open the exhibition.

NATIONAL FINANCE

EC (Budget)

Mr. Austin Mitchell asked the Chancellor of the Exchequer, pursuant to the reply of 15 March concerning the United Kingdom contribution to value added tax under the European Economic Community budget, *Official Report*, column *312*, whether he will provide estimated figures for the United Kingdom for 1983 and 1984; and if he will include a further table extending the comparison to include customs, and so on, duties and his forecast for 1985.

Mr. Ian Stewart: The figures for 1 per cent. yield from the VAT base for the years 1980 to 1983 have been revised by the European Commission since my reply of 15 March. The new data for these years and the further information requested is set out in the following table.

I regret that note (iv) to the table supplied in my earlier reply contained a typographical error. The budget figure for the United Kingdom's 1 per cent. VAT base for 1983 should have read 2,926 million ecu.

	1980 mecu	*1981 mecu*	*1982 mecu*	*1983 mecu*	*1984 mecu*	*1985 mecu*
Yield from 1 per cent. VAT base						
United Kingdom	1,844	1,927	2,968	3,011	2,927	3,300
European Economic Community (10)	10,734	11,715	13,146	14,060	14,609	15,559
Agricultural levies						
United Kingdom	402	349	476	320	341	280
European Economic Community (10)	1,535	1,265	1,522	1,347	1,260	1,388
Sugar levies						
United Kingdom	32	47	72	73	102	79
European Economic Community (10)	470	482	705	944	1,170	987
Customs duties						
United Kingdom	1,440	1,551	1,785	1,831	2,160	2,157
European Economic Community (10)	5,906	6,392	6,815	6,989	7,961	8,096

Notes:

(i) The figures for both the 1 per cent. yield from the harmonised VAT base and the duties and levies for 1980 to 1983 include the adjustments agreed with the Commission for the period up to 30 June 1984. For 1984 the duties and levies are latest Commission estimates. (*Source:* European Commission budget revenue estimates.)

(ii) The Civil Service strike of 1981 delayed collection of some VAT until 1982. This is the major factor behind the exceptional 1982 figure for the United Kingdom's 1 per cent. VAT base.

(iii) The figures for the 1 per cent. yield from the harmonised VAT base for 1984 are the budget estimate. (*Source: Official Journal* of the European Comunities—amending and supplementary budget No. 1.) Those for 1985 are the figures for own resources established in

Council on 23 April 1985.

(iv) Greece joined the Community on 1 January 1981 but until 1 January 1986 will continue to make financial contributions linked to GNP in lieu of VAT. The table therefore uses Commission estimates of a 1 per cent. VAT base for Greece for the period 1981 to 1985.

(v) The outturn figures to 1983 for the 1 per cent. yield were converted at budget exchange rates, which vary significantly from year to year. Those for traditional own resources were converted at the rates of exchange specified in the EC Regulation 2891/77, and convert national payments into ecu rates on the basis of the appropriate exchange rate which applied for the month in which payments were made.

£1 Notes

Mr. John David Taylor asked the Chancellor of the Exchequer how many new £1 notes have been put into circulation by each of the individual issuing banks in Northern Ireland and Scotland during the first three months of 1985.

Mr. Lawson: Responsibility for the issue of new £1 notes by each of the individual issuing banks in Northern Ireland and Scotland is a matter for the banks themselves. Records are not kept centrally of the number of new £1 notes issued by these banks.

Post-war Credits

Mr. Michael Morris asked the Chancellor of the Exchequer if he will give publicity to the availability of post-war credits by publishing a list of the persons still holding the credits.

Mr. Moore: The Inland Revenue has records in respect of some 2·1 million potential claimants where credits remain unpaid. Extensive publicity was given in the national press on the general payment of post-war credits in 1972 and 1973, and again in 1978, and claims may still be accepted where claimants can produce one or more certificates. Publication of a list—even if practicable—would be a breach of confidentiality.

Mr. Michael Morris asked the Chancellor of the Exchequer how much money is still held by the Exchequer in capital and interest terms in post-war credits awaiting claimants.

Mr. Moore: It is estimated that between £33 million and £34 million remains unpaid. Interest on this credit would amount to a little under £13 million.

£2·50 Note

Mr. Peter Bruinvels asked the Chancellor of the Exchequer if he will now introduce a £2·50 note; and if he will make a statement.

Mr. Ian Stewart: I have nothing to add to the reply which I gave at column *553* on 10 January when my hon. Friend asked a similar question.

Customs and Excise

Mr. Haselhurst asked the Chancellor of the Exchequer if he has any plans to privatise the bill of entry sections of Her Majesty's Customs and Excise.

Mr. Hayhoe: In a review of the work of the Customs and Excise Statistical Office it was recommended that an experienced marketing agent should be appointed to provide trade statistics to the private sector. This service is currently provided by the relatively small bill of entry section of the Customs and Excise Statistical Office. At present Customs and Excise is considering the best way to implement the recommendation and is consulting a number of firms which have expressed an interest in the project.

No firm decision has yet been taken on whether or how the recommendation will be implemented.

North Sea Oil (Revenue)

Mr. Donald Stewart asked the Chancellor of the Exchequer what revenue has accrued to the Government from oil produced in the North sea north of latitude 55° 50′ in each year since production began.

Mr. Moore: I shall let the right hon. Member have a reply as soon as possible.

Fiscal Adjustment

Dr. McDonald asked the Chancellor of the Exchequer if he will publish in the *Official Report* a table showing his most recent estimate of the scope for tax cuts, fiscal adjustment, between 1985 and 1988 and his most recent estimate of the proceeds from asset sales in the same period.

Mr. Moore: The 1985 Financial Statement and Budget Report gives the latest estimate of the fiscal adjustment up to the financial year 1988-89. It also shows estimated special sales of assets on the assumption that these will be the same in cash terms in 1988-89 as in the preceding two years.

Dr. McDonald asked the Chancellor of the Exchequer if he will publish a table in the *Official Report* showing the fiscal adjustment for each year from 1979 to date.

Mr. Moore: In the medium-term financial strategy, last updated in the 1985 Financial Statement and Budget Report, general Government revenues are projected on the assumption of constant tax rates and indexed allowances and thresholds. Given the Government's plans for public expenditure and their objectives for public borrowing, the fiscal adjustment represents the estimated future scope for lower taxation (or higher spending). It is not a meaningful concept for the past.

The estimated effects of the tax proposals and public expenditure measures in each Budget are shown in the corresponding Financial Statement and Budget Report.

Public Sector Assets (Sales)

Dr. McDonald asked the Chancellor of the Exchequer if he will publish in the *Official Report* a table showing *(a)* the annual proceeds from sales of public sector assets and *(b)* the impact on the public sector borrowing requirement of these asset sales, in both cases from 1979 to date.

Mr. Moore: I shall let the hon. Member have a reply as soon as possible.

Insolvency

Mr. Robert Sheldon asked the Chancellor of the Exchequer what is the amount of revenue obtained from taxes in insolvency cases where the Inland Revenue makes use of its position as a preferential creditor.

Mr. Lawson [*pursuant to his reply*, 7 May 1985, c. *365*]: It is estimated that between £14-20 million, of which

PAYE would account for some £10-14 million, is collected annually by the Inland Revenue as a preferential debt.

EC (Budget)

Mr. George Robertson asked the Chancellor of the Exchequer what plans have prepared prepared by the European Community Council of Ministers for a contingency involving the effect on the European Community budget of currency fluctuations, or varied farm prices; and if he will make a statement.

Mr. Ian Stewart [*pursuant to his reply*, 7 May 1985; c. *366*]: The draft Community budget for 1985, recently established by the Council of Budget Ministers, includes provision to cover the expenditure consequences of the Commission's proposals for CAP prices and the consequences ofa revised assumption about likely exchange rates for the year as a whole. We have made it plain that the Council of Ministers and the Commission must keep agricultural and other expenditure within the budgetary provision now agreed.

SOCIAL SERVICES

NHS (Pay)

Mr. Canavan asked the Secretary of State for Social Services whether he will make a statement about the pay negotiations of National Health Service employees.

Mr. John Patten: Pay negotiations in the Whitley councils are continuing.

Doctors (Contracts)

Mrs. Renée Short asked the Secretary of State for Social Services on what factors he based his decision to recommend rewriting contracts of the 23,000 family doctors currently employed by the National Health Service.

Mr. Kenneth Clarke: We have not made any decision about recommending changes to the contracts of general medical practitioners.

Dental Technicians

Mr. Gregory asked the Secretary of State for Social Services how many dental technicians *(a)* are employed by health authorities in England and *(b)* also undertake private contract work; and if he will make a statement.

Mr. Kenneth Clarke: As at 30 September 1983 there were 646 (whole-time equivalents) dental technicians employed by health authorities in England. We do not hold information on the numbers undertaking private work.

Supplementary Benefit

Mr. Deakins asked the Secretary of State for Social Services how many people received supplementary benefit help with rent and rates, respectively, in the London borough of Waltham Forest in 1979-80, 1980-81, 1981-82 and 1982-83.

Mr. Whitney: It is estimated that in 1982-83 about 16,000 supplementary benefit recipients in the London borough of Waltham Forest were ratepayers, about 13,000 of these were tenants. The respective estimate for ratepayers in 1981-82 is about 14,000. I regret that information relating to earlier years, and to tenants in 1981-82, is not available.

Mr. Gordon Brown asked the Secretary of State for Social Services if he will list the costs of meeting mortgage interest payments for claimants of supplementary benefit, other than the unemployed, breaking these down into one-parent families, the sick and disabled and pensioners, and showing how many persons in each category benefit.

Mr. Whitney: I shall let the hon. Member have a reply as soon as possible.

NHS Patients (Private Treatment)

Mr. Meacher asked the Secretary of State for Social Services how many National Health Service patients have received private treatment paid for by the National Health Service in 1981, 1982, 1983 and 1984, respectively; and how many of these patients were treated in *(a)* private hospitals and *(b)* on National Health Service property or using National Health Service facilities by National Health Service consultants doing private work.

Mr. Kenneth Clarke: None. Health authorities are not empowered to pay for private treatment, although they may contract with independent hospitals to provide services for National Health Service patients. National Health Service patients do not, by definition, receive private treatment in National Health Service hospitals.

Dr. Charles Entwhistle

Mr. Beaumont-Dark asked the Secretary of State for Social Services if he will make a statement on the suspension since 1981 of Dr. Charles Entwhistle from Rubery hill hospital; and when he now expects the matter to be resolved.

Mr. Kenneth Clarke: I shall let my hon. Friend have a reply as soon as possible.

North-Western RHA (Resources)

Mr. Silvester asked the Secretary of State for Social Services how much additional cash has been made available to the North-Western regional health authority for each year since 1978-79 as a result of redistribution of resources under the resources allocation working party formula.

Mr. Kenneth Clarke: The Government have steadily increased spending on health services in real terms since 1979 and have been distributing most of that increase to regions such as the North- Western which had been deprived of their fair share of health resources in the past. The table shows the increases in the revenue spending of North- Western regional health authority over and above the general level of inflation for each year since 1978-79. The table also shows the region's progress towards its fair share of national revenue resources in line with the recommendation of the resources allocation working party.

	Revenue spending £ million net*	Growth in economic cost terms†	Region's distance from target allocation
		percentage	percentage
1978-79	380·3	—	−8·93
1979-80	460·5	3·7	−8·76
1980-81	599·9	9·8	−7·52
1981-82	675·3	2·4	−6·14
1982-83	725·9	0·6	−5·70
1983-84	764·6	0·7	−4·03
1984-85	808·0	1·1	−3·68
1985-86	849·8	—	−1·83

* 1978-79 to 1983-84: Actual expenditure from health authorities' summarised accounts.
1984-85: Provisional expenditure.
1985-86: Initial allocation.
† Expenditure compared with general inflation as measured by the Gross Domestic Product (GDP) Deflator.

Hospitalisation Index

Mr. Silvester asked the Secretary of State for Social Services if he will publish the hospitalisation index for all specialties for all health districts in England in rank order, taking the national average as 100.

Mr. Kenneth Clarke: We cannot give full national information of this kind yet but we are taking steps to ensure that we will soon be able to do so.

The set of performance indicators which we published in September 1983 contained, for five acute specialties, the gross admission rate per 1,000 population served in 1981 for each district health authority in England. A copy of the national summary is in the Library.

We will be issuing performance indicators for use on a micro-computer to all health authorities again in July 1985. One indicator will show the hospitalisation rate in 1983 for all residents of the district, wherever they were treated, for all acute specialties combined. The rate is calculated by standardising the resident population for its age and sex mix, and its morbidity.

Other performance indicators will provide crude hospitalisation rates for residents treated in their home district for mental handicap, mental illness and for elderly patients respectively.

Values for these performance indicators will be given for all health districts in England and will be ranked within the national perspective. The England average for each indicator will be shown alongside district values.

Attendance Allowance

Mr. Wilson asked the Secretary of State for Social Services if, pursuant to his answer of 3 May to the hon. Member for Manchester, Wythenshawe, *Official Report*, column 272, relating to attendance allowance, he will list *(a)* the number of applicants and *(b)* the success ratio for each area.

Mr. Newton: I refer the hon. Member to my reply to the right hon. Member for Manchester, Wythenshawe (Mr. Morris) on 26 March at columns *171-72*.

Patients (Discharges)

Mr. Meacher asked the Secretary of State for Social Services how many discharges of patients, after inpatient stays in National Health Service hospitals in England in each of the years 1973 to 1983, were of patients who had been re-admitted after having been previously discharged in the same year.

Mr. Kenneth Clarke: We do not have sufficient information centrally on re-admissions to answer this question.

Cremations (Form B)

Mr. Meacher asked the Secretary of State for Social Services if he will take steps to remove the present charge made by doctors for signing form B for cremations.

Mr. Kenneth Clarke: No. Since cremation is a matter of choice we do not consider that the cost of certification should be borne by the taxpayer.

Organidin Syrup

Mr. Higgins asked the Secretary of State for Social Services what is the equivalent on the National Health Service limited list of Organidin syrup.

Mr. Kenneth Clarke: I understand that a number of drugs on the selected list, such as ammonium chloride mixture BP, benzoin tincture compound BP and menthol and eucalyptus inhalation BP, have a similar therapeutic effect to that of Organidin syrup.

St. Mary's Hospital, Portsmouth

Mr. Hancock asked the Secretary of State for Social Services if he will ensure that all possible help and expert advice will be given to the hospital authorities at St. Mary's hospital, Portsmouth, to investigate the outbreak of legionnaire's disease there.

Mr. Kenneth Clarke: The health authority has received expert help from the Public Health Laboratory Service and Porton Down, and in consultation with local medical advisers a decision was made to close seven wards and three operating theatres. There is no need for public alarm over these closures. The authority has acted responsibly in not taking any chances, and I have personally satisfied myself that the situation is being properly dealt with.

General Dental Service

Mrs. Renée Short asked the Secretary of State for Social Services what proportion of the cost of the general dental service will be borne by charges in 1985-86.

Mr. Kenneth Clarke: The estimated percentage of the gross cost of the general dental service borne by dental charges, for England, will be 31·2 in 1985-86.

Limited List Prescribing

Mr. Pavitt asked the Secretary of State for Social Services if he will publish in the *Official Report* the criteria on which the appeals committees will judge the right of a doctor to prescribe medicines which are listed in schedule 3A; what arrangements he has made to give this information to doctors; and if he will make a statement.

Mr. Kenneth Clarke: We are still awaiting the response of the General Medical Services Committee of the British Medical Association to the proposals for an

appeals mechanism which I put to them on 16 April 1985. Our proposals include the provision of a statutory criterion for prescribing a schedule 3A drug. This would be that it is likely that a particular patient's health would otherwise be adversely affected.

The sub-committee of the family practitioner committee which considered applications to prescribe schedule 3A drugs would be given guidance on the sort of circumstances which would normally meet the criterion. These circumstances would include: that there were known contraindications to all the appropriate drugs on the selected list, because of a prior condition or the treatment for it; that the patient had an established adverse reaction or sensitivity to the available appropriate drugs; that a patient with a chronic or long-term condition had been stabilised with difficulty on a specific drug and changing to a different drug would entail real risks; and that a scheduled drug had a recognised and specific therapeutic effect, not achievable with any normally available drug that was clinically necessary in the case in question.

There is no question of a doctor being able to prescribe a scheduled drug simply because he or the patient preferred it.

Mr. Alexander Haddow

Mr. Gordon Brown asked the Secretary of State for Social Services (1) what action he proposes to take following the ruling of the social security commissioner in the case of Mr. Alexander Haddow (Commission's file CSSB/154/84);

(2) if he will make immediate arrangements to repay moneys owing to the families of miners as a result of the ruling in the case of Mr. Alexander Haddow by the social security commissioners.

Mr. Newton: This commissioner's decision contains detailed and complex guidance on the interpretation of the relevant law and is still being studied in the Department and, I understand, in the office of the Chief Adjudication Officer. Future action will depend upon the results of this consideration, which will take a little time. I will write to the hon. Member in due course.

Coal Industry Dispute (Social Security Payments)

Mr. Gordon Brown asked the Secretary of State for Social Services (1) how many miners or their families had money deducted from their social security payments as a result of the treatment of loans from local authorities as income; and what is the total sum involved;

(2) how many miners' families received no payment from his Department in at least one week of the miners' industrial dispute as a result of the treatment of loans from local authorities as income.

Mr. Newton: Separate records are not kept of the resources taken into account in the assessment of entitlement. I regret therefore that the information requested is not readily available and could be obtained only at disproportionate cost.

Public Health Laboratory Service

Mr. Dobson asked the Secretary of State for Social Services if he will list the public health laboratory service units, giving for each year since 1979 their revenue and capital budgets in constant terms, together with the establishment and number of staff in post in unit.

Mr. Kenneth Clarke: We do not hold information on these matters relating to individual PHLS units. I suggest that the hon. Member should seek it from the public health laboratory service board.

Legionnaire's Disease (Stafford)

Mr. Dobson asked the Secretary of State for Social Services when his Department was first informed of the outbreak of legionnaire's disease in Stafford; when they were informed that the hospital's own water system was the suspected source; and when he wrote to other hospital authorities to warn them to make checks of their own.

Mr. Kenneth Clarke: We were first informed that cases of legionnaire's disease had been positively identified in Stafford on 3 May. On the evening of 4 May we were informed that one possible source of the outbreak was the Stafford district general hospital's own water system. We sent out letters reminding district health authorities about the Department's existing guidance on reducing the chances of an outbreak occurring on 8 and 9 May.

Children Act

Mr. Tracey asked the Secretary of State for Social Services when the custodianship provisions of the Children Act 1975 will be brought into force.

Mr. John Patten: The custodianship provisions of the Children Act 1975 will be brought into force in England and Wales on 1 December 1985. When the orders are introduced, people who have been caring for children will be able to apply to the courts for legal custody. Custodians will have the parental rights and duties of a natural parent and will be able to make decisions about a child's day-to-day care and upbringing in the same way as a parent.

Three groups of people will be able to apply for custodianship orders: relatives, such as grandmothers; step-mothers, who will then be able to share with their partners the rights and duties of parents; foster parents. Those who have cared for a child for three years will be able to apply for a custodianship order without the consent of parents or local authority. After the application is made, the child cannot be taken away.

I am pleased that our proposals to introduce custodianship orders were welcomed by organisations representing children and families when we consulted them last year. These new measures will mean greater stability and security for children in the families in which they are being brought up. It will benefit children for whom adoption is not the answer but who need settled homes because their parents cannot care for them. Unlike adoption, custodianship does not mean that a child's legal ties with his own family are completely broken.

We shall present the commencement order and custodianship report regulations to Parliament at the end of May. At the same time we shall issue a circular of guidance, to explain the provisions, to local authorities and other interested bodies.

AGRICULTURE, FISHERIES AND FOOD

Olive Oil

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing for 1973 and for each of the past five years the target, threshold and intervention prices for olive oil, the amount of production and consumption aid per tonne, the cost of each to the European Economic Community budget, and production, imports and exports of olive oil.

Mr. MacGregor: Most of this information can be obtained for recent years from the Commission's publication "The Agricultural Situation in the Community" report 1984. Similar information for earlier years is contained in previous reports. Copies of these are available in the Library of the House. The rates of production and consumption aid payable for olive oil, and estimated European Community production have been as follows (source: European Commission):

	1980-81	*1981-82*	*1982-83*	*1983-84*	*1984-85*
Production aid (ECU/tonne)	558·1	600·0	666·0	702·6	695·6
Consumption aid (ECU/tonne)	471·6	677·7	766·7	522·9	*498·0
Production ('000 tonnes)	980	862	787	1,002	†652

* On 13 March 1985 the consumption aid was reduced to 378·7 ECU/tonne.
† Forecast

The remainder of the information requested is not readily available.

Sheepmeat

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether there is any formal or informal agreement or understanding, express or implied, concerning the price at which New Zealand lamb is sold in the United Kingdom.

Mr. MacGregor: The price at which New Zealand lamb is sold in the United Kingdom is a matter for the commercial judgment of the New Zealand Meat Producers' Board.

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* the institutional prices for sheepmeat in each of the past five years and the proposals for 1985 and 1986, the amount of the variable premium and clawback payments as a percentage of the guide price, the amount spent on the variable premium and the qualifying tonnage, the amount spent on the headage premium paid on breeding ewes, the amount spent on hill farming and so on subsidies for sheep production and the numbers of sheep and lambs.

Mr. MacGregor: Information on institutional prices is published by the EC Commission in "The Agricultural Situation in the Community" report for 1984 and earlier years. The Commission's proposals for 1985 and 1986 are set out in Commission document 4582/85 addenda I, II and corrigendum and III. The expenditure and population figures requested are set out in tables 28 and 3 of the "Annual Review of Agriculture 1985" and corresponding tables of earlier annual review White Papers. Copies of all these publications are available in the Library of the House.

The remaining information requested is as follows:

	**1980-81*	*†1981-82*	*†1982-83*	*†1983-84*	*‡1984-85*
Annual average rate of variable premium & clawback as percentage of the guide price	—	13	25	28	—
Certified weight of animals qualifying for variable premium ('000 tonnes)	103	220	226	234	—

* The 1980-81 marketing year lasted for only 24 weeks and no annual average figure can be quoted.
† To allow for comparison these marketing years have been standardised to a 52-week year commencing on the first Monday in April.
‡ The 1984-85 marketing year has not yet ended and figures cannot yet be calculated.

Seed Oil

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing for the years 1973 and each of the past five years the threshold, target and intervention prices of rapeseed and sunflower seed, the subsidies to seedcrushers for the production of rapeseed oil, the world price and the levy on imports from third countries, the cost of support to the European Economic Community budget and the amount of seed and oil produced, imported and exported.

Mr. MacGregor: Most of this information can be obtained for recent years from the Commission's publication "The Agricultural Situation in the Community" report 1984. Similar information for earlier years is contained in previous reports. Copies of these are available in the Library of the House. There are no levies on imports or threshold prices for these products. The remaining information requested is not readily available.

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing for 1973 and each of the past five years the minimum and guide prices for soya beans and linseed, the level of aid for growing soya beans, the levy on imports, the cost to the European

Economic Community budget of support for these products and production imports and exports of soya and linseed and the oils made therefrom.

Mr. MacGregor: Most of this information can be obtained for recent years from the Commission's publication "The Agricultural Situation in the Community" report 1984. Similar information for earlier years is contained in previous reports. Copies of these are available in the Library of the House. There are no levies on imports of these products. Estimated European Community production of soya beans and linseed in recent years has been as follows:

	1980-81	*1981-82*	*1982-83*	*1983-84*
Soya beans ('000 tonnes)	19	24	31	86
Linseed ('000 tonnes)	55	47	62	44

Source: European Commission.

The remaining information is not readily available.

Peas and Beans

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing for 1973 and each of the past five years the minimum and activating prices for dried field beans, dried peas and lupins, the guide price for peas and field beans, the amount of aid paid to processors for use in animal feed per tonne of beans and so on consumed, the guide prices for peas and beans, the relevant world prices, production, imports and exports of peas, beans and lupins and directly competing products and the cost of support to the European Economic Community budget.

Mr. MacGregor: Much of this information can be obtained from the Commission's publication "The Agricultural Situation in the Community" report 1984 and previous reports. Copies of these are available in the Library of the House. There was no Community aid scheme for any of these crops in 1973. The Community aid scheme for peas and field beans for human consumption was introduced for the 1982-83 marketing year, since when the guide prices have been as follows (ECU/tonne):

1982-83	*1983-84*	*1984-85*
314·0	334·4	331·1

The aid scheme for lupins was introduced for the 1984-85 marketing year for which the activating price was set at 478·2 ECU per tonne and the minimum price at 317·9 ECU per tonne. The remainder of the information requested is not readily available.

Hill Farming

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food, pursuant to his written reply dated 20 March 1984, *Official Report*, columns 413-4, concerning hill farming subsidies, whether he will publish in the *Official Report* a table distinguishing, where possible, between hill farming and other less favoured areas the total amount spent on premiums, compensatory allowances and so on for the production of sheep and cattle in 1984 by size of holding, together with the number of animals produced and the numbers qualifying for the different subsidies.

Mr. MacGregor: I regret that the information could be provided only at disproportionate cost.

Surpluses

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food what is the Government's policy concerning price increases under the Common Agricultural Policy for products which are in structural surplus.

Mr. Jopling: The Government's objective is to maintain a restrictive pricing policy through the application of guarantee thresholds for products in or likely to be in surplus or on which expenditure is rising rapidly.

Pressure Stock Licences (Freezer Trawlers)

Mr. Wallace asked the Minister of Agriculture, Fisheries and Food how many pressure stock licences were held in respect of freezer trawlers on 1 April 1984 and 1 April 1985.

Mr. MacGregor: The number of freezer trawlers licensed to fish for pressure stocks on 1 April 1984 and 1 April 1985 was seven and three, respectively.

Northern Ireland Milk Quota

Mr. Hunter asked the Minister of Agriculture, Fisheries and Food what representations he has received from the Ulster Farmers' Union about the level of Northern Ireland milk quota; and if he will make a statement.

Mr. MacGregor: I have received representations from the Ulster Farmers' Union regarding the problems arising from the low uptake under the outgoers scheme in the Province. I appreciate these difficulties and am considering with my right hon. Friends ways in which we might help to alleviate the situation.

Agricultural Holdings Act

Mr. Hunter asked the Minister of Agriculture, Fisheries and Food if he will make a statement on the workings of the Agricultural Holdings Act; and if he will make a statement.

Mrs. Fenner: The Agricultural Holdings Act 1984 came into effect less than a year ago. Its enactment has been widely welcomed by the industry as a whole, but it is still too early to make any firm assessment of its impact.

Annual Review White Paper

Mr. Gould asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* any revision to table 28 of the annual review White Paper, Cmnd. 9423, together with a separate figure for wheat in the first part of the table; and if he will break down the figures to show the amount spent in each country in the United Kingdom.

Mr. MacGregor: The final outturn for 1984-85 is not yet available, but this information, together with forecast

expenditure for 1985-86, will be published towards the end of the year. Separate information about expenditure on wheat is not, however, readily available. Details of expenditure by the individual Agricultural Departments are contained in the annual Supply Estimates and appropriation accounts for MAFF, DAFS and the Welsh Office. The Intervention Board for Agricultural Produce operates on a United Kingdom basis, and for the majority of its expenditure it is not possible to break down the figures in table 28 of Cmnd. 9423 to show the amount spent in each country in the United Kingdom.

Farmers (Income)

Mr. Gould asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* the net farm income in 1984 of hill and upland cattle and sheep farms in England and Wales, respectively, together with the corresponding figure for lowland farms.

Mr. MacGregor: The latest figures of net farm incomes on hill and upland (less favoured area) cattle and sheep farms and on lowland cattle and sheep farms in England and Wales relate to the accounting year 1983-84. These figures are published in table 27 of the annual review of agriculture 1985 White Paper (Cmnd. 9423). Forecasts of probable percentage income changes between 1983-84 and 1984-85 are given in table 26 of the same White Paper.

Agricultural Land

Mr. Adley asked the Minister of Agriculture, Fisheries and Food what steps he has taken recently to protect agricultural land from development pressures; and if he will make a statement.

Mrs. Fenner: The Government's policy is to ensure that, as far as possible, land of a higher agricultural quality is not taken for development where land of a lower quality is available and that the amount of land taken is no greater than is reasonably required.

My Department continues to play a key role in implementing this policy through its responses to consultations with local planning authorities on planning applications.

Sherry

Mr. John Townend asked the Minister of Agriculture, Fisheries and Food what information he has as to the number of people directly employed in the manufacture of British sherry, excluding selling and distribution.

Mrs. Fenner: I am advised by the chairman of the British Wine Producers Committee of the Wine and Spirit Association that 1,200 people are directly involved in the manufacture of British wine. A further 800 people are involved in allied activities, such as labelling, packaging and marketing, all of whom are reliant on the existence of this industry for their livelihood.

It is not possible to give an exact figure of those involved in the production of British sherry alone. British sherry accounts for approximately two thirds of the total production of British wine, but there is not necessarily a direct link between the volume of production and level of employment.

EC (Warehouses)

Mr. Hoyle asked the Minister of Agriculture, Fisheries and Food if he will list all the European Economic Community warehouses and their locations in England; and if he will state the amount and what is being stored there.

Mr. Jopling: I shall reply to the hon. Member as soon as possible.

WALES

Broadleaved Woodlands

Dr. Cunningham asked the Secretary of State for Wales if he will list in the *Official Report* the names and locations of the broadleaved woodlands clearfelled under licence but not to be replanted in 1982-83, 1983-84 and 1984-85 in the Forestry Commission's north Wales and south Wales conservancies.

Mr. John Stradling Thomas: This information is not held centrally and could only be provided at disproportionate cost.

Labour Statistics

Mr. D. E. Thomas asked the Secretary of State for Wales if he will list the numbers of workers in part-time employment in Wales for each year since 1979.

Mr. Nicholas Edwards: Total figures for the number in part-time employment are not available except in the years when a Census of Employment is taken. Females, however, make up the bulk of part-timers and data is published by Department of Employment in the quarterly estimates of employees in employment. The available data is as follows:

	Females (thousands)	*Total (thousands)*
June 1978*	152	177
June 1979	165	†
June 1980	163	†
June 1981	159	†
September 1981*	156	181
June 1982	160	†
June 1983	171	†
June 1984	173	†

* Census of Employment figures: all other figures are quarterly estimates.

† Not available.

Hill Livestock Compensatory Allowances

Mr. Wigley asked the Secretary of State for Wales what has been the average time taken by the Agriculture Department of the Welsh Office to pay out hill livestock compensatory allowances to farmers in less favoured areas in Wales, during the last four quarters; how this compares with corresponding quarters of the previous year; and if he will make a statement on complaints of delay in payment which have been made to him.

Mr. Nicholas Edwards: Hill livestock compensatory allowances have a common qualifying date of 1 January. Claims arrive at divisional offices in large numbers from that date. Records are not kept of the average time taken to pay individual claims but priority is always given to

processing them for payment as soon as possible. The number of claims paid in the last four quarters compared with the previous four quarters was as follows:

	Number of claims paid	*Amount paid £*
April to June 1984	1,678	3,547,272
April to June 1983	2,005	3,891,153
July to September 1984	133	157,485
July to September 1983	118	153,656
October to December 1984	53	44,267
October to December 1983	50	46,881
January to March 1985	8,320	18,332,900
January to March 1984	8,878	20,202,451

This year, following the recent EC redefinition of the United Kingdom's less favoured areas, the number of farmers eligible to receive these allowances has increased and most of those who have not yet been paid are the first-time claimants in the new outer area. For these, eligibility has first to be determined and farmers concerned have been invited to supply details of their holdings for this purpose.

At a time when the divisional office staff have been under unprecedented pressure, the rate of throughput of claims which they have achieved is very creditable. At the same time I am aware of farmers' anxiety to receive their payments and divisional offices will do all they can to minimise delays on the remainder.

EDUCATION AND SCIENCE

Departmental Committees of Inquiry

Mr. Eggar asked the Secretary of State for Education and Science how many departmental committees of inquiry he and his predecessors, including Ministers of Education, have commissioned since 1955; and what were the subjects the committees investigated, the dates they were established, who chaired them and the dates they reported.

Sir Keith Joseph: The information requested is listed as follows. The dates without brackets are those of commencement, where appropriate; the dates with brackets are those of reporting. Given the period of time involved I cannot guarantee that the list is complete.

Report of the committee on maladjusted children. 1950 [1955]. Chairman: Dr. J. E. A. Underwood.

Report of the working party on assistance with the cost of boarding education. 1950 [1960]. Chairman: L. C. J. Martin.

The supply and training of teachers for technical colleges: report of a special committee appointed by the Minister of Education in September, 1956 [1957]. Chairman: Mr. Willis Jackson.

15-18: a report of the Central Advisory Council for Education (England). 1956 [1959]. Chairman: Sir Geoffrey Crowther.

Arts and crafts in the schools of Wales: report of the Central Advisory Council for Education (Wales) (The arts in education). [1956]. Chairman: Mr. Alun Oldfield-Davies.

The general certificate of education and sixth form studies: third report of the Secondary Schools Examinations Council. 1956 [1960]. Chairman: Dr. J. F. Lockwood.

The structure of the public library service in England and Wales: report of the committee appointed by the Minister of Education in September, 1957 [1959]. Chairman: Sir Sydney Roberts.

Report of the Advisory Committee on Further Education for commerce 1957 [1959]. Chairman: Mr. J. G. McMeeking.

Report of the land use study group: forestry, agriculture and the multiple use of rural land 1957 [1966] (under Natural Resources (Technical) Committee). Chairman: The Countess of Albermarle.

Examinations in secondary schools: the certificate of secondary education: a proposal for a new leaving certificate other than the GCE: fourth report of the Secondary Schools Examinations Council, 1958 [1961]. Chairman: Dr. J. F. Lockwood.

Secondary School examinations other than the GCE: report of a committee appointed by the Secondary Schools Examinations Council in July 1958 [1960].

Grants to students: report of the committee appointed by the Minister of Education and the Secretary of State for Scotland in June 1958 [1960]. Chairman: Sir Colin Anderson.

First report of the National Advisory Council on Art Education 1959 [1960]. Chairman: Sir William Coldstream.

First report of Advisory Sub-committee on Further Education for Agriculture. 1959 [1960]. Chairman: B. G. Lampard-Vachell.

Second report of Advisory Sub-committee for Further Education for Agriculture. 1959 [1961]. Chairman: B. G. Lampard-Vachell.

Education in rural Wales: report of the Central Advisory Council for Education (Wales). [1960]. Chairman: Mr. Alun Oldfield-Davies.

Sixth form studies and university entrance requirements: sixth report of the Secondary Schools Examinations Council. 1960 [1962]. Chairman: Sir John Lockwood.

The teaching of Russian: report of the committee appointed by the Minister of Education and the Secretary of State for Scotland in September, 1960 [1962]. Chairman: Mr. N. G. Annan.

Examining of English language: eighth report of the Secondary Schools Examinations Council. 1960 [1964]. Chairman: Sir John Lockwood.

Inter-library co-operation in England and Wales: report of the working party appointed by the Minister of Education in March, 1961 [1962]. Chairman: Mr. E. B. H. Baker.

Standards of public library service in England and Wales: report of the working party appointed by the Minister of Education in March 1961 [1962]. Chairman: Mr. H. T. Bourdillon.

Training of part-time youth leaders and their assistants: report of the working party appointed by the Minister of Education in July 1961. [1962]. Chairman: Mr. G. S. Bessey.

Half our future: a report of the Central Advisory Council for Education (England). 1961 [1963] (education of pupils aged 13-16 of average or less than average ability). Chairman: Mr. J. H. Newsom.

Technical Education in Wales: report of the Central Advisory Council for Education (Wales) [1961]. Chairman: Mr. A. B. Oldfield-Davies.

Higher education. Report, Appendices i-iv etc. 1961 [1963]. Chairman: Lord Robbins.

Certificate of Secondary Education: notes for the guidance of regional examining bodies: fifth report of the Secondary Schools Examinations council 1961 [1962]. Chairman: Sir John Lockwood.

Scope and standards of the certificate of secondary education: seventh report of the Secondary Schools Examinations Council, 1961 [1963]. Chairman: Sir John Lockwood.

Management studies in technical colleges: first report of the United Kingdom Advisory Council on Education for Management, 1961 [1962]. Chairman: Mr. J. W. Platt.

Nuclear Power for Ship Propulsion. Report of the working group on marine reactor research. 1961 [1964]. Chairman: Sir John Dunnett to Dec. 1962, Sir Thomas Padmore.

Report of the Advisory Sub-Committee on Sandwich courses 1961 [1963]. Chairman: Sir Lionel Russell. (free publication)

A higher award in business studies: report of the advisory sub-committee on a higher award in business studies, 1961. [1964]. Chairman: Mr. W. F. Crick.

Vocational courses in colleges and schools of art: second report of the National Advisory Council on Art Education [1962]. Chairman: Sir William Coldstream.

Demand and supply of teachers 1960-1980: seventh report of the National Advisory Council on the Training and Supply of Teachers [1962]. Chairman: Mr. J. S. Fulton.

The future pattern of the education and training of teachers: eigth report of the National Advisory Council on the Training and Supply of Teachers. [1962]. Chairman: Mr. J. S. Fulton.

Management Studies in Technical Colleges: second report of the United Kingdom Advisory Council on Education for Management. 1962 [1965]. Chairman: Mr. J. W. Platt.

Day release: the report of a committee set up by the Minister of Education. 1962 [1964]. Chairman: Mr. C. Henniker-Heaton.

Report of the Committee on social studies, 1963 [1965]. Chairman: Lord Heyworth.

Report of the working party on the school's curricula and examinations. 1963 [1964]. Chairman: Sir John Lockwood.

Children and their primary schools: a report of the Central Advisory Council for Education (England). Vol. I: Research and Surveys, 1963. [1967]. Chairman: Lady Bridget Plowden.

Report of the Advisory Committee on Agricultural Education. 1963 [1966]. Chairman: Sir Harry Pilkington.

The demand for and supply of teachers 1963-1986: ninth report of the National Advisory Council on the Training and Supply of Teachers. 1963. [1965]. Chairman: Mr. A. L. C. Bullock.

The Public relations of further education: report of a Sub-Committee of NACEIC. 1963. [1964]. Chairman: Sir William Alexander (free publication).

The education of deaf children: the possible place of finger spelling and signing: report of the committee appointed by the Secretary of State for Education and Science in October 1964. [1968]. Chairman: Professor M. M. Lewis.

Family pension benefits for teachers in England and Wales: report of the official working party on pensions for widows, widowers, children and other dependents of teachers in England and Wales. 1964. [1965]. Chairman: W. D. Pile.

Lubrication (Tribology): education and research: report on the present position and industry's needs. 1964. [1966]. Chairman: Mr. H. P. Jost

University teachers' superannuation: report of a working party. 1964. [1968]. Chairman: Sir George Maddex.

The flow into employment of scientists, engineers and technologists: report of the working group on manpower for scientific growth. 1964. [1968]. Chairman: Professor Michael Swann.

A report on the use of buildings and equipment by the Committee on the more effective use of technical college resources. 1964. [1968]. Chairmen: Sir H. Pilkington and Sir J. Hunt.

The supply and training of teachers for further education: report of the standing Sub-Committee on teachers for Further Education of the National Advisory Council on the Training and Supply of Teachers. 1964. [1966]. Chairman: Sir Lionel Russell.

Training of part-time youth leaders and assistants: report of the review committee of the Youth Service Development Council. 2nd Report. 1964. [1965]. Chairman: Mr. R. Howlett.

Post-Diploma studies in art and design: Mural report of the National Advisory Council on Art Education. [1964]. Chairman: Sir William Coldstream.

A report on the use of costing and other financial techniques in technical colleges by the Committee on the More Effective Use of Technical College Resources. 1964. [1965]. Chairman: Lord Pilkington.

Committee on research and development in modern languages: first report. 1964. [1967]. Chairman: Dr. L. Farrar-Brown.

Report on size of classes and approval of further education courses by the Committee on Technical College Resources. 1964. [1966]. Chairman: Sir Harry Pilkington.

Science in Education in Wales today: a report of the Central Advisory Council for Education [Wales]. [1965]. Chairman: Professor F. Llewellyn-Jones.

Psychologists in education services: report of a working party appointed by the Secretary of State for Education and Science 1965. [1968]. Chairman: Professor A. Summerfield.

Report of a joint working group on computers for research. 1965. [1966]. Chairman: Professor B. H. Flowers.

Report of the study group on the government of colleges of education. 1965. [1966]. Chairman: Mr. T. R. Weaver.

Collection of residue data; a report by the Advisory Committee on Pesticides and Other Toxic Chemicals covering a report by its working party on the collection of residue data. 1965. [1969]. Chairman: Professor A. Wilson.

Interim report of the working group on manpower parameters for scientific growth. 1965. [1966]. Chairman: Professor M. M. Swann.

Report on the 1965 triennial manpower survey of engineers, technologists, scientists and technical supporting staff. 1965. [1966]. Chairman: Professor Sir W. Jackson.

Enquiry into the flow of candidates in science and technology into higher education. 1965. [1968]. Chairman: Dr. F. S. Dainton.

Public Schools commission. First report. Vol. I: Report Vol. II: Appendices. 1965. [1968] (independent boarding schools). Chairman: Sir John Newsom.

Immigrants and the youth service: report of a committee of the Youth Service Development Council. 1965. [1967]. Chairman: The Lord Hunt.

Service by youth: report of a Committee of the Youth Service Development Council. 1965. [1966]. Chairman: Mr. G. S. Bessey.

A review of the scope and problems of scientific and technological manpower policy. 1965. [1965]. Chairman: Professor Sir Willis Jackson.

Report on education and training requirements for the electrical and mechanical manufacturing industries. 1965. [1966]. Chairman: Mr. G. S. Bosworth.

Computer education: report of an inter-departmental working group. 1965. [1967].

The Nutritional Standard of the school dinner. Report of a Departmental working party. 1965. [1965]. Chairman: Mr. R. Howlett.

Council for Scientific Policy. Report of the working party on liaison between universities and government research establishments. 1965. [1967]. Chairman: Sir Gordon Sutherland.

Report of the committee on football. 1966. [1968]. Chairman: Mr. D. Norman Chester.

Report of the working group on molecular biology. 1966. [1968]. Chairman: Dr. J. C. Kendrew.

A report on the supply and training of librarians. 1966. [1968]. Chairman: Mr. F. W. Jessup.

The brain drain: report of the working group on migration. 1966. [1967]. Chairman: Mr. F. E. Jones.

Primary education in Wales. 1967. Chairman: Professor C. E. Gittins.

Report of the Committee on Technician courses and Examinations. 1967 [1969].

The open university: report of the planning committee to the Secretary of State for Education and Science. 1967. [1969]. Chairman: Sir Peter Venables.

Advisory panel on student maintenance grants: a report 1967. [1968]. Chairman: Professor A. J. Brown.

Report of the National Libraries Committee. 1967. [1969]. Chairman: Dr. F. S. Dainton.

Report of a study on the support of scientific research in universities. 1967. [1971]. Chairman: Sir Harrie Massey.

Report of a Working Group on Biological Manpower. 1967. [1971]. Chairman: Dr. R. D. Keynes.

Second report of the Committee on Research and Development in Modern Languages. 1967-70. [1971]. Chairman: Mr. L. Farrer-Brown.

A report on an inquiry into the pattern and organisation of the college by the Committee on the More Effective Use of Technical College Resources 1968. [1969]. Chairman: Sir Joseph Hunt.

Public Schools Commission. Second report. Vol. I and II. Report on independent day schools and direct grant grammar schools, Vol. III: Scotland, 1968. [1970]. Chairman: Professor D. V. Donnison.

The Education of the visually handicapped: report of the committee of enquiry. 1968. [1972]. Chairman: Professor M. D. Vernon.

The Structure of art and design education in the further education sector: report of a joint committee of NACAE and National Council of Art and Design. 1968. [1970]. Chairman: Sir William Coldstream.

A teaching council for England and Wales: report of the working party appointed by the Secretary of State for Education and Science. 1969. [1970]. Chairman: Mr. T. R. Weaver.

Adult education: a plan for development. Report of a Committee of Inquiry. 1969. [1973]. Chairman: Sir Lionel Russell.

Speech therapy services: report of the committee. 1969. [1972]. Chairman: Professor R. Quirk.

Report of the Working Group on Scientific Interchange. 1969. [1972]. Chairman: Sir Harold Thompson.

Teacher education and training: report by a committee of inquiry. 1970. [1972]. Chairman: Lord James of Rusholme.

Central arrangements for promoting educational technology: report of a working party. 1971. [1972]. Chairman: Mr. J. A. Hudson.

Provincial museums and galleries: a report of a committee appointed by the Paymaster General. 1971. [1973]. Chairman: Mr. C. W. Wright.

Public lending right: report of a working party appointed by the Paymaster General. 1971. [1972]. Chairman: Mr. H. T. Hookway.

Children with specific reading difficulties: report of the Advisory Committee on Handicapped Children. 1971. [1972]. Chairman: Professor J. Tizard.

Report of the Committee of Inquiry into the Veterinary Profession. 1971. [1975]. Chairman: Sir Michael Swann.

Vocational courses in art and design: report of the Working Group on Vocational Courses in the Design Technician Area. 1971. [1974]. Chairman: Mr. A. S. Gann.

Report of the Joint Advisory Committee on Agricultural Education. 1971. [1974]. Chairman: Professor J. P. Hudson.

Catering in schools: report by the committee on Catering Arrangements in Schools. 1972. [1975]. Chairman: Mr. J. A. Hudson.

School transport: Report of the working party. 1972. [1973]. Chairman: Mr. M. W. Hodges.

A Language for life: report of the Committee of Inquiry. 1972. [1975]. Chairman: Sir Alan Bullock.

Report of the Committee of Inquiry into the Disputes involving teachers in the area of the Teesside Local Education Authority. 1973. [1973]. Chairman: Professor J. C. Wood.

Nutrition in schools: report of the Working Party on the Nutritional Aspects of School Meals. 1973 [1975]. Chairman: Mr. G. F. Cockerill.

Report of the Committee of Inquiry into the Pay of Non-University Teachers. 1974. [1974]. Chairman: The right hon. Lord Houghton of Sowerby.

Special educational needs: report of the Committee of Enquiry into the Education of Handicapped Children and Young People. 1974. [1978). Chairman: Mrs. H. M. Warnock.

Report of the Working Party on the Experimental Manipulation of the Genetic Composition of Micro-organisms. 1974. [1974]. Chairman: Lord Ashby.

Taxonomy in Britain: report of a review group. 1974. [1977]. Chairman: Sir Eric Smith.

A New partnership for our schools: report of the committee of enquiry. 1975. [1977]. Chairman: Mr. T. Taylow.

Report of the Working Party on the Practice of Genetic Manipulation. 1975. [1976]. Chairman: Professor Sir Robert Williams.

Report of the Working Group on Management of Higher Education in the Maintained Sector. 1977. [1978]. Chairman: Mr. G. J. Oakes MP.

School examinations: report of the steering committee established to consider proposals for replacing the General Certificate of Education ordinary level and Certificate of Secondary Education examinations by a common system of examining. 1977 [1981]. Chairman: Dr. W. H. Cockcroft.

Proposals for a certificate of extended education: report of a study group. 1978. [1979]. Chairman: Professor K. W. Keohane.

Education for all: the report of the Committee of Inquiry into the Education of Children from Ethnic Minority Groups. 1979. [1985] (see also West Indian). Chairman: Mr. A. Rampton (1979-1981). Lord Swann (May 1981-1985).

West Indian children in our schools: interim report of the Committee of Inquiry into the Education of Children from Ethnic Minority Groups. 1979. [1981]. Chairman: Mr. A. Rampton.

Report of the Working Party on Postgraduate Education. 1979. [1982]. Chairman: Sir Peter Swinnerton-Dyer.

Report of a Joint Working Party on the Support of University Scientific Reseach. 1980. [1982]. Chairman: Sir Alec Morrison.

Experience and participation: report of the Review Group on the Youth Service in England. 1981. [1982]. Chairman: Mr. A. Thompson.

Report of a Working Party on Computer Facilities for Teaching in Universities. [1983]. Chairman: Miss D. A. Nelson.

The Report of the Committee of Enquiry into the Academic Validation of Degree Courses in Public Sector Higher Education. 1994. [1985]. Chairman: Sir Norman Lindop.

Inter-authority Education Costs

Sir Hector Monro asked the Secretary of State for Education and Science when he is going to come to a conclusion over the formulation of an agreed procedure for the inter-authority cross-border reimbursement of costs for children's education.

Mr. Dunn: My right hon. Friends the Secretaries of State for Education and Science and for Scotland are currently considering the basis on which they might make a joint approach to the appropriate local authority associations in England and Scotland.

Adult Post-experience Courses (West Midlands)

Mrs. Renée Short asked the Secretary of State for Education and Science if he will supplement the financing of universities and polytechnics in the West Midlands county to enable them to increase their involvement in post-experience courses for adults.

Sir Keith Joseph: The Department is already providing considerable support for the expansion of post-experience courses for adults in the west midlands through the professional, industrial and commercial updating programme (PICKUP). Eighty-two thousand pounds has been committed to the support of the Coventry consortium —a network of further and higher education institutions working in partnership with local employers on the design and provision of post-experience updating and retraining for adults. A further project supported by a grant of £50,000 involves Aston university and other institutions collaborating with local industry and commerce for the provision of foreign language and marketing training.

Within a new PICKUP initiative developing the capability of universities to provide post-exerience courses, support in principle has been given to proposals from Birmingham and Aston universities. Other projects within the scope of the PICKUP programme have also been approved for the west midlands, including a further development at Aston university on information technology updating via tutor-supported video courses. Other projects are also under consideration.

Students (Tuition Fees)

Mrs. Renée Short asked the Secretary of State for Education and Science what costs students whose tuition fees are not presently being met by a local education authority are having to pay for their tuition in the current academic year at *(a)* undergraduate level and *(b)* post-graduate level.

Mr. Brooke: My right hon. Friend recommended the following fee levels for home students and for students from other European Community countries for the current academic year:

	£
Post-graduate courses	1,569
First degree and diploma courses	500

Students who are classified as overseas students and began their courses on or after 1 September 1980 are

expected to pay tuition fees that cover the full cost of the education provided. The actual fees are determined by the authorities and institutions concerned. The University Grants Committee has, however, recommended the following minimum fees for overseas students at British universities during the current academic year:

	£
Arts courses	3,150
Science courses	4,150
Clinical courses in medicine, dentistry and veterinary science	7,650

The Council for Local Education Authorities has recommended a minimum fee of £3,180 for overseas students on advanced courses at maintained and assisted institutions during the current academic year.

Overseas students who began their courses before 1 September 1980 are still entitled to a subsidised rate of fee. Maximum fees for such students in the present academic year were specified in the Education (Fees & Awards) (Amendment) Regulations 1984 and are as follows:

	£
Post-graduate courses	2,148
First-degree and other advanced courses	1,653

Student Numbers (West Midlands)

Mrs. Renée Short asked the Secretary of State for Education and Science which colleges of further and higher education have been closed or had their student numbers reduced in the West Midlands county in each single academic year since 1978-79.

Mr. Brooke: No colleges of further or higher education in the West Midlands county closed in the period 1978-84. None of the colleges in this area had reduced student numbers in each single academic year since 1978-79. However, three colleges experienced a steady decline in student numbers over this period interrupted by a rise in one year only. They were:

	Student numbers	
	November 1979	*November 1984**
Matthew Boulton technical college	7,600	6,700
Sutton Coldfield CFE	5,200	4,200
Coventry technical college	7,300	4,700

* Provisional figures.

Overall student numbers increased in the West Midlands county during this period. I shall write to the hon. Member giving details of annual enrolments at the institutions concerned.

Universities

Mrs. Renée Short asked the Secretary of State for Education and Science on what basis he calculated the sum to be distributed amongst universities for expanding their programmes of continuing education; and what consideration he has given to raising that level of financing after April 1986.

Sir Keith Joseph: Within the total sums available to institutions of further and higher education under the Department's programme for the development of professional, industrial and commercial updating (PICKUP), I decided that an initial sum of £200,000 should be made available for the period April 1985 to March 1986 to promote: either the establishment of a suitable organisation capable of mobilizing the resources of all relevant departments and faculties for the development of PICKUP provision (in universities currently undertaking little PICKUP work); or the expansion of post-experience activities in identified priority areas (in universities already deploying resources on PICKUP-type work).

Decisions on support in future years will depend on the results of the first year's funding, but I am encouraged by the commitment which universities have shown so far in response to this new initiative.

Foreign Language Teaching

Mrs. Renée Short asked the Secretary of State for Education and Science which bodies he intends to consult while compiling information to produce his proposed policy statement on the teaching of foreign languages in secondary schools.

Mr. Dunn: The Department consulted widely on its paper "Foreign Languages in the School Curriculum", issued in 1983; those bodies invited to comment are listed below. My right hon. Friend's policy statement on foreign language teaching in schools will be issued in the light of his consultation and such further consultation as is necessary.

"Foreign Languages in the School Curriculum": Consultation List

Local Education Authorities
GCE Boards
CSE Boards
Association of County Councils
Association of Metropolitan Authorities
Society of Education Officers
National Union of Teachers
Secondary Heads Association
Professional Association of Teachers
National Association of Schoolmasters/Union of Women Teachers
Assistant Masters and Mistresses Association
National Association of Head Teachers
Schools Council
National Association of Teachers in Further and Higher Education
Business Education Council
Technician Education Council
National Association of Inspectors and Educational Advisers
National Confederation of Parent-Teacher Associations
Equal Opportunities Commission
Commission for Racial Equality
Careers Research and Advisory Centre
Institute of Careers Officers
School Broadcasting Council
IBA Education Officer
Service Children's Education Authority
Manpower Services Commission
Independent Schools Joint Council
Headmasters' Conference
Independent Schools Information Service
Universities Council for the Education of Teachers
Polytechnics Council for the Education of Teachers
British and Foreign Schools Society
Association of Voluntary Aided Secondary Schools
Catholic Education Council
University Grants Committee
National Education Association
National Council for Educational Standards
General Synod Board of Education
Methodist Church Division of Education

British Council
National Foundation for Educational Research
Council of Subject Teaching Associations
Nuffield Foundation
Council for Educational Technology
Educational Publishers Council
Centre for the Study of Comprehensive Schools
Committee of Directors of Polytechnics
Committee of Vice-Chancellors and Principals of Universities of the United Kingdom
Institutions of Higher Education and their Depatments of Education
Association of Principals of Colleges
Association of Colleges of Further and Higher Education
Standing Conference of Principals and Directors of Colleges and Institutes of Higher Education
Centre for Information on Language Teaching and Research
Central Bureau for Educational Visits and Exchanges
Modern Language Association
National Congress on Languages in Education
Language Teaching Centre, York
Joint Council of Language Associations
Associations of Teachers of German, Russian, Italian, Spanish and Portuguese
Esperanto Teachers Association
Esperanto Association of Britain
British Associeation for Language Teaching
Association for French Language Studies
British Association of Applied Linguistics
British Academy
Royal Society of Arts
RSA Betro Trust
Co-ordinating Committee for Graded Objectives in Modern Languages
Linguistics Association of Great Britain
Mary Glasgow Language Trust
National Association for Multiracial Education
National Association for the Teaching of English
National Council for Mother Tongue Teaching
National Centre for Industrial Language Training
National Council for Modern Languages in Higher and Further Education
Standing Conference of Heads of Modern Languages in Polytechnics and Other Colleges
Conference of University Teachers of German
Association of University Teachers of French
Asociation of Hispanists of Great Britain
European Association of Teachers
National Association of Language Advisers
Caribbean Teachers Association
Swann Committee
Linguistic Minorities Project Muslim
Muslim Educational Trust
Union of Muslim Organsiations of UK and Eire
National Council of Hindu Associations
Federation of Bangladeshi Associations
Supreme Council of Sikhs
Confederation of British Industry
Trades Union Congress
Engineering Employers Federation
Association of British Chambers of Commerce
Institute of Directors
Marketing Society
Institute of Marketing
Standing Conference on University Entrance
School of Oriental and African Studies
School of Slavonic & East European Studies
London Chamber of Commerce and Industry Examination Board
BP
Shell
Rowntree Mackintosh Ltd
Diplomatic Service Language Centre
BBC External Services
Institute of Export
British Overseas Trade Board
ICI Language Unit
Berlitz School of Languages
Longman Group
Institute of Sales and Marketing Management
Committee of Invisible Exports
European Business School
British Institute of Management

EC (School Visits)

Mrs. Renée Short asked the Secretary of State for Education and Science if he will take steps to meet education ministers of European Community member states to discuss collective financial support for promoting cultural and educational links through more visits to different countries arranged for school pupils.

Mr. Brooke: My right hon. Friend plans to meet other European Community Education Ministers on 3 June but the promotion of school pupil links and exchanges is not among the items on the agenda. The Ministers are awaiting proposals from the Commission on exchanges; and the ad hoc committee on people's Europe set up by the Fontainebleau summit in 1984 is also expected to make recommendations in this area later in the year.

Advanced Supplementary Level Examination

Mrs. Renée Short asked the Secretary of State for Education and Science what response he has had to the letters which he has sent to the chairman of the Secondary Examinations Council and the convenor of the General Certificate of Education boards about the newly proposed advanced supplementary level examination.

Mr. Dunn: The chairman of the Secondary Examinations Council has written to my right hon. Friend informing him that the council stands ready to consult the GCE boards on this matter. The GCE boards have not yet responded.

Mrs. Renée Short asked the Secretary of State for Education and Science on what basis Her Majesty's Government assessed the grant to examination boards for developing new syllabuses under the advanced supplementary level examination system.

Mr. Dunn: The Government's offer to the GCE boards is intended as a substantial contribution towards the cost of developing the new syllabuses and consulting widely on them.

Burnham Committee Teachers' Panel

Mr. Guy Barnett asked the Secretary of State for Education and Science if he will place in the Library copies of any correspondence he has received requesting a review of the composition of the Burnham Committee teachers' panel.

Sir Keith Joseph: No. It is for those who wrote to me to decide whether or not to make their views known publicly.

Drug Abuse

Mr. Corbett asked the Secretary of State for Education and Science what information he has about the present arrangements for specific education about the dangers of hard drugs in primary and secondary schools, colleges of further education, polytechnics and universities; what specific allocation of central funds is made for this purpose; and how this compares with the provision in 1980.

Sir Keith Joseph: I receive advice on present arrangements from Her Majesty's Inspectorate based on its observations, and expect to obtain comprehensive information by the end of the year through a project funded by the Department and being undertaken through the education management information exchange. There was no specific allocation of funds in 1980 and action is primarily a matter for local authorities and institutions.

The Department has, however, recently commissioned, at a cost of £86,000, the development of suitable new teaching materials, mainly for use in schools and colleges, and has in preparation a booklet containing advice and information for use by teachers and others in the education service. I am currently considering with the local authorities how best to encourage further action.

Mr. Corbett asked the Secretary of State for Education and Science what are the present arrangements for information on the dangers of hard drugs to be given to trainee teachers and for in-service training for qualified teachers; what specific allocation of central funds is made for this purpose; and how this compares with the provision in 1980.

Mr. Dunn: Responsibility for making information available to intending teachers about drug misuse and for providing training for serving teachers on the subject rests mainly with teacher training institutions and local education authorities respectively. Regional courses concerned with drug misuse and arranged in consultation with the Department will be eligible for central funding under the Department's programme for supporting regional in-service training courses. In 1985-86 some £350,000 will be available for the regional course programme as a whole.

The Department is also funding a range of research and development work intended to enhance teachers' awareness of the dangers of drug misuse and to offer them appropriate guidance. In particular my right hon. Friend announced on 27 February his intention to issue a booklet to teachers on the problems of drug misuse and his approval for a project by the Health Education Council for the preparation of suitable curriculum material for use by both teachers and teacher traineers. There was no specific allocation of central funds for work in this field in 1980.

Full-time Education (Statistics)

Mr. Thompson asked the Secretary of State for Education and Science what was the number of people undertaking full-time education in *(a)* schools, *(b)* universities and *(c)* other colleges of further higher education, during each of the last 10 years.

Sir Keith Joseph: The information requested is as follows:

In full-time education—England only

Thousands

	School	**Further education*	**Universities*	*Total*
1974-75	9,056	321	195	9,572
1975-76	9,104	378	204	9,686
1976-77	9,099	476	212	9,787
1977-78	9,007	472	220	9,699
1978-79	8,900	475	226	9,601
1979-80	8,737	472	230	9,439
1980-81	8,518	483	234	9,235
1981-82	8,286	532	235	9,053
1982-83	8,041	573	231	8,845
1983-84	7,849	575	228	8,652

* Full-time and sandwich but excluding private education outside school.

Expenditure

Mr. Thompson asked the Secretary of State for Education and Science if he will state the amount of *(a)* central Government and *(b)* local authority spending during each of the last 10 years, together with the percentage change in real terms over each previous year, under the following headings: (i) education, (ii) schools and (iii) universities.

Sir Keith Joseph: I shall reply to my hon. Friend as soon as possible.

Education Act 1981 (Appeals)

Mr. Freud asked the Secretary of State for Education and Science how many members of staff in his Department work on appeals under the Education Act 1981.

Mr. Dunn: These appeals form part of the regular work of 16 people in the Division dealing with special education.

Mr. Freud asked the Secretary of State for Education and Science what is the average length of time between a parent appealing to him under *(a)* section 5(6) and *(b)* section 8(6) of the Education Act 1981 and the announcement of the result of the appeal.

Mr. Dunn: The average for all appeals received since the Act came into force in 1983 is *(a)* section 5(6): 19 weeks, *(b)* section 8(6): 18 weeks. The latter figure includes two instances where the parents withdrew the appeal and later renewed it. The average, excluding those cases, is 17 weeks.

OVERSEAS DEVELOPMENT

Ethiopia and Sudan

40. **Mr. Maclennan** asked the Secretary of State for Foreign and Commonwealth Affairs what provision the Government are making to improve the land transport of emergency relief supplies in Ethiopia and the Sudan.

Mr. Raison: In Ethiopia we have provided lorries, Land Rovers, mobile workshops, spare parts, including engines and tyres, and other equipment to help improve the distribution of relief supplies by surface routes. In the Sudan we are providing funds for trucks, fuel and a logistics team. We have also provided £218,000 towards fuel costs for distributing our bilateral food aid.

41. **Mr. Yeo** asked the Secretary of State for Foreign and Commonwealth Affairs what was the total value of British aid to sub-Saharan Africa during 1984-85.

Mr. Raison: Figures for 1984-85 are not yet available, but in the calendar year 1984 direct British aid to sub-Saharan Africa came to £248 million. This does not include what we channelled through the European Community and other multilateral agencies.

Chile

42. **Dame Judith Hart** asked the Secretary of State for Foreign and Commonwealth Affairs if he will provide further emergency aid to Caritas to assist the relief of those made homeless by the earthquake in Chile.

Mr. Raison: We continue to monitor the situation but have no plans for further emergency assistance.

SCOTLAND

Elderly Persons (Assaults)

Mrs. McCurley asked the Secretary of State for Scotland how many cases of assaults on the elderly in Scotland in the last two years involved young people aged under 21 years.

Mr. Ancram: The information collected by the Scottish Home and Health Department does not include the ages of victims of crimes such as assault.

Environmental Health

Mr. McKelvey asked the Secretary of State for Scotland what action he contemplates in connection with the law on environmental health following the judgment in the case of Kilmarnock and Loudoun District Council *v.* Yuill and Dodds.

Mr. Ancram: I understand that the district council has lodged an appeal with the Court of Session against the judgment in this case. In these circumstances, it would not be appropriate for me to comment.

Law Reform (Parent and Child) (Scotland) Bill

Lord James Douglas-Hamilton asked the Secretary of State for Scotland whether he will be prepared to support in principle the proposed Law Reform (Parent and Child) (Scotland) Bill.

Mr. Ancram: I shall reply to my hon. Friend as soon as possible.

Sea Fisheries Offences and Salmon Poaching

Mr. Maclennan asked the Secretary of State for Scotland what was the total of fines imposed for sea fisheries offences between 31 January 1984 and 31 January 1985; and what was the total of fines imposed for salmon poaching during the same period.

Mr. Ancram: Information collected by the Scottish Home and Health Department shows that a total of £39,315 in fines was imposed for sea fisheries offences in the months February to December 1984. The corresponding figure for salmon and freshwater fisheries offences is £38,550; it is not possible to identify the total for salmon poaching within this total. Figures for January 1985 are not yet available.

Mr. Kennedy asked the Secretary of State for Scotland how many convictions there have been in Scotland for offences connected with violations of the Sea Fisheries Acts and Regulations between 31 January 1984 and 31 January 1985; and how many convictions there have been during the same period for offences connected with salmon poaching.

Mr. Ancram: The number of persons against whom a sea fisheries offence was proved in the 11 months from February 1984 to December 1984 was 37. The corresponding figure for salmon and freshwater fisheries offences was 403; it is not possible to say how many of these offences were for salmon poaching. Figures for January 1985 are not yet available.

Children (Education Costs)

Sir Hector Monro asked the Secretary of State for Scotland when he is going to come to a conclusion over the formulation of an agreed procedure for the inter-authority cross-border reimbursement of costs for children's education.

Mr. Allan Stewart: I refer to the reply which my hon. Friend has received today to his identical question to the Secretary of State for Education and Science.

Broadleaved Woodlands

Mr. David Marshall asked the Secretary of State for Scotland (1) if he will list in the *Official Report* the names and locations of the broadleaved woodlands clearfelled under licence and not replanted in 1982-83, 1983-84 and 1984-85 in the Forestry Commission's north Scotland conservancy;

(2) if he will list in the *Official Report* the names and locations of the broadleaved woodlands clearfelled under licence and not replanted in 1982-83, 1983-84 and 1984-85 in the Forestry Commission's east Scotland conservancy;

(3) if he will list in the *Official Report* the names and locations of the broadleaved woodlands clearfelled under licence and not replanted in 1982-83, 1983-84 and 1984-85 in the Forestry Commission's west Scotland conservancy;

(4) if he will list in the *Official Report* the names and locations of the broadleaved woodlands clearfelled under licence and not replanted in 1982-83, 1983-84 and 1984-85 in the Forestry Commission's south Scotland conservancy.

Mr. John MacKay [*pursuant to his reply*, 9 May 1985, c. *491*]: This information is not held centrally and could be provided only at disproportionate cost.

Shipbuilding Industry

Dr. Godman asked the Secretary of State for Scotland how many jobs in the shipbuilding industry have been lost since June 1979 in *(a)* Scotland, *(b)* Strathclyde region and *(c)* the Greenock travel-to-work area.

Mr. Allan Stewart: I shall reply to the hon. Member as soon as possible.

DEFENCE

Greenham common and Molesworth (Byelaw Offences)

Mr. Dubs asked the Secretary of State for Defence how many people have been arrested at Royal Air Force Greenham common and Royal Air Force Molesworth for offences under the Military Lands Act byelaws; what is the maximum period any such person has been detained following arrest; how many such persons have been photographed after they had indicated their unwillingness

to be photographed; and what steps have been taken to provide suitable premises and training for his Department's police officers, including his Department's criminal investigation department officers, to ensure that the judges' rules are followed after arrests for byelaw offences.

Mr. Lee: Byelaws at RAF Greenham common and RAF Molesworth came into operation on 1 April 1985. By 30 April 139 persons at Greenham common and 18 at Molesworth had been arrested by Ministry of Defence police officers for offences against the byelaws. Information about the maximum time for which any such offender has been detained could not be provided without disproportionate effort, but it is in the police interest to deal with every case as quickly as possible.

It is not possible to state how many persons have been photographed who have indicated an unwillingness to be photographed, because there is no statutory requirement for such a record to be kept.

Temporary accommodation has been provided at RAF Greenham common and RAF Molesworth so that the questionning of suspected offenders can be carried out separately from the normal work of the establishments. This accommodation is considered to be adequate for the purpose.

Ministry of Defence police detective officers attend appropriate courses run by Home Office police forces. All officers, both detective and uniformed, are required to be conversant with the Judges' Rules and the fact that an officer's actions may subsequently be questioned in court ensures that the rules are applied to the letter.

Type 23 Frigate

Mr. Frank Field asked the Secretary of State for Defence if he will publish the closing date for tender of the type 23 frigate announced recently.

Mr. Lee: The closing date for the tenders has yet to be determined.

Rosyth Dockyard

Dr. Godman asked the Secretary of State for Defence whether Trafalgar House has indicated to his Department its interest in managing Rosyth dockyard.

Mr. Butler: I refer the hon. Member to the answer given by my hon. Friend the Parliamentary Under-Secretary of State for Defence Procurement to the hon. Member for Dunfermline, East (Mr. Brown) on 26 February 1985 at column *164*.

Asbestos

Dr. Godman asked the Secretary of State for Defence if the transportation of asbestos-contaminated materials from Faslane will be supervised or monitored by officials from his Department.

Mr. Stanley: No. The property Services Agency acts on our behalf on these matters.

Oberon (Refitting)

Mr. Gordon Brown asked the Secretary of State for Defence (1) how much is to be charged to the cost of refitting the Oberon submarine at Humber Ship Repairers as a result of work done at Plymouth on propeller shafts; (2) on what basis he proposes to charge to the cost of refitting the Oberon submarine at Humber Ship Repairers the cost of seconding his Department's personnel; and how much he estimates the sums involved will be.

Mr. Lee: The cost of equipment and manpower provided in aid of the commercial refit of HMS Otter will be charged to the project at full cost. The cost of the work done at Devonport dockyard on propellor shafts was just under £85,000. It is too early to estimate the final manpower bill for technical guidance and overseeing.

Royal Dockyards

Mr. Gordon Brown asked the Secretary of State for Defence what was the cost of printing and publishing his open government document and consultative paper on the royal dockyards.

Mr. Lee: About £37,000, which is just under £1·00 per copy distributed.

Mr. Gordon Brown asked the Secretary of State for Defence if he has consulted the North Atlantic Treaty Organisation on his proposals to introduce private operators on a franchise basis into the royal dockyards.

Mr. Butler: Arrangements for the management of the royal dockyards are a matter for national decision, but we believe our NATO allies would welcome measures aimed at enhancing efficiency and the availability of warships for their primary roles.

"Crown Jewels"

Mr. Dalyell asked the Secretary of State for Defence whether his Department received any request for information from Mr. Peter Greig in connection with the article he published in "Granta 15", spring 1985, concerning the contents of the document known as the "Crown Jewels."

Mr. Stanley: Not so far as I am aware.

SOLICITOR-GENERAL FOR SCOTLAND

Mr. Steven Owen

Mr. Home Robertson asked the Solicitor-General for Scotland, pursuant to his reply to the hon. Member for East Lothian on 15 February, *Official Report*, column *315*, if he will now make a statement about the detention of Mr. Steven Owen of Musselburgh for three days in police custody awaiting court proceedings arising from a parking ticket.

The Solicitor-General for Scotland: In accordance with the undertaking which I gave in my answer of 15 February 1985, I have written to the hon. Member with a full account of the circumstances surrounding this case.

Parliamentary Questions

Mr. McKelvey asked the Solicitor-General for Scotland if he will list the responsibilities exercised by the Lord Advocate and himself for which he answers parliamentary questions.

The Solicitor-General for Scotland: The responsibilities exercised by the Lord Advocate and myself in

respect of which I answer parliamentary questions extend to all the ministerial functions exercised by us or on our behalf. These are:

1. Functions exercised through the Crown Office, principally the investigation and prosecution of crime in Scotland, the responsibility in relation thereto for Crown counsel and the procurator fiscal service and the investigation of sudden deaths and fatal accidents. The Lord Advocate is not however responsible for policy or administration in relation to the police, criminal statistics or the treatment of offenders, which are responsibilities of the Secretary of State for Scotland;
2. Functions exercised through the Lord Advocate's Department, principally in relation to the Scottish parliamentary draftsmen;
3. Functions exercised through the Scottish courts administration, principally relating to
   (a) certain subjects connected with the administration of justice, as set out by the then Prime Minister on 21 December 1972 at columns *455-457*. These subjects include: the jurisdiction and the procedure of the Scottish courts in civil proceedings; the law relating to the enforcement of the judgements of Scottish courts in civil matters (including diligence); the law of evidence; and the law relating to prescription and the limitation of actions;
   (b) the Scottish Law Commission;
   (c) the Council on Tribunals and its Scottish committee;
   (d) rules regulating procedure before certain statutory inquiries and tribunals.

Mr. McKelvey asked the Solicitor-General for Scotland if he will list the subjects about which he has transferred questions for oral answer from himself to the Secretary of State for Scotland in the current Session of Parliament.

The Solicitor-General for Scotland: In the current Session of Parliament, questions have been transferred from myself on the following subjects:

increased competition among lawyers; changes in the law relating to illegitimacy and parent and child; damage to the salmon industry; action in connection with the law on environmental health; and statistics on legal aid, assaults on the elderly, convictions and fines in salmon and sea fisheries offences.

These questions have been transferred to the Secretary of State for Scotland.

TRANSPORT

London Regional Transport

12. **Mr. Tony Banks** asked the Secretary of State for Transport what discussions he has had with the chairman of London Regional Transport about the phasing-out of guards on London Regional Transport Underground services.

Mrs. Chalker: My right hon. Friend and I meet the chairman of London Regional Transport regularly to discuss a number of issues, including LRT's proposals for improvements in efficiency.

24. **Mr. Evennett** asked the Secretary of State for Transport if he is satisfied with the current performance of London Regional Transport against the objectives he set.

Mrs. Chalker: London Regional Transport has made good progress towards the objectives which my right hon. Friend set it last July. It expects to exceed the target reduction of 2½ per cent. in unit costs this year. Separate subsidiary companies have been established for LRT's bus, underground and bus engineering activities, and the first batch of bus routes have been put out to tender. New liaison arrangements with British Rail have been established and a new unit to improve facilities for disabled people has been set up.

Tolls

13. **Mr. Cartwright** asked the Secretary of State for Transport if he will introduce legislation to abolish the payment of tolls on road bridges and tunnels.

Mr. Ridley: The Government's policy is generally that esturial crossings should be paid for by users because of the exceptional savings in time and money which these expensive facilities make possible.

European Community (Shipping Cabotage)

14. **Mr. Sayeed** asked the Secretary of State for Transport when he intends to meet his European Economic Community colleagues to discuss the liberalisation of shipping cabotage in the European Community.

Mr. Ridley: The Commission has tabled a draft regulation which would liberalise cabotage, together with other types of shipping service. This is an important initiative upon which the Council should act. As well as discussions in Council, I shall take every opportunity to raise this matter in bilateral discussions with the Transport Ministers of other member states.

Pedestrians and Cyclists (Accidents)

15. **Sir William van Straubenzee** asked the Secretary of State for Transport to what he attributes the increase in 1984 in numbers of pedestrians and cyclists hit by cars and light vans.

Mrs. Chalker: We shall be exploring all possible explanations once fuller information on casualties in 1984 becomes available.

European Community (Shipping Policy)

16. **Mr. Chope** asked the Secretary of State for Transport what progress is being made towards agreeing a common European Economic Community shipping policy.

Mr. David Mitchell: The Commission has proposed that the Council should adopt six draft legal instruments, which would liberalise the internal shipping market and permit member states to act in concert in countering protectionism and unfair competition from outside the Community. I hope that the Council will give a high priority to these proposals and that the Presidency will arrange for them to be discussed at an early date. I believe the time is ripe, if not overdue, for the Community to eliminate the protectionism that exists within the EC and, having set its own house in order, to use its collective economic and political 'muscle' to resist the illiberal shipping policies of third countries.

Rural Areas (Subsidies)

17. **Mr. Parris** asked the Secretary of State for Transport what is his policy concerning subsidy to public transport in rural areas.

Mr. David Mitchell: The Government broadly endorse the present overall level of subsidy paid in shire counties

to bus operations, about £96 million in 1984-85. They propose, under the provisions of the Transport Bill, to make in addition transitional grants to bus operators in rural areas, some £20 million the first year, and to provide a £1 million annual grant to the Development Commission to help encourage innovative forms of transport in rural areas.

A650 Airedale Route

18. **Mr. Waller** asked the Secretary of State for Transport when he expects construction work on the A650 Airedale route to begin.

Mrs. Chalker: I hope to make a start on the Kildwick to Beechcliffe section early next year, subject to the satisfactory conclusion of the outstanding statutory procedures.

M1 Motorway

19. **Mr. Peter Bruinvels** asked the Secretary of State for Transport what steps he is taking to improve the condition of the M1 and the various contraflow systems in operation during the rest of 1985.

Mrs. Chalker: This year we are carrying out six major repair jobs on the M1, renewing about 15 route miles. We continually review the efficiency of our contraflow arrangements to keep traffic flowing and improve safety standards for both road users and road workers.

Untaxed Vehicles

20. **Mr. Teddy Taylor** asked the Secretary of State for Transport what estimate he has made of the numbers of untaxed vehicles used or parked on the roads; and if he will make a statement.

Mr. Michael Spicer: According to the most recent survey of vehicle excise duty evasion carried out last year the number of unlicensed vehicles in use on the road at any one time is estimated to be 1·1 million. The best estimate of revenue lost through evasion is just over 4 per cent.

West German Waters (Cabotage)

21. **Sir David Price** asked the Secretary of State for Transport whether he will make representations to the West German Government seeking the extension of the rights of cabotage in West German waters to British registered ships.

Mr. Ridley: I am seeking talks with Dr. Dollinger as soon as possible, and shipping cabotage is one of the main issues I shall be raising. The present position, under which the United Kingdom cabotage trade is open to all and many EC countries' trades are closed to British vessels is inequitable and unacceptable. I want to make this point to Dr. Dollinger and to enlist German support for the draft Council regulation which would eliminate the anomaly by liberalising all cabotage trades within the Community.

British Rail (Electrification)

22. **Mr. Maclean** asked the Secretary of State for Transport how many *(a)* route miles and *(b)* track miles of newly-electrified railway have been energised in the current year to date; and what is now the current total of route miles and track miles of electrified railway operated by British Rail.

Mr. David Mitchell: British Rail has electrified 26 route miles and about 50 track miles so far this year. I am glad to say that electric services are being introduced today between Colchester and Ipswich and between Dalston and North Woolwich. BR now has 2,356 route miles and some 6,215 track miles of electrified railway.

Cars (Lead-free Petrol)

25. **Mr. Meadowcroft** asked the Secretary of State for Transport what recent representations he has received about the timetable for equipping new cars with the capacity to run on lead-free petrol.

Mrs. Chalker: Over the last nine months my department has participated in many discussions with interested organisations. The line we should take on the relevant EC directives on lead in petrol and vehicle emissions is under consideration in the Council of Ministers. The Lead in Petrol Directive, which has now been agreed, provides for 95 octane unleaded petrol to be generally available from October 1989.

The general view amongst those we have consulted is that the Vehicle Emissions Directive — on which agreement is expected this Summer — should enable member states to require all new cars with petrol engines registered from that date to be capable of running on unleaded petrol. That will put us in a position to settle arrangements with the vehicle manufacturers to phase out old models and bring in new ones — designed for the new petrol — over as short a period as is practicable around the second half of 1989.

British Rail (Investment)

23. **Mr. Hayes** asked the Secretary of State for Transport what is the value of British Rail's investment proposals which he has approved in the current year to date.

Mr. David Mitchell: Since the beginning of 1985, I have approved three investment proposals from British Rail, worth £96·5 million altogether — 240 medium-weight diesel multiple units, worth £60 million; 25 class 87 electric locomotives, worth £24 million; and the new Windsor link line, in Manchester, worth £12·5 million.

Europe (Air Service Deregulation)

26. **Mr. Gerald Howarth** asked the Secretary of State for Transport if he will report on progress being made to achieve air service deregulation in Europe.

Mr. Michael Spicer: We have secured liberal new arrangements for air services between the United Kingdom and the Netherlands, the Federal Republic of Germany, and Luxembourg. I am seeking to build on these in discussions with other European countries, starting with Italy, Switzerland, France, Spain and the Scandinavian countries, and to persuade the EC Council of Ministers to adopt a liberal air transport policy.

Transport Bill

27. **Mr. Pike** asked the Secretary of State for Transport what further representations he has received regarding the Transport Bill.

Mr. David Mitchell: Since the publication of the Transport Bill at the end of January, we have received around 1,000 letters and petitions about various aspects of the policy.

Air Traffic Control

28. **Mrs. Renée Short** asked the Secretary of State for Transport what steps are presently being undertaken by the British Airports Authority to improve air traffic control systems to cope with the increased number of inward and outward flights resulting from the growth in tourism.

Mr. Michael Spicer: Air traffic control services in the United Kingdom, including aerodrome navigation services at the BAA airports, are provided by the National Air Traffic Services, a partnership between the Civil Aviation Authority and the Ministry of Defence. I am satisfied that the services provided are adequate to meet peak demand and will continue to be so in the future.

All-purpose Trunk Roads

29. **Mr. Speed** asked the Secretary of State for Transport if he is satisfied with the current condition of all-purpose trunk roads.

Mrs. Chalker: There is a backlog of repairs which we aim to reduce as fast as available resources allow.

North Circular Road

Mr. Portillo asked the Secretary of State for Transport if he will give the statistics for the number of fatal road accidents over the last three years for which figures are available on that stretch of the north circular road known as Telford road.

Mrs. Chalker: No fatal accidents have been recorded in police reports for this stretch of road in the years 1982, 1983, or 1984.

Vehicle Parking Restrictions

Mr. Rooker asked the Secretary of State for Transport if he will list the organisations which have asked him to implement section 7 of the Road Traffic Act 1974 in the interests of pedestrian safety.

Mrs. Chalker: In the last three years I have received representations from

Colchester Council of Voluntary Service
Copgrove Area Residents Association
East Saltney Community Council
Headstone Ratepayers Association
London Borough of Bexley Federation of Residents and Ratepayers Associations
Todmorden Accident Prevention Committee
UK Federation of Business and Professional Women
Waltham Forest Association for the Disabled
Waltham Forest Talking Newspaper Association

Mr. Rooker asked the Secretary of State for Transport why he has not so far implemented section 7 of the Road Traffic Act 1974.

Mrs. Chalker: Because of the difficulties local authorities and the police have seen in undertaking the necessary preparatory and enforcement work.

Midlands Link Motorways

Mr. Rooker asked the Secretary of State for Transport when the repairs to the parapet walls and rails of the midlands link motorways will be concluded; and how many claims he has received for extra time from contractors.

Mrs. Chalker: It is anticipated that it will take a further two years to complete the programme of parapet rail repairs on the midlands link motorways. Two claims for extra time have been made by the contractor working on Oldbury viaduct.

Mr. Rooker asked the Secretary of State for Transport, pursuant to the reply of 28 March, *Official Report* column *287*, if the holding down bolts of the central reservation barrier of the Oldbury viaduct on the midlands link motorway have been checked.

Mrs. Chalker: I will answer this question shortly.

Motorway Repairs (Grout)

Mr. Rooker asked the Secretary of State for Transport, pursuant to the reply of 28 March, *Official Report*, column *287*, if he will give details of the change in specification for grout in motorway repair contracts; and if all tenderers were informed of the change.

Mrs. Chalker: The moisture absorption rate was marginally varied from 5 per cent to 7½ per cent. This change was made during the course of the current contract and therefore the contractor was fully aware of the change.

"Highway Code"

Mrs. Bottomley asked the Secretary of State for Transport how often the "Highway Code" has been revised since 1955; and when the next revision is expected.

Mrs. Chalker: The Highway Code was revised in 1959, 1969 and 1978. Since 1982 there has been some updating to reflect legislative changes. I am at present considering the timing of the next full revision.

Docks (London and Liverpool)

Mr. Chope asked the Secretary of State for Transport what has been the annual increment in basic wages expressed as a percentage paid to registered dockworkers in *(a)* the Port of London Authority and *(b)* the Mersey Docks and Harbour Board in each of the last five years.

Mr. David Mitchell: The information requested is as follows:

Percentage on basic wage

Year	*PLA**	*MHDC†*
1980	10·9	18·0
1981	7·3	14·0
1982	4·3	10·0
1983	3·2	9·1
1984	4·0	7·4

* For a grade 1 registered dock worker, the figures for 1983 and 1984 exclude the consolidation of some pay elements into the basic rate as part of an agreement made after mediation.

† The annual increase in the company's wage bill in respect of registered dock workers was about two thirds of these figures.

Mr. Chope asked the Secretary of State for Transport what information he has as to the number of hours of overtime worked by registered dockworkers in *(a)* the Port of London Authority and *(b)* the Mersey Docks and Harbour Company in each of the last five years.

Mr. David Mitchell: We do not have this information about the Port of London Authority. The average numbers of hours of overtime per week worked by the registered dock workers employed by the Mersey Docks and Harbour Company were:

	Hours
1980	2·0
1981	1·7
1982	2·0
1983	2·4
1984	2·5

Mr. Chope asked the Secretary of State for Transport what information he has as to the cost to the Port of London Authority of working days lost in stoppages in 1983.

Mr. David Mitchell: We do not have information on this for 1983.

Mr. Chope asked the Secretary of State for Transport what information he has as to the number of working days lost in stoppages in the Port of London Authority in 1984 and the cost thereof to the authority.

Mr. David Mitchell: The PLA has estimated some 40,800 man days, mainly due to two national dock strikes, at a loss of some £1·25 million revenue.

Mr. Chope asked the Secretary of State for Transport what information he has as to the number of working days lost in stoppages in the Mersey Docks and Harbour Company in 1984 and the cost thereof to the company.

Mr. David Mitchell: The company has estimated 48,200 man days for all employees, due almost entirely to two national dock strikes, at a cost of some £4 million loss of revenue and £2 million profit.

Mr. Chope asked the Secretary of State for Transport what was the trading profit or loss of *(a)* the Port of London Authority and *(b)* the Mersey Docks and Harbour Company in each of the years 1979 to 1984 after interest payable.

Mr. David Mitchell: The information requested is as follows:

Profit/(loss)—£ million

	PLA	*MDHC*
1979	(7·25)	(7·46)
1980	(12·51)	(6·25)
1981	(7·16)	(6·72)
1982	(3·32)	(14·22)
1983	(1·46)	7·47
1984	*	0·81

* Not yet published.

Note: The figures for the MDHC and for the PLA in 1983 are after depreciation, interest and exceptional items and before taxation. Up to and including 1982 the PLA's accounts were constructed on a different basis. The figures quoted exclude certain restructuring items. Copies of the PLA's annual reports and accounts are in the Library.

Mr. Chope asked the Secretary of State for Transport (1) in what year he expects the Mersey Docks and Harbour Company to be able to trade profitably without the benefit of any financial assistance from the central Government;

(2) in what year he expects the Port of London Authority to be able to trade profitably without the benefit of any financial assistance from the central Government.

Mr. David Mitchell: That will depend primarily on how quickly they can match their work forces to the requirements of present and future patterns of trade.

Mr. Chope asked the Secretary of State for Transport (1) how many acres of derelict or unused land are currently in the ownership of *(a)* the Port of London Authority and *(b)* the Mersey Docks and Harbour Company; and how many acres have been sold in each of the last five years;

(2) what information he has as to the amount of money *(a)* the Port of London Authority and *(b)* the Mersey Docks and Harbour Company have received in each of the last five years from the sale or other disposal of land and buildings.

Mr. David Mitchell: The Mersey Docks and Harbour Company is actively discussing with private developers the possible development of some 150 acres of land for non-operational purposes. Amounts of land disposed of, and proceeds from sales, which by judicial decision are paid to the company's stockholders, are as follows:

Year	*Acres*	*Proceeds £'000*
1980	5·2	*118
1981	439·11	*3,600
1983	1·75	26
1982	43·0	*245
1984	Nil	Nil

* Includes advance payments for sales, and for vesting in the Merseyside Development Corporation, where the final prices have not yet been determined.

Land owned by the PLA that is not in part-operational use is either in occupation or under negotiation for development. The amounts of land sold by the PLA and its proceeds from such sales, are as follows:

Year	*Acres*	*Proceeds £ million*
1980	51	0·53
1981	57	0·74
1982	8	0·02
1983	11	0·20
1984	8	0·80

In addition, large areas of land were vested in and sold by agreement to the London Docklands Development Corporation in 1981 and 1983 respectively. The final prices to be paid have still to be settled, but the PLA has received on account some £14 million.

Mr. Chope asked the Secretary of State for Transport what is the current average gross pay of a registered dockworker in *(a)* the Port of London Authority and *(b)* the Mersey Docks and Harbour Company.

Mr. David Mitchell: The current average gross weekly pay of a registered dockworker in the PLA is £190 and in the MDHC £189. The average gross weekly pay of registered dock workers in the industry as a whole in the first quarter of 1985 was £246·31.

Mr. Chope asked the Secretary of State for Transport (1) what steps he has taken to satisfy himself of progress by the Mersey Docks and Harbour Company towards eliminating restrictive working practices; and if he will make a statement;

(2) what steps he has taken to satisfy himself of progress by the Port of London Authority towards eliminating restrictive working practices; and if he will make a statement.

Mr. David Mitchell: I and my officials keep in close touch with both undertakings. As I said in my answer to my hon. Friend on 8 May at column *397*, both have reported significant productivity improvements in many of their operations. However, I do not consider it appropriate to make detailed inquiries about matters which are within the two undertakings' day-to-day management responsibilities.

Roads Programme

Mr. Robert B. Jones asked the Secretary of State for Transport whether he is satisfied with progress on the execution of the motorway and trunk road building programme in the last financial year.

Mr. Ridley: We made excellent progress on the national road construction programme in 1984-85. Fifteen main contracts were finished early and 16 others were ahead of schedule. Expenditure at £806 million matched the provision.

Consultants

Mrs. Dunwoody asked the Secretary of State for Transport if he will list all of the consultants employed in connection with the Transport Bill and "Buses" White Paper, the nature of projects for which they were employed and the cost to his Department.

Mr. Ridley [*pursuant to the reply*, 30 April 1985, c. *94*]: Professor M. E. Beesley, Dr. S. Glaister and Mr. M. Buchanan have been employed as consultants in the preparation of the "Buses" White Paper and subsequently; Dr. Glaister has also done work for the Department on the mathematical modelling of bus service provision. Messrs. Steer, Davies and Gleave, in association with Messrs. Thornton Baker, have been conducting a study of tendering arrangements for subsidised services, and Messrs. Buchanans is conducting a study of bus stations and bus stops. In accordance with previous practice the Department has employed, on a consultancy basis, an adviser on the bus industry. For six months in 1984 the adviser was Mr. F. P. Groves, and subsequently it has been Mr. G. G. Hilditch. The total cost to the Department of this work, and a very small commission by Cooper Lybrand on NBC, has been £137,662. In addition the Department's transport and road research laboratory has a continuing programme of research on a range of topics, some concerning the bus industry, and from time to time employs consultants.

Written Answers to Questions

Tuesday 14 May 1985

WALES

Dental Technicians

Mr. Gregory asked the Secretary of State for Wales how many dental technicians *(a)* are employed by health authorities in Wales, and *(b)* also undertake private contract work; and if he will make a statement.

Mr. Wyn Roberts: As at 30 September 1983 there were 34 (whole-time equivalents) dental technicians employed by health authorities in Wales. Information is not held on the numbers undertaking private work.

Educational Finance

Sir Raymond Gower asked the Secretary of State for Wales what evidence has been furnished to him of shortages of school books and equipment due to inadequacy of capitation allowances and in relation to how many schools.

Mr. John Stradling Thomas: Such shortages have been noted in reports by Her Majesty's Inspectorate, and in the large volume of correspondence dealing with education matters the Department has received. School capitation allowances are determined by the local education authorities from within the resources available to them. In real terms, the level of local authority current expenditure on education, excluding school meals and milk, has remained virtually constant for a number of years, while the number of pupils in schools has declined markedly. A school by school analysis of the correspondence could be made only at disproportionate cost.

ENERGY

Yorkshire Electricity Board

Mr. Fox asked the Secretary of State for Energy what progress has been made by the Yorkshire electricity board in following up the report on the board by the Monopolies and Mergers Commission, published in September 1983; and if he will make a statement.

Mr. Peter Walker: I have now received the second response of the Yorkshire electricity board to the Monopolies and Mergers Commission report published in September 1983 (Cmnd. 9014). This describes progress on steps taken by the board to meet the commission's conclusions. I am placing copies of the board's response in the Library of the House.

The board has responded positively to many of the MMC's recommendations and significant progress has been made since my statement to the House on 28 February 1984 concerning the YEB's initial response.

The commission's central conclusions dealt with the board's role in setting key medium-term objectives and the need for quantified goals based on those objectives to be delegated throughout the organisation. I am disappointed that in certain areas the board felt unable to include in its response specific proposals for action in response to the commission's recommendations. I shall, in particular, take a close interest in the board's progress in setting and achieving quantified cost-reduction objectives as recommended by the commission. The new chairman of the board has informed me that he is in the process of making organisational and other changes with this aim in view. I have asked him to report his progress to me not later than the end of June this year.

While I note that the board has decided not to establish an audit committee, I am pleased to see that it is taking steps to increase the participation of the non-executive members in the formulation of such objectives and in the consideration of strategic questions. I also welcome the fact that the board's decision to reduce the number of YEB areas from seven to four will facilitate the devolution of responsibility and objectives to appropriate managerial levels.

The role of non-executive members is an issue which is relevant throughout the industry and my hon. Friend the Parliamentary Under-Secretary has recently offered guidance on this to all non-executive board members. Copies of this guidance have been placed in the library.

In my statement on 28 February 1984 I indicated my intention of following the board's progress in responding to the commission's conclusions on its manpower plan (conclusions 3 and 33) and the varying costs of maintenance in the different board areas (conclusion 26). I note that a severance scheme has now been introduced in relation to the reorganisation which will enhance the board's ability to achieve the optimum rate of staff rundown and that the board is continuing to carry through a detailed analysis of comparative maintenance costs. The scope for further progress in both these spheres should be improved by the board's initiative in reducing the number of areas.

In conclusion 36 of the report the commission proposed separate and fully detailed profit and loss accounts for both the appliance retailing and contracting activities. In agreement with the Electricity Council I announced last July measures applying to all area boards, including revised cost allocation guidelines, separate accounts and financial objectives, which fully meet the commission's concern and should help to demonstrate that the boards are competing profitably and fairly in those activities. The issue of supply security standards (raised in conclusion 20) also has industry-wide implications and is presently under review by the Electricity Council.

I should like to take this opportunity to convey the Government's thanks to the MMC for its thorough and stimulating investigation. Its findings have clearly been of considerable use to the Yorkshire board in helping it reduce costs and increase efficiency, and have also been of benefit throughout the industry.

ENVIRONMENT

Rating

Mr. Hickmet asked the Secretary of State for the Environment what studies his Department has made of the effect of rate levels upon investment and employment.

Mr. Waldegrave: The Department commissioned a study by the department of land economy of the university of Cambridge on the general effects of non-domestic rates on the location of employment in England and Wales over the period 1974 to 1981 and the report was published by the authors on 6 March 1985.

Copies of the report, and of a letter I have sent asking for the comments of interested bodies, are in the library. The Department is also aware of cases in which extreme rate levels and increases in rates have deterred individual firms from investing or from creating employment in the areas affected.

RAF Molesworth

Mr. Caborn asked the Secretary of State for the Environment what contracts have been awarded to which companies to work on Molesworth base; and if he will list the companies and value of contracts awarded to them and the date the contract was awarded.

Sir George Young: A contract for the erection of a perimeter fence, value £3·25 million was awarded to Tarmac Construction Ltd. on 15 January 1985 and a further contract for the provision of temporary administrative and domestic accommodation, value £2·07 million, was awarded to the same firm on 5 February 1985.

Greater London Council

Mr. Cohen asked the Secretary of State for the Environment (1) whether he will describe the financial provisions and the amounts allocated in those provisions to support the specialist services provided by the central computer services department within the Greater London council;

(2) whether he will describe the financial provisions and the amounts allocated in those provisions to support the specialist services provided by the supplies department within the Greater London council;

(3) whether he will describe the financial provisions and the amounts allocated in those provisions to support the specialist services provided by scientific and technical services within the Greater London council;

(4) whether he will describe the financial provisions and the amounts allocated in those provisions to support the specialist services provided by the intelligence and information services within the Greater London council.

Mr. Kenneth Baker: Financial provision for these services is a matter for the GLC.

Housing Defects

Miss Boothroyd asked the Secretary of State for the Environment how much money is expected to be made available to local authorities under section 12 of the Housing Defects Act 1984 in the current and next financial years, respectively.

Sir George Young: As my hon. Friend the Minister for Housing and Construction indicated to the hon. Lady in his replies to her of 10 May, at column 523-24, no designations under section 12 of the Act have yet been made. As Exchequer contributions to local authorities are made in response to claims submitted after the end of the financial year in which the authority incurred the cost, no contributions will be paid in 1985-86. I cannot yet estimate what contributions might be payable in 1986-87.

Pesticides

Mr. Cartwright asked the Secretary of State for the Environment what is the lowest known concentration in parts per million of any particular health risk arising from traces of atrazine, simazine, lindane or dieldrin pesticides in water.

Mr. Macfarlane: In 1984 WHO set drinking water guidelines values of 0·0003 parts per million for dieldrin and 0·03 parts per million for lindane. No guideline values have been set for triazine herbicides, which include atrazine and simazine, but it has been calculated from available data that concentrations found in drinking water have a safety factor of the order of several thousand.

Dr. David Clark asked the Secretary of State for the Environment what is his estimate of the aerial transport of organo-chlorine pesticides in the context of inputs of these and other substances into the North sea following the report commissioned by his Department from the Institute of Offshore Engineering at Heriot-Watt university; and what further research is planned on this matter.

Mr. Waldegrave: The Institute of Offshore Engineering examined the available information on this subject as part of a wider review for the Department of the literature on inputs of contaminants to the North sea. The review is available, at cost, from the university. It quotes estimates made by the Netherlands Organisation for Applied Scientific Research (TNO) of 10-100 tonnes annually of HCH (alpha and gamma), 10-160 tonnes of PCBs and 2-25 tonnes each of DDT (and its metabolites), and of the "drins" (aldrin, dieldrin, endrin). These estimates are tentative, being based on very few measurements, but are probably the best available. The United Kingdom therefore referred to them in preparing for the North sea conference in Bremen last year and similar estimates for HCH and for PCBs were quoted in the paper on the "Quality Status of the North Sea" which synthesised the scientific contributions made by the participating states. A working group has been set up by the Paris commission to examine the whole question of atmospheric inputs to the sea and is considering research into the methodology and accuracy of the estimated inputs. The United Kingdom is participating actively in this group.

Acid Deposition

Dr. David Clark asked the Secretary of State for the Environment (1) what is the estimated annual cost of repairs and maintenance to buildings as a result of deposited acidity in the United Kingdom;

(2) if he will list in the *Official Report* those historic or listed buildings known to his Department as being deleteriously affected by acid deposition;

(3) if he will list the cathedrals and similar buildings in the United Kingdom known to his Department to have stained glass windows with damage attributable to acid deposition.

Mr. Patrick Jenkin: As I said in answer to the hon. Member for Knowsley, North (Mr. Kilroy-Silk) on 14 March, at column 214, acid deposition is not the sole cause

of environmental acidification, and the damage that it causes cannot readily be distinguished from other forms of damage. It is not, therefore, possible to estimate the annual cost of repairs and maintenance resulting from such deposition. My Department has a substantial programme of monitoring and research, and I expect reports within the next 16 months which should help in defining the scale of the problem and in elucidating its causes.

Vehicle Emissions (Control)

Dr. David Clark asked the Secretary of State for the Environment what is his estimate of the percentage reduction *(a)* NOx (nitrogen oxides), *(b)* hydrocarbons and *(c)* atmospheric ozone likely to be achieved by the introduction of vehicle emission control in the United Kingdom by the years 1995, 2005 and 2010, respectively.

Mr. Patrick Jenkin: Gaseous emissions from vehicles have been controlled in the United Kingdom since the early 1970s, and the progressive tightening of standards since then will continue to have an effect well into the 1990s. But because the European Community has still to reach final agreement on the limit values to be included in a new directive on vehicle emissions coming into effect in the late 1980s and early 1990s, it is not possible to predict what further emission controls might come into force in the United Kingdom, or to estimate what the overall effects on individual pollutants might be.

Alkaline Aggregate Reaction

Dr. David Clark asked the Secretary of State for the Environment what is his estimate of the annual cost of damage to concrete structures in the United Kingdom as a result of alkaline aggregate reaction.

Mr. Patrick Jenkin: No reliable estimate is available of the annual cost of damage to concrete structures in the United Kingdom as a result of alkali-aggregate reaction. To obtain such an estimate would require a survey of all concrete structures.

Low Sulphur Cement

Dr. David Clark asked the Secretary of State for the Environment what information he has as to the percentage of cement employed in the construction industry which is low sulphur cement.

Sir George Young: The percentage of sulphate-resisting Portland cement used by the construction industry in 1984 was 5·9 per cent. of the total 12·7 million tonnes of cement used.

Local Authorities (Block Grant)

Dr. Cunningham asked the Secretary of State for the Environment what representations he has received from local authorities regarding the non-policing costs of the recent miners' dispute arising from local authorities fulfilling their statutory obligations under child care, school meals and milk, and social security and housing benefit regulations; and if he will disregard such costs for the purposes of block grant penalties.

Mr. Patrick Jenkin: I have received a number of representations from local authorities and their associations for such expenditure to be disregarded for grant penalty purposes, which I shall consider carefully before I take further decisions on grant abatement for 1984-85.

Land Reclamation

Mr. Ron Davies asked the Secretary of State for the Environment what study his Department has made of the wildlife benefits to be accrued from the cessation of drainage and subsequent withdrawal of land protected by sea defences and brought into agricultural use by land reclamation since 1955, adjacent to coastlines; and if he will make any such research available in the Library.

Mr. Macfarlane: My Department has not carried out any such study. The Nature Conservancy Council is currently investigating the effects on wildlife of land reclamation over the past 10 years. The first results of this research are not expected to be available until some time in 1986.

Asbestos-contaminated Material (Faslane)

Dr. Godman asked the Secretary of State for the Environment what is the estimated cost of the transportation of asbestos-contaminated material from the site at Faslane to its destination.

Sir George Young: A contract to remove some 3,000 cubic metres of asbestos-contaminated waste from Faslane has been let for the sum of £630,500, of which approximately two thirds is attributable to the cost of transporting the material.

Defective Housing

Mr. Hardy asked the Secretary of State for the Environment if he will estimate the number of defective houses which each local authority may be required to purchase; and if he will estimate the cost of this commitment for each local authority in England.

Sir George Young [*pursuant to his reply*, 13 May 1985, c. *26*]: In 1983 local authorities estimated that there were 16,500 prefabricated reinforced concrete (PRC) dwellings in private ownership in the United Kingdom of the types designated now by my right hon. Friend. My Department has estimated that the total cost of assistance to owners under the Act over a number of years will be in the region of £170 million to £250 million at current prices. The proportion of owners assisted through repurchase, rather than by reinstatement grant, cannot be forecast reliably at this stage, and the costs to each authority of repurchase therefore cannot yet be estimated.

Mr. Hardy asked the Secretary of State for the Environment what assistance he is providing to enable local authorities to acquire houses which are regarded as seriously defective.

Sir George Young [*pursuant to his reply*, 13 May 1985, c. *26*]: Local housing authorities which repurchase defective dwellings designated by my right hon. Friend under section 1 of the Housing Defects Act 1984 will generally be assisted by way of an Exchequer contribution of 75 per cent. of the difference between the cost to them

of the acquisition and the defective value of the property. Where the dwelling was sold by another public authority, the contribution will be 100 per cent. of the difference.

TRADE AND INDUSTRY

Silk

Mr. Evennett asked the Secretary of State for Trade and Industry whether he has recently held discussions or received representations from any companies or trade associations concerning restrictions on the import of Chinese silk; and if he will make a statement.

Mr. Channon: I have recently received representations from one company concerning restrictions on the import of Chinese silk. Its letter was forwarded to me by my hon. Friend, to whom I replied on 27 March 1985. My officials have been in contact with companies during the administration of the 1985 Chinese silk quota and have informed the Silk Association of Great Britain of the arrangements for the administration of the 1985 chinese silk quota.

Privatisation Programme (Fees and Commissions)

Mr. Gould asked the Secretary of State for Trade and Industry if he will estimate the fees and commissions which will be paid to City institutions in respect of the forthcoming sale of shares in British Aerospace; and on what basis those fees and commissions will be calculated.

Mr. Butcher: The following commissions will be paid to City institutions, all calculated on the basis of the fully paid offer price of 375p per share:

Underwriters: 0·3 per cent.

Brokers to the offer: 0·125 per cent.

Priority applicants: 1·5 per cent. on shares placed firm, 1·25 per cent. on the balance of their applications.

The total cost of these commissions to the Government will be approximately £6,583,000 (plus VAT=£7,570,000).

Lazard Brothers and Co., Ltd. will also receive a fee for their work as financial advisers to the Government.

Stockbrokers, licensed dealers, members of the National Association of Securities Dealers and Investment Managers, and exempted dealers will be eligible for commission on applications submitted by them on behalf of members of the public, to the extent accepted, at the rate of 1¼ per cent. of the offer price.

It will not be possible to estimate the amount of these commissions until all applications have been examined.

Steelworkers (Shotton)

Mrs. Clwyd asked the Secretary of State for Trade and Industry if he intends publishing data obtained by his Department on the post-redundancy experiences of Shotton steelworkers.

Mr. Butcher: I do not intend to publish individual records provided in confidence. The only aggregate data held in the Department of Trade and Industry concerns total payments made to redundant Shotton steelworkers according to the different categories of benefit provided under the iron and steel employees' readaptation benefits scheme. This information is available and is set out below. Bearing in mind that many of the 7,977 recipients have received more than one category of benefit during their period of entitlement, I think that this information should be treated with caution as a guide to post-redundancy experiences.

	£
Early Pensions	4,344,110
Make-up of earnings in new employment	5,448,048
Scheme unemployment benefit	13,439,437
Training support	5,219,491

Ford Motor Company (Body Panels)

Mr. Alex Carlile asked the Secretary of State for Trade and Industry (1) whether, in the light of the recent report of the Monopolies and Mergers Commission, the Ford Motor Company Ltd. has agreed to give undertakings to the Office of Fair Trading concerning the manufacture by other companies of replacement car body panels; and if he will make a statement;

(2) when he expects the Director General of Fair Trading to complete his current discussions with the Ford Motor Company Ltd. in connection with the manufacture of replacement car body panels.

Mr. Fletcher: I shall make a statement on the position when discussions with Ford are concluded.

PRIME MINISTER

Social Security Reviews

Q8. **Mr. Kirkwood** asked the Prime Minister if Her Majesty's Government will make it their policy not to act on the reports of the four social security review teams until the proposed Treasury Green Paper on personal taxation has been published.

The Prime Minister: The Government hope to publish their proposals for the future of social security in a Green Paper soon after the Whitsun recess, and the Green Paper on personal taxation later in the year. These proposals will be consistent.

East Clwyd (Industry)

Q34. **Dr. Marek** asked the Prime Minister what special measures she intends to take to attract industry to East Clwyd as a result of the proposed closure of Courtaulds' works in the area.

The Prime Minister: East Clwyd has been and continues to be an attractive location for companies. Since 1983 the Welsh Office has had 33 acceptances of regional selective assistance in the Wrexham travel-to-work area alone promising nearly 1,400 new jobs and safeguarding 1,200 existing jobs with an investment of £7 million. Recent major inward investment decisions to locate in Wrexham have been taken by the Japanese companies, Sharp and Brother. Other parts of Clwyd have also been successful in attracting new investment, most recently illustrated by Data Magnetic Ltd's decision announced on 1 May to locate its thin film disc facility on the Deeside industrial park, creating 250 new jobs. Proposals by the county council and the borough councils most directly affected by Courtaulds' proposed closures are being considered by the Welsh Office.

Sri Lanka (Samanala Wewa Dam)

Q59. **Mr. Michael Morris** asked the Prime Minister when she expects to be in a position to respond to the President of Sri Lanka's request that Her Majesty's Government support the Samanala Wewa dam scheme.

The Prime Minister: I told the President when I met him last month that a decision about this request would be made after my return to London. I expect to be able to give him our response shortly.

Nationalised Industries

Q24. **Mr. Eggar** asked the Prime Minister if she will take further steps to introduce competition and private capital into the existing nationalised industries.

The Prime Minister: The Government remain committed to privatisation as a major element in its strategy to promote efficiency, increase incentives and widen ownership. We will continue to look for opportunities to advance this. Transferring state businesses into private ownership increases business efficiency, whether through competition or in other ways; allows for employees to take a direct stake in the companies in which they work, leading to major changes in attitudes; and gives everyone the opportunity to own a real share in the nation's assets. The long-term significance of these changes cannot be over-estimated.

General Belgrano

Q112. **Mr. Dalyell** asked the Prime Minister if she will place before the Foreign Affairs Committee Sir Brian Tovey's report on matters relating to the sinking of the General Belgrano; and if she will make a statement.

The Prime Minister: I have seen suggestions in press stories that reference to such a report was made in the papers which were shown to the Foreign Affairs Committee on 6 March. It was agreed between the Government and the Committee's Chairman that, following that occasion, there would be no further disclosure of material. I repeat that the indications that the Belgrano was a threat to the task force were clear and unequivocal.

Engagements

Mr. Parry asked the Prime Minister if she will list her official engagements for Tuesday 14 May.

Mr. Greenway asked the Prime Minister if she will list her official engagements for Tuesday 14 May.

The Prime Minister: This morning I had meetings with ministerial colleagues and others including one with the President of the Cameroon. In addition to my duties in the House I shall be having further meetings later today. This evening I hope to have an audience of Her Majesty the Queen.

Nurses (Pay)

Mr. Pavitt asked the Prime Minister if she has now replied to the letter from the General Secretary of the Royal College of Nursing about the pay of nurses; and if she will make a statement.

The Prime Minister: Yes; in my reply of 7 May I told the General Secretary of the Royal College of Nursing that the Review Body report on nurses pay is now being considered by Ministers, together with other review body reports, and that an announcement will be made in due course.

TRANSPORT

Accident Statistics

Mr. Portillo asked the Secretary of State for Transport whether three-lane single carriageway road sections display worse accident statistics than two-lane single-carriageway and duel carriageway sections; and if he will make a statement.

Mrs. Chalker: Personal injury accident rates on roads with rural characteristics, having speed limits over 40 mph and excluding accidents at junctions, depend on a number of factors in addition to road markings (and road width). However, on average, the rates for good three-lane single carriageways are about the same as those for good two-lane carriageways of the same overall width and characteristics; typical rates for these types of carriageways are about 0·20 accidents per million vehicle kilometres compared with 0·11 for new purpose-built dual carriageways. But, the sample of three-lane carriageways on which this statement is based is necessarily small because since the early 1960s the Department has not marked single carriageways in three lanes except in two cases. The first includes lengths of road having good alignment and exhibiting good long-term accident rates. The second case is that of "climbing lanes" where the two uphill lanes are given priority and the marking system involves the use of double white lines to maintain safety.

There is relatively little three-lane single carriageway trunk road with urban characteristics having speed limits of 40 mph or less.

Motorway Service Stations

Mr. Harrison asked the Secretary of State for Transport on how many occasions a franchise has been withdrawn from any company, or companies, during the life of the motorway system as a whole, since the franchise system came into operation.

Mr. Ridley: None.

Mr. Harrison asked the Secretary of State for Transport how many types of franchise exist in relation to service stations on the M62 motorway between Liverpool and Kingston upon Hull; and if he will indicate the names and geographical locations of the company or companies involved and their responsibilities to retain continuation of their franchise.

Mr. Ridley: There are four motorway service areas on the M62. Each is operated under the terms of a 50-year lease from the Secretary of State. The service areas and their operators are:

Service Area	*Operators*
Burtonwood, near Warrington.	Trusthouse Forte Catering Limited, Dunstable,, Bedfordshire.
Birch, near Bury.	Granada Motorway Services Limited, Dunstable, Bedfordshire.
Hartshead Moor, near Brighouse.	Welcome Break Limited, Chiswick, London W4.
Ferrybridge, near Knottingley.	Granada Motorway Services Limited.

The terms of the leases are fairly standard. I sent a copy to the right hon. Member on 8 May 1985.

Oil Tankers (Minch)

Mr. Kennedy asked the Secretary of State for Transport what studies his Department has made of the environmental consequences for United Kingdom shores and coastal waters of collisions or accidental spillage from crude oil-carrying tankers in the Minch.

Mr. David Mitchell: I refer to my answer given on 3 April, at column 628.

British Rail (Catering)

Mr. Greg Knight asked the Secretary of State for Transport if he has had any recent discussions with the chairman of British Rail in relation to the catering facilities available on trains and the possibility of these services being carried out by private contractors; and if he will make a statement.

Mr. David Mitchell: BR is making train and station catering a priority in applying its new criteria for competitive supply of services. In particular it is examining the costing and tendering arrangements necessary to facilitate competition in this area. The board is keeping us informed on progress.

AGRICULTURE, FISHERIES AND FOOD

Farmers (Income)

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing for each year since 1955 the net income of farmers compared to the amount paid out to farmers from public funds directly and indirectly.

Mr. MacGregor: Details of the net income of farmers and of public expenditure on national grant schemes and subsidies and since 1972-73 under the CAP are contained in the "Annual Review of Agriculture" White Paper series and the departmental "Net Income Calculation Historical Series Booklet"; both of which are available in the Library of the House.

Milk

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food if he will publish in the *Official Report* a table showing the output of milk in each European Economic Community country in each of the past five years compared wih 1970, 1960 and 1957.

Mr. MacGregor: The table shows whole milk production from all milk animals in each European Community country in the years 1960, 1970 and 1979 to 1983 inclusive. 1984 figures are not yet available and 1957 figures are not available on a comparable basis.

Wholemilk Production (All Animals) in EC 1960 to 1983

'000 tonnes

	1960	*1970*	*1979*	*1980*	*1981*	*1982*	*1983*
Belgium	3,914	3,745	4,029	4,032	4,068	4,102	4,178
Denmark	5,441	4,718	5,365	5,271	5,161	5,358	5,693
France	21,883	28,325	33,210	33,715	33,870	34,492	35,041
Germany	19,592	22,058	24,222	25,094	25,204	25,781	27,208
Greece	na	na	na	na	2,176	2,137	2,062
Ireland	3,316	4,290	5,534	5,425	5,337	5,748	6,140
Italy	10,466	10,024	11,230	11,438	11,342	11,419	11,889
Luxembourg	205	230	284	289	289	299	310
Netherlands	6,838	8,239	11,592	11,785	12,147	12,708	13,240
United Kingdom	12,503	14,512	17,839	17,826	17,623	18,463	18,926

Source: Eurostat.

Fungicides

Mr. Ron Davies asked the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 21 February, *Official Report*, column *582*, concerning economically significant resistant strains in relation to fungicides, what is the economic cost of fungicide resistance to benomyl, carbondazim and thiophonate methyl, respectively; and what are the alternative chemicals in each case.

Mrs. Fenner: I will reply to the hon. Member as soon as possible.

Mr. Stephen Ross asked the Minister for Agriculture, Fisheries and Food when he anticipates announcing overall milk quotas for the current financial year.

Mr. MacGregor: I would refer the hon. Member to the reply which my right hon. Friend gave to my hon. Friend the Member for Mid-Worcestershire (Mr. Forth) on 7 May 1985, at column 321.

Beef

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing for 1973 and each of the past five years the common guide and intervention prices for adult bovine animals, the amount bought for intervention, the amount of surplus production and the total cost to the European Economic Community budget, together with the cost of the United Kingdom beef variable premium scheme and any other arrangements for subventions to beef farmers.

Mr. MacGregor: Information on institutional prices, production and consumption and expenditure through the Community budget is published by the EC Commission in "The Agricultural situation in the Community" report 1984 for the three most recent years for which data are available and in previous reports for earlier years. Copies are available in the Library of the House. In addition to

expenditure through the Community budget, United Kingdom exchequer expenditure on the beef variable premium, suckler cow premium and hill low schemes was as follows:

£ million

	1973	*1980*	*1981*	*1982*	*1983*	*1984*
Beef variable premium	—	45·0	19·6	7·0	73·9	86·8
Suckler cow premium	—	1·4	7·3	6·2	6·0	9·3
Hill cattle subsidy	16·0	—	—	—	—	—
Hill low compensatory allowances	—	18·5	28·2	29·1	29·0	28·9

Quantities of beef bought into intervention were as follows:

'000 tonnes

Year	*Amount*
1973	*22
1980	410
1981	280
1982	269
1983	445
1984	490

* Estimate.

Broadleaved Woodlands

Dr. Cunningham asked the Minister of Agriculture, Fisheries and Food if he will list in the *Official Report* the names and locations of the broadleaved woodlands clearfelled under licence for conversion to agriculture in 1982-83, 1983-84 and 1984-85 in the Forestry Commission's south-west England conservancy.

Mrs. Fenner: I shall reply to the hon. Member as soon as possible.

Hedgerows

Dr. David Clark asked the Minister of Agriculture, Fisheries and Food what is his estimate of the miles of hedgerows in England and Wales *(a)* removed and *(b)* planted, respectively, for each year since 1975.

Mrs. Fenner: The information on which to base such estimates is not currently available. We do, however, hope to be able to make some estimates of the amount of hedgerow planting and removal in recent years from my Department's current survey of environmental topics on farms.

Straw Burning

Dr. David Clark asked the Minister of Agriculture, Fisheries and Food what is his estimate of the extent of hedgerow and tree damage in Worcestershire from straw burning in 1983 and 1984, respectively.

Mrs. Fenner: My Department does not keep detailed statistics of damage to hedgerows and trees, but I understand that there was a general improvement in burning practices in that county in 1984.

Dr. David Clark asked the Minister of Agriculture, Fisheries and Food what plans he has to regulate the practice of straw burning in 1985; and if he will make a statement.

Mrs. Fenner: The Government will again be drawing the attention of the farming community to the need to observe relevant local byelaws and to adopt good standards of practice in line with the policy adopted for the 1984 harvest, which generated a substantially lower volume of complaints than in 1983.

Animals (Slaughter)

Mr. Greg Knight asked the Minister of Agriculture, Fisheries and Food whether he will now introduce legislation to ensure that stunning and sticking of an animal is performed consecutively with no intervening delay, when the operation is being done single-handedly; and if he will make a statement.

Mrs. Fenner: This matter is the subject of a recommendation by the Farm Animal Welfare Council in its report on the welfare of livestock (red meat animals) at the time of slaughter. The Government are considering the council's recommendations.

Pesticides

Mr. Ron Davies asked the Minister of Agriculture, Fisheries and Food if he has any plans to publish the reviews carried out by the Advisory Committee on Pesticides of aminotriazole, chlorbromuron, ethylene dibromide and ethylene dichloride.

Mrs. Fenner: All of these compounds were reviewed by the Advisory Committee on Pesticides during 1984 and information on them will be contained in the committee's joint annual report, which is to be published this year.

Land Reclamation

Mr. Ron Davies asked the Minister of Agriculture, Fisheries and Food if he will estimate the annual and 10-yearly cost of maintaining the drainage and sea defences of land reclaimed adjacent to coastlines respectively, since 1955; and if he will estimate the net cost to the United Kingdom on an annual basis of such land including agricultural support grant aid.

Mrs. Fenner: Information on which to make these estimates is not available.

FOREIGN AND COMMONWEALTH AFFAIRS

Namibia

Mrs. Clwyd asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on recent events in Namibia.

Mr. Rifkind: We do not recognise the new interim administrative arrangements for Namibia announced by the South African Government in April. They do not affect South Africa's responsibility to implement the United Nations plan, nor do they have any bearing on the negotiations currently underway towards achieving Namibian independence on the basis of that plan.

United Nations

Mr. Proctor asked the Secretary of State for Foreign and Commonwealth Affairs what is the cost of the United Kingdom's membership of the United Nations for the year 1984-85 and the projected cost for the year 1985-86; and if he will make a statement.

Mr. Rifkind: The United Kingdom's contribution to the United Nations regular budget in the financial year 1984-85, at our assessed rate of 4·67 per cent., was £23,342,619. In addition, the United Kingdom contributes voluntarily to many United Nations programmes and agencies such as the United Nations Children Fund or the United Nations Fund for Drug Abuse Control, and pays assessed contributions to the regular budgets of the specialised agencies of the United Nations system such as the Food and Agriculture Organisation or the World Health Organisation. Our regular budget contribution for 1986-87 cannot yet be accurately determined: the budget for the biennium 1986-87 will be settled at the United Nations General Assembly later this year. But we are urging that the new budget should involve no real growth and that our assessed rate of contribution in the next biennium should be similar to the present rate.

Gibraltar Airfield

Mr. Stanbrook asked the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Spanish Government regarding their restriction on the use of Gibraltar airfield by British military aircraft; what is the nature of the restrictions; and when they were imposed.

Sir Geoffrey Howe: We have made clear to the Spanish Government our view that it would be right for them to make similar arrangements for military aircraft as those recently announced for civil aircraft. The Spanish Government originally introduced a prohibited airspace zone in the Algeciras region in April 1967, the limits of which are set out in document No. 22 in Cmnd. 3325, "Further Documents on Gibraltar, October 1966-June 1967".

Mr. Stanbrook asked the Secretary of State for Foreign and Commonwealth Affairs what reason has been given to him by the Spanish Government for not lifting all restrictions on aircraft using Gibraltar airfield.

Sir Geoffrey Howe: As I informed my hon. Friend on 7 May, at column 320, discussions are continuing with the Spanish authorities. It would be usual for these to remain confidential until concluded.

Immigration Offices

Mr. Peter Bruinvels asked the Secretary of State for Foreign and Commonwealth Affairs whether he intends to open an immigration office in Mirpur.

Mr. Renton: I visited Mirpur in January and have considered the matter carefully in the light of a number of representations and a recommendation in the Commission for Racial Equality report. The journey from Mirpur to Islamabad takes only two to three hours by road; there is a regular and inexpensive bus service. I do not believe that there is any justification for opening an immigration office in Mirpur, particularly in view of the limited resources available to us for overseas representation.

Mr. Peter Bruinvels asked the Secretary of State for Foreign and Commonwealth Affairs whether he intends to open an immigration office in Sylhet.

Mr. Renton: In the light of various representations and a recommendation in the Commission for Racial Equality report, I have considered the matter carefully, particularly since my visit to Bangladesh in January. Applicants come from the large Syhlet district, not only from Sylhet town, and Dhaka is more convenient than Sylhet town for many of them. The journey from Sylhet to Dhaka is not expensive and there are good road, rail and air links. The problem for most applicants is getting from their village to Sylhet and not from Sylhet to Dhaka. Operational problems relating to the opening of the office would be formidable and I cannot accept that the expenditure on such a project would be justified.

NATIONAL FINANCE

Blind Person's Allowance

Mr. Freeman asked the Chancellor of the Exchequer if he will give the figures for the last available financial year of the number of taxpayers claiming blind person's allowance and the estimated cost to the Exchequer of such relief.

Mr. Moore: It is estimated that about 30,000 blind people will benefit from the blind person's tax allowance in 1985-86, at a revenue cost of £3 million.

EC (Agriculture Expenditure)

Mr. Austin Mitchell asked the Chancellor of the Exchequer whether he will publish a table in the *Official Report* showing what the maximum level of spending under the European Economic Community budget would be for agriculture, assuming that total spending under the budget reaches the new maximum under the value added tax contribution, that the outturn for the current year is the same as the agreed provision for agriculture to the extent that this is relevant and that value added tax and other collections are the same as budgeted for in the current year, apart from the percentage increase from 1 per cent. to 1·4 per cent.

Mr. Ian Stewart: In accordance with article 4 of the Council conclusions on budget discipline the financial guideline for agriculture which will first apply for 1986 is calculated by reference to agricultural expenditure in 1984 and 1985 and to the rate of growth of the own resources base. The Commission has calculated, on the basis of provisional estimates of these variables, that the financial guideline for 1986 will be 20·65 billion ecu. This figure will be subject to some change as revised estimates and then outturn data become available.

The financial guideline figure is not affected by the proposed increase in the VAT ceiling from 1 to 1·4 per

cent. because, in accordance with article 2 of the Council conclusions on budget discipline, the increase in the own resources base is assessed on a comparable basis from one year to the next.

Exchange Rate

Mr. Gould asked the Chancellor of the Exchequer what has been the change in the real exchange rate of the £ sterling based on *(a)* gross domestic product deflators and *(b)* relative export prices since the fourth quarter of 1976 against the US dollar, the Japanese yen and each of the European Economic Community Six currencies for the latest period for which figures are available; and if he will include figures comparing the current nominal exchange rate with the average rate for the latest period.

Mr. Ian Stewart: The percentage changes between the fourth quarter of 1976, when sterling's nominal exchange rates were exceptionally low against these currencies, and the fourth quarter of 1984, were as follows:

	Real		*Nominal*
	Based on GDP deflators	*Based on relative wholesale export prices*	
Dollar/Sterling	−6·2	−8·5	−26·3
Yen/Sterling	+7·6	+3·1	−38·3
Deutschemark/Sterling	+48·1	+38·6	−6·6
French franc/Sterling	+37·3	+37·2	+36·7
Belgian franc*/Sterling	+87·8	+73·8	+23·0
Italian lira/Sterling	+5·7	+25·4	+61·4
Dutch guilder/Sterling	+37·6	+44·0	+0·8

*The Luxembourg franc has the same external value as the Belgian franc.

Civil Service (Dispersal)

Mr. Wilson asked the Chancellor of the Exchequer if he will give the numbers of Civil Service and related public service jobs in Aberdeen, Dundee, Edinburgh and Glasgow at the last date for which figures are available and express these as percentages of the working population in each city, and the total of such jobs in Scotland, respectively.

Mr. Hayhoe: The table shows non-industrial civil servants employed in the four local authority districts at 1 January 1985 as numbers, as percentages of the working population in the travel-to-work areas for those districts and as percentages of all non-industrial civil servants in Scotland. Corresponding data are not available in such geographical detail for industrial staff of the civil service or for other public service jobs.

Non-industrial civil service staff in Post at 1 January 1985*

City	*Staff in Post**	*As a percentage of the working population in the travel-to-work area†*	*As a percentage of all non-industrial civil servants in Scotland*
Aberdeen	1,761	1·1	3·6
Dundee	1,067	1·1	2·2
Edinburgh	12,337	4·1	25·5
Glasgow	9,975	1·5	20·6

*Full-time equivalents.

†The only working population figures available are for travel-to-work areas which are larger than the cities themselves. The data used relate to June 1984.

Unleaded Petrol

Mr. Woodcock asked the Chancellor of the Exchequer whether it is the intention of Her Majesty's Government to tax unleaded petrol, when it is available, at the same rate as leaded petrol.

Mr. Hayhoe: No decisions have been taken on future rates of tax on petrol.

Acceptances in Lieu

Sir David Price asked the Chancellor of the Exchequer (1) what information he has about the French dation scheme and how it compares with the British acceptance in lieu scheme; and if he will make a statement;

(2) if, in view of the fact that no public expenditure is involved, he will take steps to end the practice of charging to the current expenditure Votes of the Department of the Environment and of the Office of Arts and Libraries, respectively, the cash equivalent of the objects accepted in lieu of capital tax liability;

(3) what have been the results of the Government's re-examination of the arrangements whereby part of the cost of acceptance in lieu is met from current Votes, referred to by the Chancellor of the Duchy of Lancaster on 24 April.

Mr. Moore: The Chancellor of the Duchy of Lancaster announced on 24 April that the Government would be looking again at the arrangements whereby part of the cost of assets accepted in lieu of tax is met from the Votes of the Department of the Environment and the Office of Arts and Libraries. The review is under way, and will take appropriate account of the French dation scheme.

Value Added Tax

Sir David Price asked the Chancellor of the Exchequer if he will introduce measures to change the system whereby works of art sold in the United Kingdom are subject to value added tax if bought by a United Kingdom purchaser, but are free of value added tax if bought by a foreign purchaser.

Mr. Hayhoe: Relief from VAT depends not on the nationality of the purchaser but on whether the goods are exported or retained in the United Kingdom. VAT registered traders, who sell secondhand works of art retained in the United Kingdom which meet certain conditions, can account for VAT only on the margin by which the selling price exceeds the purchase price.

Museums and Galleries (VAT)

Sir David Price asked the Chancellor of the Exchequer if he will put national galleries and museums on the same footing as local authority galleries and museums in respect of value added tax on their purchases by extending to the former the zero-rating enjoyed by the latter.

Mr. Hayhoe: Although there are special arrangements to enable local authorities to reclaim the value added tax they incur, national galleries and museums are already on a similar footing to the extent that the Government grants they receive broadly take account of taxes such as VAT.

State Earnings-related Pension Scheme

Dr. McDonald asked the Chancellor of the Exchequer if he will estimate the loss of revenue if those pensioners now in receipt of the state earnings-related pension received the basic state pension alone, in 1985-86 and 1986-87.

Mr. Moore [*pursuant to his reply*, 7 May 1985, c. *367*]: Estimates of expenditure on the earnings-related component of the state earnings-related pension scheme were given on 7 May by my hon. Friend the Parliamentary Under-Secretary of State for Health and Social Security, at column 339. The amount of income tax due on these amounts would depend on the size of the individual payments and on the other taxable income of the recipients. I regret that data are not available on which to base a satisfactory estimate.

North Sea Oil (Revenue)

Mr. Donald Stewart asked the Chancellor of the Exchequer what revenue has accrued to the Government from oil produced in the North sea north of latitude 55° 50′ in each year since production began.

Mr. Lawson [*pursuant to his reply*, 13 May 1985, c. *30*]: Government revenues from oil and gas production in the United Kingdom and United Kingdom continental shelf in each of the financial years 1975-76 to 1984-85 were:

	£ billion
1975-76	*
1976-77	0·1
1977-78	0·2
1978-79	0·6
1979-80	2·3
1980-81	3·9
1981-82	6·5
1982-83	7·8
1983-84	8·8
1984-85	12·0

* Less than £0·05 billion.

I regret that there is no satisfactory basis for apportioning Government revenues from oil and gas production between revenues arising from oil produced in the North sea north of latitude 55° 50′ and other revenues from oil and gas production. This is due mainly to the company basis on which corporation tax is assessed.

HOUSE OF COMMONS

Parliamentary Lobbyists

Mr. Evennett asked the Lord Privy Seal (1) whether there are any plans to introduce a registration system for parliamentary lobbyists representing (i) commercial interests and (ii) non-profit-making and charitable organisations; and if he will make a statement;

(2) whether there are any plans to issue Palace of Westminster photo identity passes to parliamentary lobbyists representing (i) commercial interests and (ii) non-profit-making and charitable organisations; and if he will make a statement.

Mr. Biffen: Any such proposals would, in the first instance, be matters for consideration by the Select Committee on Members' Interests and the Services Committee.

Parliamentary Business

Mr. Peter Bruinvels asked the Lord Privy Seal if he will set out in the *Official Report* the average length of day, excluding Fridays, the number of private Members' days, the total number of parliamentary Bills introduced and the daily average of starred and unstarred questions, for each parliamentary Session since 7 June 1955 and to date.

Mr. Biffen: Information on the average length of days and on the daily average of starred and unstarred questions could be obtained only at disproportionate cost. The remaining information requested is given in the tables.

The number of private Members' days in each parliamentary Session since 7 June 1955 and in this Session (up to and including Friday 10 May) is as follows:

Session	*Days*	*Half-days*
1955-56	20	—
1956-57	20	—
1957-58	20	—
1958-59	20	—
1959-60	20	—
1960-61	20	4
1961-62	20	4
1962-63	20	4
1963-64	20	4
1964-65	20	4
*1965-66	6	1
1966-67	24	4
1967-68	20	4
1968-69	20	4
*1969-70	18	3
1970-71	20	4
1971-72	20	4
1972-73	20	4
*1973-74	6	1
*1974	9	3
1974-75	20	4
1975-76	20	4
1976-77	20	4
1977-78	20	4
*1978-79	13	2
1979-80	23	4
1980-81	20	4
1981-82	20	4
*1982-83	18	2
1983-84	22	4
1984-85	18	2

* Denotes short Session.

Number of Parliamentary Bills

Session	*Private Bills*	*Public Bills (inc. Provisional Order Bills)**	*Total*
1955-56	76	126	202
1956-57	35	93	128
1957-58	40	112	152
1958-59	45	113	158
1959-60	45	103	148
1960-61	33	117	150
1961-62	40	108	148
1962-63	31	105	136
1963-64	37	155	192
1964-65	35	158	193
1965-66 (S)	17	79	96
1966-67 (L)	31	227	258
1967-68	40	146	186
1968-69	51	158	209
1969-70 (S)	77	152	229
1970-71 (L)	111	164	275
1971-72	48	149	197

Session	Private Bills	Public Bills (inc. Provisional Order Bills)*	Total
1972-73	31	153	184
1973-74 (S)	34	77	111
1974 (S)	29	86	115
1974-75	30	183	213
1975-76	32	174	206
1976-77	22	141	163
1977-78	22	143	165
1978-79 (S)	20	121	141
1979-80 (L)	50	217	267
1980-81	31	145	176
1981-82	33	143	176
1982-83 (S)	25	134	159
1983-84 (L)	56	181	237
1984-85 (to 7.5.85)		119	

* Also includes Hybrid Bills

Statutory Instruments

Mr. Andrew F. Bennett asked the Lord Privy Seal how many statutory instruments were prayed against in each of the last 30 years.

Mr. Biffen: The information requested is not held centrally and could be obtained only at disproportionate cost.

Mr. Andrew F. Bennett asked the Lord Privy Seal how many statutory instruments have been made in each of the last 30 years.

Mr. Biffen: The number of statutory instruments made in each of the last 30 years was as follows:

Year	Total
1955	2,007
1956	2,122
1957	2,250
1958	2,280
1959	2,389
1960	2,495
1961	2,515
1962	2,877
1963	2,157
1964	2,102
1965	2,201
1966	1,641
1967	1,981
1968	2,079
1969	1,902
1970	2,044
1971	2,178
1972	2,077
1973	2,236
1974	2,227
1975	2,251
1976	2,248
1977	2,202
1978	1,977
1979	1,770
1980	2,051
1981	1,892
1982	1,900
1983	1,965
1984	2,072

Mr. Andrew F. Bennett asked the Lord Privy Seal how many statutory instruments required affirmative approval as a requirement for coming into, or remaining in effect; how many were subject to the negative procedure; and how many statutory instruments subject to no parliamentary procedure were laid before either or both Houses of Parliament, in each of the last 30 years.

Mr. Biffen: I shall reply as soon as possible.

HOME DEPARTMENT

Convicted Murderers (Statistics)

Mrs. Renée Short asked the Secretary of State for the Home Department how many prisoners convicted of murder since 1966 have been released on parole or are currently having parole reviews considered; and what proportion of them were sentenced for murdering children.

Mr. Mellor: About 560 prisoners convicted of murder since 1966 have been released on life licence and about 200 are currently under review by the Parole Board (a number of these reviews will not result in recommendations for release). Information about the nature of each offence could only be obtained at disproportionate cost, but it is estimated that between 10 and 15 per cent. of convictions for murder between 1966 and 1982 involved victims aged 16 or under, and that a similar proportion applies to those currently under review by the Parole Board. It does not follow that a similar proportion applies to those released on life licence.

Holloway Prison

Mrs. Renée Short asked the Secretary of State for the Home Department if he will give details of the modernisation plans being carried out at Holloway prison and make a statement on the effect of the rebuilding upon the comfort of future prisoners.

Mr. Mellor: The modernisation of Holloway has entailed the demolition of all the original buildings and their replacement with a new purpose-built accommodation and facilities. The scheme started in August 1971 and the last of the six main phases is due to be completed in November of this year. The establishment will, when completed, provide modern accommodation with access to much improved sanitation, together with facilities for association, recreation, education and religious activities.

Coal Industry Dispute (Policing)

Mr. Eldon Griffiths asked the Secretary of State for the Home Department if Her Majesty's inspectors of constabulary have yet provided him with an estimate of the total cost of policing the recent miners' dispute.

Mr. Giles Shaw: It is not yet possible to make such an estimate. Up to 2 May the Home Office had paid to police authorities in England and Wales advances of police grant, and of the special payment which my right hon. and learned Friend is making available, on expenditure totalling £193·2 million.

Beecham Action Group March

Mr. Peter Bruinvels asked the Secretary of State for the Home Department if he will call for a report from the chief constable of Surrey as to the cost of policing the

Beecham Action Group march from Dorking to Brockham on Saturday 4 May; and if he will make a statement on the substance of the report.

Mr. Giles Shaw: The chief constable of Surrey tells me that the additional cost of policing this march was £6,942.

West Yorkshire Police

Mr. Fatchett asked the Secretary of State for the Home Department what was the establishment of the West Yorkshire police force on 31 March; what was its actual strength on that date; to what reasons he ascribes the difference between the two figures; and if he will make a statement.

Mr. Giles Shaw: The authorised establishment of the West Yorkshire police is 5,154, an increase of 50 since May 1979. The strength of the force was 4,991 on 31 March 1985. Police manpower levels fluctuate from month to month because of different recruiting and wastage patterns, seasonal changes and other local reasons. I understand that there was further recruitment to the force in April 1985, and the present strength is 5,011. The number of full-time civilian staff in the force has increased by 51 to 1,119 since May 1979, including an additional 20 during the past year.

Missing Persons

Mr. Peter Bruinvels asked the Secretary of State for the Home Department, pursuant to the answer of 22 April, *Official Report*, column *323*, how many of the cases listed in column 2 of table 2 relate to persons who were first reported missing in previous years.

Mr. Giles Shaw: I understand from the Commissioner of Police of the Metropolis that the information requested is as given in the table.

Persons aged less than 18 recorded as missing by the missing persons bureau of the Metropolitan police and traced or identified.*

		Of which:	
	Total traced or identified	*First reported missing in current year*	*First reported missing in previous years*
1979	3,220	2,920	300
1980	3,310	3,090	220
1981	2,800	2,470	340
1982	3,460	3,110	360
1983*	3,300	2,860	450
1984†	3,710	3,110	600

* Includes some cases reported missing by police forces other than the Metropolitan police, including overseas forces.
† Excludes cases reported from overseas (37 traced in 1984).

Mr. Peter Bruinvels asked the Secretary of State for the Home Department if, pursuant to the answer of 22 April, *Official Report*, column *323*, he is able to provide figures under the same heading for the number of missing persons in the current year so far.

Mr. Giles Shaw: I understand from the Commissioner of Police of the Metropolis that 969 persons aged less than 18 were recorded as missing by the missing persons bureau of the Metropolitan police between 1 January and 30 April 1985. This figure includes some cases reported missing by police forces other than the Metropolitan police.

Mr. Peter Bruinvels asked the Secretary of State for the Home Department, pursuant to the answer of 22 April, *Official Report*, columns *322-24*, what information he has from sources other than the Metropolitan police missing persons bureau about the number of missing persons under the age of 18 years.

Mr. Giles Shaw: Details of vulnerable missing persons are recorded on the police national computer. Such records are maintained for operational purposes only and accurate statistical information could be provided by the system only at disproportionate cost.

Mr. Peter Bruinvels asked the Secretary of State for the Home Department (1) if he will issue guidelines to each police force recommending the establishment and maintenance of an up-to-date register of missing persons under 18 years of age;

(2) if he will designate a division within his Department with specific responsibility for monitoring the numbers of missing persons under the age of 18 years;

Mr. Giles Shaw: No. We are satisfied that the police national computer, to which all forces in Great Britain have access, already provides an adequate facility for recording details of missing persons under the age of 18 and of other vulnerable missing persons. Advice on the use and up-dating of information held on the police national computer is issued by the Department: the operational response to this information is, however, a matter for individual chief officers of police.

Mr. Peter Bruinvels asked the Secretary of State for the Home Department if, pursuant to the answer of 22 April, *Official Report*, column *323*, he will provide a breakdown of the missing persons figures in each column of table 2 according to the following age groups: under 14, 14 to 16 and 16 to 18 years.

Mr. Giles Shaw: I shall reply as soon as possible.

DEFENCE

Defford

Mrs. Clwyd asked the Secretary of State for Defence how many personnel are currently employed at Defford.

Mr. Butler: Some 50 Ministry of Defence personnel are employed at the royal signals and radar establishment facility at Defford.

Mrs. Clwyd asked the Secretary of State for Defence if he will list the research or operational activities currently performed at Defford, and for which Government establishment, agency, department, or allied Government they are performed; and if he will make a statement.

Mr. Butler: The work of royal signals and radar establishment, Defford, is concerned with satellite communications. Research and development is undertaken for the Ministry of Defence. Some work on civil applications is undertaken for the Department of Trade and Industry. Details of operational activities are classified.

Mrs. Clwyd asked the Secretary of State for Defence if he will place in the Library such information and reports on research or operational activities carried out at Defford as may be available.

Mr. Butler: My Department does not keep records showing what material concerning work carried out at Defford might be available in the Library.

OVERSEAS DEVELOPMENT

Equipment (Manufacturers)

Mr. Hordern asked the Secretary of State for Foreign and Commonwealth Affairs if he will name the three largest manufacturers of equipment supplied to overseas countries under Overseas Development Administration programmes in each of the last three years, and the cost of such equipment to Overseas Development Administration funds in each of these years.

Mr. Raison: The Overseas Development Administration does not maintain statistics which show the supply of equipment under the bilateral aid programme broken down by individual British manufacturers.

The three largest spending bilateral aid projects in each of the last three years are listed together with the total aid spent and the main British lead contractors involved in project.

	£ million	
1982		
Mexico-Sicartsa Plate Mill	32·9	Davy Corporation Limited
Sudan—Power III	28·2	Northern Engineering Industries plc
Sri Lanka—Victoria Dam	27·1	Balfour Beatty Ltd./ Edmund Nuttall
1983		
India-Rihand Power Station	36·3	Northern Engineering Industries plc
Sri Lanka-Victoria Dam	23·1	Balfour Beatty Ltd./ Edmund Nuttall
Tanzania-Songea/Makambako Road	20·4	Balfour Beatty Ltd.
1984		
India—Rihand Power Station	42·2	Northern Engineering Industries plc
India—Balco Power Station	22·3	General Electric Co. plc
Sri Lanka—Victoria Dam	16·0	Balfour Beatty Ltd./ Edmund Nuttall

Food Aid

Mr. Bowen Wells asked the Secretary of State for Foreign and Commonwealth Affairs (1) what steps he takes to satisfy himself that cereal and foodstuffs are delivered to Sudan, Ethiopia and elsewhere as a result of decisions taken at the EC summit at Dublin, in accordance with his directions; and if he will make a statement;

(2) what steps are taken by the Overseas Development Administration to ensure that Her Majesty's Government are kept informed of the extent to which European pledges and plans in connection with the current food shortages in Africa have been implemented.

Mr. Raison: I refer my hon. Friend to the answer given to him on 13 May, at columns 19-20.

Mr. Bowen Wells asked the Secretary of State for Foreign and Commonwealth Affairs (1) what information he now possesses concerning the quantities of the Community share of the emergency food assistance promised under the Dublin plan which have arrived in Ethiopia, Sudan, Chad, Mali, Mauritania, Niger and Burkina Faso;

(2) what information was provided at the European Commission's co-ordination meeting *(a)* on 21 February and *(b)* on any subsequent date concerning the quantities of the Community share of the emergency food assistance promised under the Dublin plan which arrived in Ethiopia, Sudan, Chad, Mali, Mauritania, Niger and Burkina Faso.

Mr. Raison: The information available at the co-ordination meeting on 21 February on shipments by the European Community since the Dublin Council, and the most recent information provided by the Commission, are set out in the table. Some deliveries relate to commitments made before the Dublin Council.

All foods, tonnes of wheat or wheat equivalent

	21 February Arrived or planned to arrive before end February	*7 May Arrived at end April*
Ethiopia	61,000	124,000
Sudan	—	31,000
Chad	7,000	22,500
Mali	—	34,000
Mauritania	4,000	8,000
Niger	23,000	38,000
Burkina Faso	5,500	16,500

Sub-Saharan Africa (Food Aid)

Mr. Bowen Wells asked the Secretary of State for Foreign and Commonwealth Affairs whether he would be willing to send a further observer, on his behalf, to find out and report on how much food and cereals have been delivered, to those who are starving in sub-Saharan Africa, out of the commitments entered into by the Heads of EC Governments at Dublin.

Mr. Raison: We receive information periodically from the Commission on the amounts of food delivered from European Community programmes and by other member states. We also receive reports on deliveries from the relevant international organisations. I see no need to send a further observer although I will continue to monitor progress closely.

EMPLOYMENT

Youth Training

Mr. John Fraser asked the Secretary of State for Employment how many people, including school leavers, are now unemployed or engaged on youth training schemes or similar schemes in the London borough of Lewisham; and what was the comparable figure for June 1979.

Mr. Peter Morrison: On 11 April 1985 the number of unemployed claimants in the London borough of Lewisham was 17,237. About 400 people were being helped by the youth training scheme and about 1,800 were on other Government employment and training measures at the latest available date, although, because of the various bases on which local information is collated, an unknown proportion will be in areas outside the borough.

Comparable figures for June 1979 are not available because of changes in the way figures are collected. However, the number registered unemployed in jobcentre areas approximating to the London borough of Lewisham in June 1979 was 5,729.

Management Consultants

Mr. Mates asked the Secretary of State for Employment if he will list the contracts, with the subject of assignment, awarded to management consultancy firms by his Department in 1984, with the name of the consultants concerned.

Mr. Peter Bottomley: The following is a list of contracts awarded in 1984 for management consultancy:

Contract	*Consultancy firm*
Department of Employment	
Development of a Telecommunication Network	Prolog Ltd.
Sizing study for a Retail Price Index Computer System	Pinpoint Ltd.
Sizing study for Departmental Staff Records Computer System	Logica PLC
Computer requirements for Economic and Social Division	Sevenoaks Business System Ltd.
Development of a Mainframe Computing strategy	Yale Data Ltd.
Scrutiny of Legislative and Administrative Burdens	Research Associates
Development of a Management Accounting System	Peat, Marwick and Mitchell
Review of the Top Management Structure of the Unemployment Benefit System	Hay/MSL Management Consultants
Manpower Services Commission	
Focusing The Action in Sheffield (Training Division Management)	Atkins Planning
Implementation of Management Information Systems for the Skillcentre Training Agency	Coopers & Lybrand
Work Measurement in Area Offices	International Management Consultants
Supervacs—Design of Telecommunications Network System	LDR System Ltd.
Financial Management Accounting System II—Evaluation of Data Communications	Taskforce
Applicability & Feasibility of Data Dictionary System within MSC	Arthur Young Associates
Financial Management Accounting System II—Systems Requirement Specification	Price Waterhouse
Financial Management Accounting System II—General Ledger Package for New Accounting System (GL+)	McCormack & Dodge
Spectrum—Head Office Software Enhancement	Data Logic Ltd.
Spectrum—Design of Training Division Area Office Procedural Reports	Simdell Ltd.
To assist MSC in the Database & Systems Design of a Training Information Framework	CACI INC International
To assist MSC in the Database & Systems Design of a Training Information Framework	Prolog Systems Ltd.
Investigation of Business Opportunities for the Skillcentre Training Agency	Marketing Solutions
To Advise on the Launch of the New Technical Access Centres for the Skillcentre Training Agency	Marketing Solutions
Design & Install Market Intelligence System for the Skillcentre Training Agency	Marketing Solutions
Review of Fixed Assets Accounting & Control System	Price Waterhouse
Advisory, Conciliation and Arbitration Service	
Feasibility Study of Information Technology Use in ACAS	Ernst Whinney
Office of Manpower Economics	
Remuneration Studies Commissioned on behalf of the independent bodies serviced by the OME	Hay-MSL Management Consultants/Inbucon Management Consultants Ltd.

Labour Statistics

Mr. Austin Mitchell asked the Secretary of State for Employment what were the numbers of unemployed and the rate of unemployment in January and April 1985 in the United Kingdom, France, West Germany and the United States of America, respectively.

Mr. Alan Clark: Following is the available information. The unemployment figures on national definitions in table 1 are not fully comparable owing to difference in coverage. The OECD standardised rates in table 2 take account of these differences as far as possible.

Table 1 Seasonally—adjusted unemployment—national definitions

000s

	January 1985		*April 1985*	
	Number	*Per cent. rate*	*Number*	*Per cent. rate*
United Kingdom	3,124	12·9	*3,177	*13·1
France	2,444	12·7	†	†
West Germany	2,297	9·2	2,319	9·3
United States of America	8,484	7·4	8,426	7·3

* Provisional.
† Not available.

Table 2 OECD standardised unemployment rates

	**January 1985*
United Kingdom	13·5
France	10·2
West Germany	8·2
United States of America	7·3

* OECD standardised rates are not yet available for April 1985.

NORTHERN IRELAND

Londonderry Airport

Mr. Clifford Forsythe asked the Secretary of State for Northern Ireland which Northern Ireland Department has responsibility for Londonderry airport; and what public funds are provided to it.

Mr. Chris Patten: Londonderry airport is operated by the Derry city council in accordance with the terms of the Aerodromes Act (NI) 1971, which is administered by the Department of the Environment for Northern Ireland. Financial support for the purpose of the airport is provided by Derry city council. A capital grant of £31,684 was paid by the Department to the city council for specific airport facilities in 1980.

Homes (Dampness)

Mr. Clifford Forsythe asked the Secretary of State for Northern Ireland how many homes administered by the Northern Ireland Housing Executive have been reported as

suffering from dampness; and what methods are used to ascertain whether this dampness is attributable to bad design, condensation or disrepair.

Mr. Chris Patten: This is a matter for the Northern Ireland Housing Executive, but I understand from the chairman that the information is not readily available. I shall reply to the hon. Gentleman as soon as possible.

Medical Cards (Antrim, South)

Mr. Clifford Forsythe asked the Secretary of State for Northern Ireland what information he has as to the number of people in the Antrim South parliamentary constituency who hold pre-1973 medical cards; and what proportion of these people are registered on the electoral roll.

Mr. Scott: This information is not available.

EDUCATION AND SCIENCE

Inventions (Exploitation)

Mr. Patrick Thompson asked the Secretary of State for Education and Science what steps he is taking to increase the exploitation of inventions arising from work funded by the research councils; and if he will make a statement.

Sir Keith Joseph: The Government want to encourage the fullest possible industrial and commercial application of United Kingdom scientific and technological discoveries for the maximum benefit of the United Kingdom economy. In 1985-86 we shall spend, through the grant-in-aid to the five research councils, some £560 million on civil scientific research; and, in recognition of the long-term importance of research for the country, the Government's expenditure plans for the years 1985-86 to 1987-88 make additional provision, compared with earlier plans, of some £18 million in all over the three years for the enhancement of equipment in carefully selected university centres of high quality research and some £27 million for the science budget to assist the research councils in restructuring and redeployment and to fund more research grants of highest quality.

Following my right hon. Friend the Prime Minister's announcement of the ending of the right of first refusal held by the British Technology Group for the exploitation of Government-funded research, with the aim of enlarging opportunities for exploitation especially for scientists who want to exploit their own work, the Department has had extensive discussions with the councils and others concerned. I am now able to announce the main features of the new arrangements.

The Government's overall aims in the new arrangements are to increase the exploitation of research funded by the councils, for the maximum benefit of the United Kingdom economy; to strengthen and improve exploitation, through freer competition between exploiting agencies in the public and private sectors and in other ways; therefore, to place responsibility and initiative for exploitation as fully as possible on researchers, their institutions and the councils, consistent with their legal responsibilities; and to increase the incentive for researchers and their establishments by enabling them and the work that they do to benefit from increased exploitation. We want researchers to be alert to the possibilities for exploitation of their work; to see and share in the benefits of exploitation both for their own establishments and more widely in the national interest; to have access to arrangements for exploitation as simple and effective as practicable; and, where it is appropriate and they wish to do so, to have the opportunity to pursue exploitation themselves.

This statement mainly concerns universities. I envisage that the same principles should apply for local authority institutions of higher education, and appropriate parallel arrangements should be developed in due course.

For the research they support in universities the councils — which between them are currently funding some 6,900 university research projects of total value of £360 million—would, I understand, wish the rights and responsibilities for exploitation to rest with the institution in receipt of grant, where the university wishes to hold them, and where the councils are satisfied that adequate arrangements and procedures exist for identifying and pursuing potentially exploitable results. On behalf of all of the councils and with their agreement, the chairman of the Science and Engineering Research Council will shortly be writing to vice-chancellors to propose this transfer and to invite them to state their university's wishes.

It will be open to universities to propose what arrangements best suit their circumstances. In considering these I hope that universities will seek to give the fullest opportunity and scope for researchers themselves, where they wish to do so, to assume responsibility for exploiting their own findings and ideas, with commensurate share in the benefits. I envisage that the opportunity to exploit would thus in the first place rest with the researcher, on the understanding that he or she would take active steps to exploit the ideas, in ways consistent with the Government's policy aims and within the framework of the university's agreed arrangements. These arrangements will need to have regard to the university's terms and conditions of service; and, because public funds are involved, the university should share in royalties and provision should be made for periodic reporting. I hope that universities will encourage researchers to exploit discoveries themselves and will provide guidance and help for those who wish to do so. Where a researcher nevertheless chooses not to take on the rights and responsibilities for the exploitation of his or her discoveries, these would revert to the university.

Whether the discovery is exploited by the university or by the researcher it would be open to them to retain the rights themselves, to set up a limited company for the purpose, or to negotiate terms for transfer of the rights and responsibilities for exploitation to intermediaries such as private sector organisations or to the British Technology Group. Or they may choose to enter into direct agreements with industrial and commercial companies for the exploitation of individual discoveries, seeking such professional or other services as they need; or conclude agreements with the private sector intermediaries to undertake this on their behalf.

The Government do not wish to prescribe the means of exploitation; but they will want to be satisfied that there are considered arrangements governing exploitation by the university or by individual researchers to safeguard the public interest in the moneys involved while maximising the possibility that good inventions will be identified, assessed, protected and exploited.

Universities will be invited to submit an account of their proposed arrangements for the exploitation of inventions

to the Science and Engineering Research Council which will arrange for them to be considered in consultation with the other councils, the Committee of Vice-Chancellors and Principals, the University Grants Committee and with the Department of Education and Science, the Department of Trade and Industry, and Her Majesty's Treasury when arrangements are agreed and in place, councils would thereafter regard the university as fully responsible; and would wish to receive a brief annual report from each institution on the working of the arrangements in respect of their grants and contracts, including information on income earned. Any proposed major changes in the agreed arrangements will be subject to the same process of consideration and approval. I shall also be asking the councils, in conjunction with other interested bodies, generally to review the overall arrangements when sufficient experience has been gained of their operation, perhaps after three years.

It would be for the university or the researcher to negotiate exploitation terms. Universities will be able to retain their share of royalties and receipts in full without loss of general or specific grants. I hope that they will see fit to use them to strengthen and improve their research capability, its further exploitation, and related infrastructure. Where a university chooses to establish such necessary infrastructure, the Government would regard related expenditure as a proper use of an institution's resources, in recognition of the role of universities and other institutions of higher education in collaborating with industry and promoting exploitation.

I am asking each council to amend its conditions of grant to accommodate the new arrangements; and am inviting them to consider the scope for developing their own policies for exploitation of inventions originating in their own units and institutes on similar lines, so as to provide the maximum involvement of researchers and their establishments where appropriate, having regard to councils' financial and legal responsibilities and to the efficient use of a council's experience and expertise. The present delegated authority controls governing councils' involvement in commercial enterprises will be phased out as soon as each council is ready to take on its responsibilities fully. They will be able to retain earnings from exploitation of their in-home inventions without loss of grant-in-aid. When sufficient experience has been gained, the Department will wish to review the workings of the new arrangements with the councils.

The intention of these changes is to benefit the United Kingdom; and it is important that the exploitation of our scientific and technological discoveries should, whenever possible, be done by United Kingdom companies. This aim will be borne in mind when considering proposals from universities for the new arrangements. There may be circumstances where a foreign company or a subsidiary of such a company is the best choice, whether as an intermediary or for the negotiated transfer of rights. Where a university or researcher is considering using such a company or subsidiary for all of their discoveries, or all discoveries in a particular discipline or field, the university's arrangements should provide for the Department of Trade and Industry to be consulted at an early stage. The Department of Trade and Industry will also be ready to advise in particular cases and I hope that universities and researchers will consult them freely. The annual reports which universities make on the working of their arrangements should record any agreement for exploitation made with an overseas company or a subsidiary.

There is a nice balance to be struck between the free flow of information on which the health of science so critically depends and the need to protect new inventions if they are to be fully exploited to the benefit of the United Kingdom. A balance is also required between the freedom and motivation of the researcher to pursue exploitation, the efficient use of negotiating and other commercial skills to secure the best terms, and the legal responsibilities of councils, universities and their employees. In seeking to give individual researchers greater scope and opportunity to exploit their inventions, there is a possibility that in particular instances exploitation will be less than optimal. But the Government believe that it is right to incur this risk to secure the gains that will come from giving researchers and their institutions more responsibility and more incentive. They are confident that the scientific community, through consultation between the councils and the universities, will be able to work out satisfactory arrangements that will meet the Government's aims.

The new arrangements will take effect from today and will apply to all discoveries made hereafter whether funded by councils' current or future grants and contracts. There will necessarily be a transitional period, which I hope will last no more than six months, while universities are considering their arrangements and agreeing them with the councils as described above. The research councils have agreed that, during this time, a university with a proposal for exploitation should in the first instance consult the council responsible for the grant; councils will be informing their grant holders accordingly.

School-phobic Children

52. **Mr. Freud** asked the Secretary of State for Education and Science what information is available to his Department as to the numbers of school-phobic children and the facilities available for these children; and if he will make a statement.

Mr. Dunn: The Department does not collect information about the incidence of so-called school phobia. Local education authorities are responsible for monitoring school attendance and devising strategies for dealing with non-attendance. In doing so they have access to a wide variety of educational and psychological expertise, including the education welfare service, the schools psychological service and child guidance clinics.

School Transport (Cost)

Mr. Jack Thompson asked the Secretary State for Education and Science if he will list the cost to each local education authority of school transport for the years 1981, 1982, 1983 and 1984, respectively.

Mr. Dunn: The net cost to each local education authority of providing children with transport between home and school, for each of the three years to 1983-84, is given in the following table. Information for 1984-85 is not yet available.

Local Education Authority Recurrent Expenditure on Home to School Transport

£000s, Cash Prices

	1981-82	1982-83	1983-84
Greater London			
Barking	330	316	332
Barnet	788	918	917
Bexley	560	580	562
Brent	993	1,210	1,253
Bromley	680	647	686
Croydon	630	645	544
Ealing	1,017	1,070	1,103
Enfield	747	710	529
Haringey	576	718	742
Harrow	315	700	515
Havering	558	557	513
Hillingdon	466	524	480
Hounslow	778	836	824
Kingston-upon-Thames	247	291	244
Merton	283	280	53
Newham	n/a	n/a	456
Redbridge	490	544	534
Richmond-upon-Thames	288	247	250
Sutton	452	512	486
Waltham Forest	539	567	591
Inner London	3,248	4,045	4,120
Metropolitan Districts			
Birmingham	1,195	1,292	1,369
Coventry	248	295	354
Dudley	266	287	301
Sandwell	335	375	406
Solihull	357	409	488
Walsall	350	426	444
Wolverhampton	260	328	293
Knowsley	248	256	258
Liverpool	1,401	1,400	1,359
St. Helens	440	437	466
Sefton	445	245	326
Wirral	972	904	1,016
Bolton	419	449	487
Bury	285	269	273
Manchester	1,367	1,215	1,319
Oldham	331	366	342
Rochdale	303	292	276
Salford	396	437	443
Stockport	494	532	524
Tameside	366	406	437
Trafford	466	464	470
Wigan	463	414	494
Barnsley	239	241	255
Doncaster	466	483	520
Rotherham	604	606	604
Sheffield	868	883	989
Bradford	1,298	1,315	1,395
Calderdale	719	751	892
Kirklees	797	967	1,064
Leeds	2,155	2,293	2,139
Wakefield	527	540	561
Gateshead	256	252	166
Newcastle upon Tyne	449	437	443
North Tyneside	220	261	289
South Tyneside	142	127	144
Sunderland	199	238	261
Shire Counties			
Isles of Scilly	3	3	4
Avon	3,136	3,409	3,765
Bedfordshire	2,583	2,577	2,846
Berkshire	2,409	2,591	2,551
Buckinghamshire	3,588	3,988	4,236
Cambridgeshire	3,019	3,355	3,506
Cheshire	3,566	3,879	3,900
Cleveland	1,014	967	1,055
Cornwall	2,578	2,903	3,094
Cumbria	3,146	3,428	3,955
Derbyshire	3,272	3,569	3,789
Devon	5,644	5,945	6,578
Dorset	2,695	2,994	3,289
Durham	3,075	2,991	3,101
East Sussex	1,892	2,061	2,156
Essex	6,389	6,784	7,048
Gloucestershire	2,418	2,651	2,845
Hampshire	5,328	5,399	5,341
Hereford and Worcester	2,557	2,735	2,727
Hertfordshire	3,377	3,394	3,463
Humberside	2,690	2,986	3,087
Isle of Wight	659	750	806
Kent	8,177	8,547	9,190
Lancashire	4,689	4,762	5,076
Leicestershire	3,010	3,160	3,640
Lincolnshire	3,342	3,716	3,897
Norfolk	3,835	4,424	4,897
North Yorkshire	3,772	3,783	4,602
Northamptonshire	2,353	2,512	2,721
Northumberland	1,780	1,853	2,017
Nottinghamshire	2,974	2,958	2,897
Oxfordshire	2,454	2,846	2,874
Salop	2,313	2,296	2,469
Somerset	2,379	2,504	2,803
Staffordshire	4,261	4,003	3,779
Suffolk	3,202	3,335	3,475
Surrey	4,052	4,209	4,543
Warwickshire	2,283	2,183	2,283
West Sussex	2,373	2,315	2,523
Wiltshire	2,560	2,633	2,656

Overseas Students

Mr. Andrew F. Bennett asked the Secretary of State for Education and Science what are the charges to overseas students for arts courses, science courses and clinical courses, respectively, at each university in the United Kingdom.

Mr. Brooke: Information on such charges is not collected by the Department. The Government's policy is that overseas students who began their courses on or after 1 September 1980 should pay fees that cover the cost of their education here, but it is for individual universities to determine the fees that they charge to such students in accordance with the Government's policy and in the light of their own particular circumstances. The University Grants Committee has recommended that universities should charge at least the following minimum fees to such overseas students during the current academic year:

	£
Arts courses	3,150
Science courses	4,150
Clinical courses in medicine, dentistry and veterinary science	7,650

University Grants Committee

Mr. Kilfedder asked the Secretary of State for Education and Science what account he takes in determining the level of allocation to the University Grants Committee of recent trends in, and the current level of, university salaries relative to the trend in wages and salaries generally; and if he will make a statement.

Mr. Brooke: The assumptions made in determining the level of allocations to the universities via the University

Grants Committee are consistent with the Government's assumption for pay increases for all the groups for which it is responsible. No special account has been taken in recent years of either the current level of university salaries or the trend in university salaries relative to the general trend, apart from some additional allowances for increases in clinical academic salaries.

Licences

Mr. Ashdown asked the Secretary of State for Education and Science if he will list in the *Official Report* all the different types of licences operated or granted by his Department and the year in which they first came into operation.

Sir Keith Joseph: The Department does not grant or operate licences of any kind.

Universities

Mr. Freud asked the Secretary of State for Education and Science what is the planned change in the level of funding for universities in *(a)* real terms (i) between 1984-85 and 1987-88, (ii) between 1979-80 and 1987-88 and (iii) between 1980-81 and 1987-88 and *(b)* in percentage terms.

Mr. Brooke: The planned change in the level of university funding in real and percentage terms is as shown in the following table:

Financial year	*(a)* *Cash* £ million	*(b)* *Cash adjusted for fees compensation* £ million	*(c)* *Column (b) in real terms** £ million	*(d)* *Percentage change in real terms between each year and 1987-88* *Per cent.*
1979-80 outturn	842·5	842·5	1,229·0	−5·7
1980-81 outturn	1,067·1	1,067·1	1,311·8	−11·7
1984-85 provisional outturn	1,391·5	1,266·8	1,212·2	−4·4
1987-88 plans	1,511·5	1,374·9	1,158·5	—

* Cash figures adjusted for general inflation as measured by the GDP deflator at market prices using a 1983-84 base.

The figures include recurrent, capital and equipment grant paid to the universities on the advice of the UGC and Computer Board. They do not include income from tuition fees paid from public funds, nor do they include additional provision for the new engineering and technology programme announced on 19 March 1985. The figures have been adjusted to exclude elements added to recurrent grant to compensate for the loss of fee income resulting from the reduction in the home undergraduate tuition fee in 1982-83, its freezing in 1983-84 and a further minor adjustment in 1984-85. Because of other funding changes, the figures are not comparable from year to year.

Mr. Freud asked the Secretary of State for Education and Science if he will list decisions already taken in respect of the future funding of universities which will overlap the time scale of the forthcoming Green Paper on higher education.

Mr. Brooke: The Green Paper which will be published later this month will be concerned with the development of higher education into the 1990s. My right hon. Friend published on 30 January this year a letter to the chairman of the University Grants Committee giving an early indication of the Government's view on certain matters with implications for the work of the committee in the immediate future. I am sending a copy of that letter to the hon. Member.

Teachers (Appraisal System)

Mr. Flannery asked the Secretary of State for Education and Science if he will make a statement on the results of the meeting which took place on 15 April between his representatives acting on his behalf and representatives of the teachers' unions to discuss the question of an appraisal system for teachers.

Sir Keith Joseph: The 15 April meeting provided a useful opportunity to discuss my approach to appraisal and the views of the teacher associations. It was agreed that further exploratory exchanges should be promoted, involving representatives of local authority employers.

Higher Education

Mr. Freud asked the Secretary of State for Education and Science whether he will list, in respect of his Department's education report No. 100, the difference in the projected number of students entering higher education between variant Y and variant X in 1985 and 1988; and, in each case, what percentage of all undergraduates this difference will represent.

Mr. Brooke: Variant Y of report on education No. 100 has been revised to take account of final figures for entry to higher education in Great Britain in 1983-84. This revised projection was published in letters of 30 January 1985 from my right hon. Friend to the University Grants Committee and the national advisory body for public sector higher education.

The differences in the projected numbers of home initial entrants between variant Y (revised) and variant X in 1985-86 and 1988-89 are 10,000 and 9,000, respectively. These represent 6 and 5 per cent., respectively, of all home initial entrants (full-time and sandwich) as projected by variant Y (revised).

Mr. Freud asked the Secretary of State for Education and Science what representations he has received concerning his Department's education report No. 100 and the adoption of variant Y rather than variant X as the projection of demand for entry to higher education.

Mr. Brooke: Among other representations received the University Grants Committee and the national advisory

body for public sector higher education each referred to this matter in their advice on the development of a future strategy for higher education. The advice of both bodies was published last September. Copies are in the Library of the House.

Mr. Freud asked the Secretary of State for Education and Science on what criteria his Department decided in the context of education report No. 100 to adopt variant Y rather than variant X as the projection of demand for entry to higher education.

Mr. Brooke: Variant Y of the Department's projections of future demand for higher education (as revised) represents a continuation of demand at a level consistent with actual levels of entry to higher education in 1983, the latest year for which firm figures are available. It therefore represents the most recently observed propensity to enter higher education as affected by relevant educational and other factors, such as the distribution of places between sectors, the level of student support and the availability and attractiveness of other opportunities.

Benzodiazepine (Brain Changes)

Mr. Kennedy asked the Secretary of State for Education and Science whether he will make a statement on the findings of research into changes in the brain by demonstrable computer tomography, taking place in patients using benzodiazepine tranquillisers on a long-term basis.

Mr. Brooke: I understand from the Medical Research Council, which receives its grant-in-aid from the Department, that the council is funding a research project entitled "Psychometric performance and neuroradiological measures in long-term benzodiazenpine users" at the Institute of Psychiatry, London. This work is still in progress. Analysis of the results will be undertaken at or about the end of 1985.

Education Expenditure

Mr. Richard Shepherd asked the Secretary of State for Education and Science what was the total public expenditure on education in 1978 and each successive year; and what was the rate of growth in both nominal and real terms over the period.

Sir Keith Joseph: Total central and local government spending from 1978-79 to 1983-84 on those areas of education which are my responsibility was as follows:

	£ million cash
1978-79	7,456
1979-80	8,606
1980-81	10,507
1981-82	11,390
1982-83	12,269
1983-84	12,881

Over this period the primary and secondary school population fell by 12 per cent. while spending on education as a whole increased by nearly 73 per cent. in cash terms, an increase of almost 2 per cent. in real terms.

Special Educational Needs

Mr. Freud asked the Secretary of State for Education and Science how many young people there are between the ages of 16 and 19 years with special educational needs; and how many places are available for this group in *(a)* schools and *(b)* further education at the latest date for which the information is available.

Sir Keith Joseph: This information is not available centrally.

Burnham Committee

Mr. Freud asked the Secretary of State for Education and Science whether he will appoint an independent chairman to the review of membership composition of the union side of the Burnham committee; and if he will make a statement.

Sir Keith Joseph [*pursuant to his reply,* 10 May 1985, c. *535*]: No. Like my predecessors, I shall exercise the powers given to the holder of my office under section 1 of the Remuneration of Teachers Act 1965 directly.

Mr. Freud asked the Secretary of State for Education and Science what criteria he will take into account when deciding the balance of representation in the union side of the Burnham committee.

Sir Keith Joseph [*pursuant to his reply,* 10 May 1985, c. *535*]: Two major criteria which I will take into account in reviewing the balance of representation will be the number in relevant membership of the respective teacher associations and the distinctiveness of each.

Mr. Freud asked the Secretary of State for Education and Science what ratio of membership to representation he considers appropriate for the union side of the Burnham committee; and if he will make a statement.

Sir Keith Joseph [*pursuant to his reply,* 10 May 1985, c. *535*]: Representation on the committee cannot be determined by a simple ratio and one of the criteria I shall be taking into account is the distinctiveness of the membership of the associations.

SCOTLAND

Dental Technicians

Mr. Gregory asked the Secretary of State for Scotland how many dental technicians *(a)* are employed by health boards in Scotland, and *(b)* also undertake private contract work; and if he will make a statement.

Mr. John MacKay: The number of dental technicians employed by health boards in Scotland at 30 September 1984 (the latest date for which figures are available) was 147.

Information is not held centrally on how many of these dental technicians undertake additional private work. Provided that such work is carried out in their own time, does not impinge on their effectiveness and efficiency as NHS employees, and does not involve the use of NHS premises or equipment, dental technicians may undertake private work if they wish.

Rates

Mr. Teddy Taylor asked the Secretary of State for Scotland what is his Department's most recent estimate of the likely yield of rating on agricultural land and buildings in Scotland.

Mr. Ancram: Since agricultural land and buildings are not at present valued for rating purposes, I have no basis for an estimate of this kind.

Forestry Development

Mr. Hardy asked the Secretary of State for Scotland in how many cases forestry development has occurred where grant has been refused by the Forestry Commission; and what action he proposes to take to ensure that such development does not take place.

Mr. John MacKay: I refer the hon. Member to the replies which I gave to the hon. Member for Glasgow, Shettleston (Mr. Marshall) on 8 May at col. *442*.

Law Reform (Parent and Child) (Scotland) Bill

Lord James Douglas-Hamilton asked the Secretary of State for Scotland whether he will be prepared to support in principle the proposed Law Reform (Parent and Child) (Scotland) Bill.

Mr. Ancram [*pursuant to his reply*, 13 May 1985, c. *55*]: While I am sympathetic to the principle of such a Bill, I have not yet completed consideration of the Scottish Law Commission's report on illegitimacy or of the comments received on its proposals for the custody of illegitimate children. Accordingly I am not yet able to decide what form such legislation might most suitably take.

SOCIAL SERVICES

National Insurance Contributions

12. **Mr. Yeo** asked the Secretary of State for Social Services what he estimates the effects of the reductions in national insurance contributions will be on the take home pay of an employee earning £50 a week.

Mr. Newton: The proposed reductions in National Insurance contributions will mean that from October an employee earning £50 a week will take home an extra £2.

Community Health Councils

14. **Sir William van Straubenzee** asked the Secretary of State for Social Services what recent representations he has received about the operation of community health councils.

Mr. Kenneth Clarke: Since 11 February when I announced the introduction of revised community health councils regulations we have received six letters from hon. Members, three from community health councils, three from the Association of Community Health Councils for England and Wales and one from a member of the public. There have also been 12 questions put down by hon. Members and a debate on a prayer against the revised regulations.

Benefits

15. **Mr. Adley** asked the Secretary of State for Social Services when considering Government policy on benefits, what comparison he makes with benefits available in other European Economic Community countries; and if he will make a statement.

Mr. Newton: The Department regularly receives information about benefit provisions in other countries including the European Community. Visits are also made from time to time by Ministers and officials. But the main influences on our policies on benefits are the needs, priorities and resources available in this country.

Death Grant

19. **Mr. Bidwell** asked the Secretary of State for Social Services whether he intends to increase the death grant; and if he will make a statement.

Mr. Newton: The future of the death grant is being considered in the context of our major review of social security. Proposals arising from the review will be published in the near future.

Diet

20. **Mr. Harris** asked the Secretary of State for Social Services what steps he is taking to provide information to people about the importance of having a healthy diet.

Mr. John Patten: We expect to be making guidance from the joint advisory committee on nutrition education available later this year.

Nurses (Pay)

21. **Mr. Willie W. Hamilton** asked the Secretary of State for Social Services if he will make a statement on nurses' pay within the National Health Service.

34. **Mr. Pavitt** asked the Secretary of State for Social Services what consideration has now been given to the recommendation received from the Nurses and Midwives Review Body.

Mr. Kenneth Clarke: The average pay of nurses has risen by 94 per cent. between April 1979 and March 1985 which was 23 per cent. ahead of the rise in prices over the same period.

The pay of National Health Service nursing and midwifery staff is determined in the light of the recommendations of an independent review body. Recommendations for 1985 from three review bodies have been submitted to my right hon. Friend the Prime Minister. These are being considered together in the normal way and an announcement will be made in due course.

Voluntary Organisations

22. **Mr. Favell** asked the Secretary of State for Social Services what increases there have been in funding to voluntary organisations under section 64 of the Health Services and Public Health Act 1968 since 1979.

Mr. John Patten: In 1978-79 the Department spent £4,445,000 on grants under our general scheme of section 64 grants. The comparable figure for 1984-85 is £11,357,000, a real increase of 43 per cent. Total expenditure on grants to help the voluntary sector has risen from £10 million in 1979-80 to £30 million in 1984-85.

Maternity Allowance

23. **Mr. Richard Page** asked the Secretary of State for Social Services what recent representations he has received over the current level of maternity allowance.

Mr. Whitney: Some 30 representations were received last year on the review of financial provision for maternity commenting on the level of maternity allowance.

Social Security (Review)

24. **Mr. Eggar** asked the Secretary of State for Social Services if he will make a statement on his review of the social security system.

Mr. Whitney: The Government's proposals for the future of social security will be published shortly.

30. **Mr. Robert Hughes** asked the Secretary of State for Social Services whether he will publish the proposals submitted to him by his review committees; and if he will make a statement.

Mr. Newton: The outcome of the review of social security will be published shortly. The report of the independent housing benefit review team will be published at the same time. The other three review teams were led by Ministers and their work has been taken into account in formulating the Government's conclusions and proposals arising from the review as a whole.

41. **Mrs. Beckett** asked the Secretary of State for Social Services when he now expects to announce the results of his review of pensions; and if he will make a statement.

48. **Mrs. Clwyd** asked the Secretary of State for Social Services when he now expects to announce the results of his review of benefits for children and young persons; and if he will make a statement.

Mr. Whitney: I refer the hon. Members to my right hon. Friend's reply earlier today to the hon. Members for Thurrock (Dr. McDonald), for Newport, East (Mr. Hughes), for Don Valley (Mr. Redmond), and Bootle (Mr. Roberts).

Expenditure

25. **Mr. Chapman** asked the Secretary of State for Social Services what has been the increase in expenditure in real terms in the National Health Service in England between 1978-79 and 1984-85; and what are the comparative figures of the four Thames regional health authorities collectively and the other regions.

Mr. Kenneth Clarke: Expenditure on the National Health Service increased between 1978-79 and 1984-85 by 20·5 per cent. in real terms. Over the same period revenue expenditure by health authorities increased by 14·7 per cent., within which the increase for the four Thames regions, including the postgraduate special health authorities, was 9·8 per cent. and that for the remaining regions 17·4 per cent. Thames regions received less than other parts of the country as part of our policy of achieving a fairer distribution of resources in line with the approach set out in the resource allocation working party report in 1976. Figures for 1984-85 are still provisional.

33. **Mr. Marlow** asked the Secretary of State for Social Services what was the average real rate of increase in expenditure on *(a)* the National Health Service and *(b)* social security per taxpayer since 1979.

Mr. Fowler: The average real rate of increase in expenditure per income tax payer since 1979 has been 4·6 per cent. per year for the National Health Service and 6·4 per cent. per year for Social Security.

General taxation is not the only source of finance for the National Health Service and Social Security: in 1983-84, 14 per cent. of National Health Service expenditure and about 50 per cent. of social security expenditure were financed by national insurance contributions and patient charges and national insurance contributions respectively.

Pensions

26. **Sir Brandon Rhys Williams** asked the Secretary of State for Social Services what steps he is taking to encourage trustees and managers of occupational pension schemes to make available for transfer the full amount of the accrued rights of the early leavers.

Mr. Whitney: The Social Security Bill now before Parliament will require pensions schemes to provide transfer values which must be at least the cash equivalent of the pension benefits to which the leaving member would otherwise be entitled. The way in which these cash equivalents are to be calculated will be set out in regulations and in guidance for the actuarial profession and will apply to people transferring after these provisions come into force. We propose to issue a consultative document on the content of these regulations shortly.

Social Workers (Decisions)

27. **Mr. Rowe** asked the Secretary of State for Social Services how many representations he has received since 5 July 1984 about the absence of a procedure for appeal against social workers' decisions; and if he will make a statement.

Mr. John Patten: Three representations have been received in this period. We agree that local authorities who have the statutory duty to provide personal social services should have, as recommended in the report, "Social Workers: Their Role and Tasks", established methods for dealing with complaints but we hold the view that authorities should develop their own procedures to meet their particular needs. The statutory code of practice on access to children in care and the Department's document on statutory reviews of children in care both draw attention to the need for adequate local complaints procedures. These proposals were generally well received. The Department's social services inspectorate is currently examining local authorities' procedures and practices in connection with the new arrangements for access and parental rights resolutions.

Black Report

28. **Mr. Eastham** asked the Secretary of State for Social Services if he will make a further statement on the progress made in implementing the Black report on inequalities in health.

Mr. Kenneth Clarke: We have never undertaken to implement the recommendations of the Black report. However, many of them are consistent with the policies and priorities for the health and social services we are following, particularly in the fairer distribution of NHS resources to previously relatively deprived Regions such as the north-west. Some recommendations, particularly those on the social security system, would involve expenditure on a scale which could not seriously be contemplated.

Tax and Social Security System

29. **Mr. Heathcoat-Amory** asked the Secretary of State for Social Services what account he has taken, in his social security review, of the implications for the practicality of subsequent integration of the tax and social security system.

Mr. Whitney: I must ask my hon. Friend to await the publication of the Government's conclusions and proposals arising from the social security review. These will be published as soon as possible.

Hospital Waiting Lists

31. **Mr. Neale** asked the Secretary of State for Social Services how the latest available figures on waiting lists compare with those in March 1979.

45. **Mr. Wood** asked the Secretary of State for Social Services what progress has been made in reducing the number of patients on hospital waiting lists.

Mr. John Patten: At March 1979 hospital in-patient waiting lists stood at 752,400. The latest available figure, for September 1984, is 682,600. The numbers had fallen to 622,500 in March 1982 but rose again to 746,100 in December 1982 following the industrial action in the health service. The downward trend then resumed and we expect it to continue. In general, figures on waiting lists are believed to include a significant proportion of duplicated entries and patients who no longer require treatment. The amount of overstatement cannot readily be estimated, but is thought to exceed 10 per cent. nationally and could be considerably more. About half of all admissions to hospital are immediate, and many of those on waiting lists already have a planned date of admission.

Departmental Staff—Police (Information Exchange)

32. **Mr. Ashdown** asked the Secretary of State for Social Services whether he is satisfied with the present arrangements for exchanges of information between staff of his Department and the police; and if he will make a statement.

Mr. Whitney: Yes. Clear instructions about provision of information to the police are given to DHSS staff. They permit information to be passed in confidence to the police where it is requested to assist inquiries in a case involving serious crime, or where the police are investigating offences in which the Department has a direct interest.

Food Policy (Confectionery Industry)

35. **Mr. Gregory** asked the Secretary of State for Social Services what representations he has received from the confectionery industry on the report of the Committee on Medical Aspects of Food Policy; and if he will make a statement.

Mr. John Patten: At the time the report on diet and cardiovascular disease was in preparation the Cocoa, Chocolate and Confectionery Alliance made detailed representations which were carefully considered by the committee. We have received no subsequent representations from them.

NHS (Resources)

36. **Sir David Price** asked the Secretary of State for Social Services what has been the increase in resources made available to the National Health Service over the five financial years from 1980-81 to 1984-85 measured in constant prices; and whether over those five years pay levels have kept up with the increase in prices.

Mr. Kenneth Clarke: Financial allocations to the National Health Service have increased at an average rate of 2·1 per cent. per year in real terms over the period from 1980-81 to 1984-85 making a total increase of 8·7 per cent. Over the same period, the average pay levels of all health authority staff have increased by 26·0 per cent., and the retail price index has increased by 31·3 per cent. However there had been a very significant pay award in 1979-80 and taking back the figures by one year would give a very different picture.

New Drugs (Testing)

37. **Mr. Meadowcroft** asked the Secretary of State for Social Services if he will introduce legislation to prohibit the offering of financial inducements designed to secure the participation of humans in the testing of new drugs.

Mr. Kenneth Clarke: The guidelines issued by the Royal College of Physicians cover payments to volunteers and recommend that ethics committees satisfy themselves that payments are not so large as to induce subjects to take risks primarily for reward. We are awaiting updated advice from the college, the Association of British Pharmaceutical Industries and the Medicines Commission.

National Insurance

38. **Mr. Watts** asked the Secretary of State for Social Services what representations he has received about the effect on the lower wage earner of the national insurance proposals contained in the 1985 Budget.

Mr. Whitney: Since March 1985 we have received five letters which criticised various specific aspects of those proposals in the Budget which benefit lower wage earners.

Drugs (Misuse)

39. **Mr. Peter Bruinvels** asked the Secretary of State for Social Services whether he is in a position to report on the progress his Department's advertising campaign is making towards warning families of the perils of drug misuse.

Mr. John Patten: I refer my hon. Friend to my hon. Friend the Parliamentary Under-Secretary of State for Home Affairs' reply to my hon. and learned Friend the Member for Fylde (Sir E. Gardner) on 28 March at column *273*.

42. **Mr. Ashby** asked the Secretary of State for Social Services what steps he is taking to warn the public about the dangers of drug misuse.

Mr. John Patten: Under the auspices of the ministerial group on the misuse of drugs the Department is engaged in a broad based campaign of information and education to discourage drug misuse, and particularly heroin misuse. On the details of the campaign and related initiatives I

would refer my hon. Friend to my reply to my hon. Friend the Member for Welwyn Hatfield (Mr. Murphy) on 18 March at columns *376-8*. The second stage of the campaign will now come towards the end of May.

House Helps

40. **Mr. Greenway** asked the Secretary of State for Social Services if he will seek to establish regional or area corps of people for service as home helps; and if he will make a statement.

Mr. John Patten: The recruitment and management of staff for home help services is, and should remain, the responsibility of each local social services authority.

Limited List Prescribing

43. **Mr. Michael Morris** asked the Secretary of State for Social Services when he will announce the procedure for general practitioners to prescribe drugs outside the limited list for patients with particular medical needs.

Mr. Kenneth Clarke: I refer my hon. Friend to my reply to my hon. Friend the Member for Rutland and Melton (Mr. Latham) on 3 May at column *271*.

Mr. Charles Kennedy asked the Secretary of State for Social Services whether he will consider removing Lorazapan from the limited list.

Mr. Kenneth Clarke: The Chief Medical Officer's group of medical and pharmaceutical experts, set up to advise on the contents of the selected list, recommended that Lorazapan should remain available under the National Health Service; and we accepted the group's advice in full. As we have already announced we shall shortly be setting up a committee to keep the selected list under review. It will be open to that committee to reconsider the position of Lorazapan.

Disabled Persons (Voluntary Organisations)

44. **Mrs. McCurley** asked the Secretary of State for Social Services what assistance his Department gives to voluntary organisations concerned with disabled people.

Mr. Newton: I refer my hon. Friend to my reply to the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) on 22 June 1984 at columns *316-20* when I listed grants made to voluntary organisations in the financial year 1983-84. The list includes the grants awarded to a number of disablement organisations, and comparable information has been published in the *Official Report* for earlier years—for 1982-83 on 26 July 1983 att columns *1028-32* and for 1981-82 on 11 May 1982 a columns *588-92*. Comparable information for 1984-85 is not yet available.

Private Contractors

46. **Mr. Hardy** asked the Secretary of State for Social Services which health authorities have included or wish to include a requirement that private contractors shall pay fair wages to those engaged in work for such authorities.

Mr. Kenneth Clarke: We are aware of 14 health authorities which are still trying to specify requirements for pay rates, sickness benefits, pension entitlements or other conditions of contractors' staff when putting their domestic, catering and laundry services out to tender. The description of these requirements as "fair wages" clauses is tendentious and meaningless. We have asked regional chairmen to ensure the removal of these requirements which are an unreasonable interference in the relationship between contractors and their employees at the expense of the National Health Service. The health authorities concerned are:

Barnsley	Rotherham
Calderdale	Salford
Central Birmingham	South Birmingham
East Birmingham	South Warwickshire
East Yorkshire	Trafford
Grimsby	West Cumbria
Paddington/North Kensington	Wolverhampton

Supplementary Benefit

47. **Mr. Andrew Bowden** asked the Secretary of State for Social Services if, in the light of the representations he has received concerning the new limits to supplementary benefit payments as they apply to residential care and nursing homes for the elderly, he will reconsider the level of these limits earlier than the proposed review in 12 months.

Mr. Whitney: We are already committed to reviewing the level of all limits within the next 12 months. We set the new limits at levels which were reasonable in the light of the information available. We shall however take account at the time of our review of further information — which we are taking active steps to seek — and experience of the new arrangements.

Rates and Water Rate Rebates

49. **Mr. Holt** asked the Secretary of State for Social Services if he will introduce legislation to abolish the capital savings rules governing the entitlement of retirement pensioners to rates and water rates rebates.

Mr. Whitney: We will be announcing as soon as possible the conclusions of the social security review including detailed proposals for the future of the housing benefit and supplementary benefit schemes.

Invalid Care Allowances

50. **Mr. Sumberg** asked the Secretary of State for Social Services whether he will make changes to the invalid care allowance to allow married women to benefit.

Mr. Newton: I refer my hon. Friend to my reply to my hon. Friend the Member for Exeter (Mr. Hannam) on 17 January, at column *224*.

Forest and Honey Lane Hospitals

51. **Sir John Biggs-Davison** asked the Secretary of State for Social Services if he will visit Forest hospital, Buckhurst Hill and Honey Lane hospital, Waltham Abbey; and if he will invite the chairman of the North-East Thames regional health authority to accompany him.

Mr. Kenneth Clarke: Forest hospital and Honey Lane hospital are both under consideration for closure and re-provision of their services elsewhere. If the district health authorities concerned—Waltham Forest and West Essex —decide to proceed and their proposals are opposed by the relevant community health councils, the matter will be

referred via North-East-Thames regional health authority to Ministers for a final decision. I do not think that it would be appropriate therefore for Ministers to visit the hospitals or comment on the proposals at this stage.

Mobility Allowance

Mr. Cox asked the Secretary of State for Social Services when he last reviewed the rule on age limits for mobility allowance; and if he will make a statement.

Mr. Newton: The last change in the age limits for mobility allowance was in November 1979. We keep the position under review, but have no present plans for any change.

Organ Transplant Campaign

Mrs. McCurley asked the Secretary of State for Social Services whether he is in a position to report on the first year of his organs transplant campaign; and what plans he has to ensure the momentum of the campaign is continued.

Mr. John Patten: In the 12 months following the launch in February 1984 of our campaign to increase public awareness of the benefits of organ transplantation and to promote the donor card scheme, over 12½ million new donor cards have been issued and the number of kidney transplants performed has risen by 30 per cent. over the previous year. Further publicity to maintain the campaign's momentum has been arranged.

We are continuing to publicise the need for organ donation and it is hope that donor cards will be made available to the public through a number of new outlets this year. The Chief Medical Officer will be writing to the directors of renal transplant units asking them to review their relationships with those hospital departments within their catchment areas which are most likely to have potential organ donors, in order to ensure that no opportunities are lost.

Hearing Systems

Mr. Alfred Morris asked the Secretary of State for Social Services if there is any action he will be taking to seek to ensure that all health and all social services establishments are equipped with induction loop and other hearing systems.

Mr. Newton: Future health building notes issued by the Department will draw attention to the need to provide suitable facilities for hearing-impaired people. It is for local authorities to decide in which social services establishments induction loops or other hearing systems ought to be provided.

Mr. Alfred Morris asked the Secretary of State for Social Services what consideration he has given to the booklet on "Induction Loops and Hearing Systems Installed in Greater London", produced by the Greater London Association for Disabled People, a copy of which has been sent to him; and what assistance his Department is giving to establishments introducing these systems.

Mr. Newton: Hearing-impaired people should find the booklet most useful in locating places in Greater London where induction loops and other hearing systems are available. The Department provides grant aid for a number of national organisations which are able to give advice on the installations of such systems.

Mr. Alfred Morris asked the Secretary of State for Social Services how many of his Department's buildings are equipped with induction loops or other hearing systems.

Mr. Newton: Induction loops are installed in nine of the Department's buldings. Amplifiers for telephones are provided where necessary, but information on the numbers supplied is not readily available.

Benzodiazepine

Mr. Kennedy asked the Secretary of State for Social Services whether he will consider providing extra resources to provide support facilities for the trauma suffered by patients undergoing withdrawal from long-term benzodiazepine tranquilliser use.

Mr. John Patten: Family practitioner, community health and general hospital services are available to those experiencing trauma as a result of withdrawal from the long-term use of benzodiazepines. In addition, funds have been allocated under the drugs initiative to three local voluntary self help organisations providing services specifically for those dependant on tranquillisers and many other projects offer services to this group as well as to those misusing other drugs. Guidelines on good clinical practice in the treatment of drug misuse have been issued to all doctors. They contain advice on the addictive potential of benzodiazepines and on withdrawal procedures.

Mr. Kennedy asked the Secretary of State for Social Services if he will make a statement on the evidence available to him about the cumulative effect of the benzodiazepine group of drugs upon the elderly.

Mr. John Patten: It is well known that elderly people are particularly sensitive to the effects of benzodiazepine drugs and doctors are advised in the "British National Formulary" and in data sheets relating to individual products to reduce dosages for the elderly.

Mr. Kennedy asked the Secretary of State for Social Services what evidence he has about the effect of drugs within the benzodiazepine group on personality changes; and if he will make a statement.

Mr. John Patten: A considerable amount of data on the effects of benzodiazepines on the central nervous system has been published and is available in professional literature. The effects are known to vary between individuals and between different drugs in the class. Advice to doctors on these drugs is contained in section 4 of the "British National Formulary."

Mr. Kennedy asked the Secretary of State for Social Services what information he has as to the number of patients taking benzodiazepine tranquillisers who first took the drug whilst staying in hospital.

Mr. Kenneth Clarke: We do not hold this information centrally.

Mr. Kennedy asked the Secretary of State for Social Services whether he will consider arranging to supply all patients who are given prescriptions for benzodiazepine tranquillisers with a data sheet listing their possible side-effects.

Mr. John Patten: We do not think such action is necessary. Individual reaction to these medicines may

vary considerably and it is for the doctor, in the light of his knowledge of the patient, to advise him or her accordingly. In the absence of specific instructions from the prescriber, pharmacists are recommended to label these products with the words "Warning. May cause drowsiness. If affected do not drive or operate machinery. Avoid alcoholic drink". This advice is now incorporated in the British National Formulary—the basic handbook on prescribing and dispensing.

Board and Lodging Payment

Mr. Freud asked the Secretary of State for Social Services what was the average weekly amount paid to young people under the age of 26 years in hostel accommodation in 1984 in *(a)* Wisbech and *(b)* March; and what average weekly amount they will receive under the new regulations.

Mr. Whitney: I understand that there are no hostels in Wisbech and March.

Mr. Freud asked the Secretary of State for Social Services (1) how many young people he estimates will be affected by the changes in board and lodging regulations in *(a)* Wisbech and *(b)* March;

(2) how many young people under the age of 26 years were in receipt of board and lodging payments in *(a)* Wisbech and *(b)* March travel-to-work areas on 28 April 1985 and at the same date in each of the last five years; and, of those young people in receipt of board and lodging payments on 28 April 1985, how many, and what percentage, had been claiming for more than (i) two weeks, (ii) one month, (iii) six months and (iv) one year, respectively.

Mr. Whitney: The information requested could be obtained only at disproportionate cost.

Retirement Age

Mr. Alex Carlile asked the Secretary of State for Social Services (1) whether he has any proposals for the introduction of a standard retirement age for men and women; and if he will make a statement;

(2) whether he has any proposals for facilitating the early retirement of men aged between 60 and 64 years; and if he will make a statement.

Mr. Newton: Retirement age was one of the issues considered by the inquiry into provision for retirement, which has formed part of the social security review. The Government's conclusions and proposals arising from the review as a whole will be published as soon as possible.

State Pension Schemes

Mr. Alex Carlile asked the Secretary of State for Social Services whether he has any proposals for the implementation of that part of EC Directive (79/7) requiring equal treatment for men and women in respect of state pension schemes; and if he will make a statement.

Mr. Whitney: The Government have taken steps to implement Directive 79/9 EEC in relation to the state pension scheme apart from the permitted exclusions relating to pension age (article 7.1*(a)*) and availability of category B pensions for women (article 7.1*(c)*). These both represent areas of positive discrimination in favour of women.

Legionnaire's Disease

Mr. Dobson asked the Secretary of State for Social Services if he will list each case or outbreak of suspected or confirmed legionnaire's disease notified to his Department since 1 April giving, in each case, the date the Department was notified, the number of persons affected and the number of deaths.

Mr. Kenneth Clarke: An outbreak of influenza at Stafford was reported to our Department on 29 April. On 3 May it was confirmed that this outbreak included cases of legionnaire's disease. So far 52 cases of the disease have been definitely confirmed and 13 of these have died.

Other cases notified to our Department since 1 April 1985 were:

	Date Notified	*No. of Cases*	*Deaths*
Portsmouth	5 May 1985	3	1
Bristol	9 May 1985	1	1
Birmingham	9 May 1985	1	1

It is not normal practice for the communicable disease surveillance centre to notify our Department of all sporadic cases of the disease. Isolated cases occur from time to time in various parts of the country and they only report as a matter of course clusters of cases or individual cases which give rise to particular concern. The centre tells us that three further cases have been reported to them since 1 April:

	No. of Cases	*Deaths*
Leicester	1	0
Sheffield	1	0
London	1	0

Children Act 1975

Mr. Kennedy asked the Secretary of State for Social Services when section 33 of the Children Act 1975 is likely to be brought into effect.

Mr. John Patten [*pursuant to his reply*, 7 May 1985, c. *342*.]: I announced yesterday that the custodianship provisions of the Children Act 1975 will be brought into force on 1 December 1985.

We shall present the commencement order, and custodianship report regulations to Parliament at the end of May. At the same time we shall issue a circular of guidance, to explain the provisions to local authorities and other interested bodies.

National Health Service

Mr. Meacher asked the Secretary of State for Social Services (1) if he will set out, for each year since 1960, the level of (i) Exchequer supplement, (ii) national insurance contributions, (iii) National Health Service charges levied and (iv) other revenue sources contributing each year to the total National Health Service budget; and what percentage of total revenue each year came from each of these sources;

(2) what has been the level of National Health Service expenditure each year since 1960; what percentage change each year this represents in real terms as measured by the retail price index; what percentage change each year this represents in terms of National Health Service pay and prices; and what percentage change each year this

represents in terms of National Health Service pay and prices, taking into account annual rises in demographic demand and in the costs of medical technology.

Mr. Kenneth Clarke [*pursuant to his reply*, 3 May 1985, c. 272]: The table sets out total gross expenditure (current and capital) on the National Health Service in England for each year since 1971-72. Comparable expenditure figures are not available for earlier years. Percentage changes in real terms are measured by the gross domestic product deflator. As the hon. Member has specifically requested figures deflated by the retail price index, and by National Health Service pay and prices these are also given but I do not accept that these figures are a sensible measure of "expenditure in real terms".

In the period since the late 1970s it has usually been estimated that on average Hospital and Community Health Services require each year nearly one per cent. more of real resources to deal with demographic pressures, and that an additional ½ per cent. is required each year because of medical advance. These percentages should be applied only to expenditure figures with care however as they do not directly relate to the growth in services actually achieved. It should not be assumed that services provided by the National Health Service can only grow in line with the additional resources which become available. Inpatient cases and day cases have recently increased more rapidly than in the 1970's. There has also been a marked improvement in the efficiency with which resources are used. Cost improvement programmes totalling £100 million were achieved in 1984-85 and further programmes amounting to some £145 million are planned for 1985-86.

Percentages of National Health Service expenditure since 1948-49 contributed respectively by the Exchequer, the NHS element of national insurance contributions, patient charges and from other sources have been given annually in the Department's written evidence to the Social Services Committee for its inquiry into public expenditure on the social services. The latest figures are published in the table on page 45 of the Committee's fourth report for the 1983-84 session (HC 395).

	England gross expenditure (£ million cash)	*Percentage increase in real terms (GDP deflator)*	*Percentage increase deflated by the Retail Price Index*	*Percentage increase deflated by movements in NHS pay and prices*
1971	2,000	+3·6	+3·6	+3·6
1972-73	2,281	+5·6	+6·5	+5·1
1973-74	2,592	+5·9	+2·8	+3·5
1974-75	3,426	+10·6	+12·2	+1·2
1975-76	4,511	+5·0	+5·7	+2·6
1976-77	5,149	+0·7	−1·0	+1·1
1977-78	5,689	−2·8	−3·0	+0·9
1978-79	6,455	+2·5	+4·7	+2·3
1979-80	7,712	+2·3	+3·2	−0·1
1980-81	9,917	+8·4	+10·6	+1·2
1981-82	11,158	+2·3	+0·9	+3·3
1982-83	12,134	+1·9	+1·6	+1·2
1983-84	12,917	+2·0	+1·7	+1·4
1984-85	13,847	+2·6	+2·1	+1·1

Immigrants (Expenditure)

Mr. Cohen asked the Secretary of State for Social Services if he will seek to extend the provisions of section 11 of the Local Government Act 1966 to the National Health Service.

Mr. Waddington: I have been asked to reply.

We have no plans to extend the provisions of section 11 in this way.

Written Answers to Questions

Wednesday 15 May 1985

WALES

Council House Sales

Mr. Best asked the Secretary of State for Wales if he will provide a table for each district in Wales showing *(a)* the number of applications to buy public sector housing and *(b)* the number of sales of public sector housing from May 1979 to the latest available date.

Mr. Wyn Roberts: The information requested is given in the following table for local authorities and new towns. An additional 1,758 dwellings, which cannot be related to applications or broken down by local authority, have been sold by housing associations.

	*Local authority and new towns applications May 1979-December 1984**	*Sales May 1979-December 1984**
Alyn and Deeside	951	894
Colwyn	373	391
Delyn	1,014	1,193
Glyndwr	1,145	681
Rhuddlan	773	441
Wrexham Maelor	2,861	1,287
Carmarthen	451	728
Ceredigion	1,123	765
Dinefwr	645	366
Llanelli	2,945	1,841
Preseli	1,695	1,144
South Pembrokeshire	626	492
Blaenau Gwent	1,751	902
Islwyn	3,148	2,190
Monmouth	1,303	1,207
Newport	2,831	2,022
Torfaen	3,127	1,643
Aberconwy	1,453	902
Arfon	1,186	721
Dwyfor	335	216
Meirionnydd	731	495
Ynys Môn	1,094	675
Cynon Valley	1,227	744
Merthyr Tydfil	1,620	943
Ogwr	3,547	2,139
Rhondda	535	244
Rhymney Valley	3,164	1,925
Taff-Ely	2,681	1,621
Brecknock	1,312	751
Montgomery	1,261	795
Radnor	640	340
Cardiff	5,472	3,276
Vale of Glamorgan	1,940	1,834
Afan	2,401	1,595
Lliw Valley	1,612	903
Neath	1,755	1,185
Swansea	2,486	1,216
Wales Total	63,214	40,707
Cwmbran	†3,485	2,301
Newtown	†194	73
Wales total including new towns	66,893	43,081

*Where sales exceed applications this is due to applications to buy under voluntary schemes being submitted prior to May 1979.
†Since 31 March 1980 when records were first kept.

HOME DEPARTMENT

Pucklechurch Remand Centre

Mr. Kilroy-Silk asked the Secretary of State for the Home Department why female inmates at Pucklechurch remand centre have been forcibly stripped by male prison officers.

Mr. Mellor: I understand that, because of the few female staff available at night, male staff at Pucklechurch have assisted in restraining a disturbed female prisoner while she was stripped and placed in protective clothing by female staff. We regret this and my right hon. and learned Friend has instructed that arrangements should be made to ensure that it does not happen again.

Terrorism (Remanded Persons)

Mr. Mates asked the Secretary of State for the Home Department what was the average period of custodial remand for persons charged with terrorist-type offences whose trials were completed, or for which charges were dropped, in each of the years 1983 and 1984.

Mr. Mellor: The only information which is readily available relates to prisoners who are currently in prison custody in England and Wales and in category A. It does not cover persons who were acquitted or against whom charges were dropped, nor those who have been released or downgraded to a lower security category.

In 1983, five prisoners currently held in category A were convicted of terrorist-type offences. To the nearest week, three (who were co-defendants) spent 39 weeks on remand, one spent 69 weeks and one 45 weeks.

There are no prisoners currently held in category A who were convicted of terrorist-type offences in 1984.

Personal Social Services

Ms. Harman asked the Secretary of State for the Home Department what was the total number of new personal social services applications under section 11 of the Local Government Act 1966 for each year from 1979 to 1983.

Mr. Waddington: I regret that information relating to years before 1983 is not readily available and can be obtained only at disproportionate cost.

Ms. Harman asked the Secretary of State for the Home Department what was the total amount spent on personal social services under section 11 of the Local Government Act 1966 since the criteria were revised in 1983, expressed in terms of 1979 prices.

Mr. Waddington: In 1979 prices grant claimed in 1983-84, representing 75 per cent. of eligible expenditure on personal social services, totalled £1,274,250, subject to audit and final acceptance of claims by the Home Office.

Figures for the financial year 1984-85 are not yet available.

Ms. Harman asked the Secretary of State for the Home Department what was the total amount allocated in grants

under section 11 of the Local Government Act 1966 since the criteria were changed in 1983, expressed in terms of 1979 prices.

Mr. Waddington: In 1979 prices the total grant claimed by local authorities is as follows. Claims are subject to audit and final scrutiny by the Home Office.

	£
1983-84	51,861,000
1984-85	46,591,500

Ms. Harman asked the Secretary of State for the Home Department what was the total amount spent on personal social services under section 11 of the Local Government Act 1966 in each of the years from 1979 to 1983 expressed in terms of 1979 prices.

Mr. Waddington: In the 1979 prices, grant claimed by local authorities in respect of personal social services, representing 75 per cent. of eligible expenditure, is as follows:

	£
1979-80	589,500
1980-81	729,750
1981-82	749,250
1982-83	966-750

Certain claims are subject to audit and to acceptance by the Home Office.

Ms. Harman asked the Secretary of State for the Home Department if he will give the separate totals of money allocated under section 11 of the Local Government Act 1966 for each of the years from 1979 to 1983, expressed in terms of 1979 prices.

Mr. Waddington: The total grant claimed by local authorities in 1979 prices in respect of the relevant years is as follows. Final settlements may differ slightly from amounts claimed following audit and Home Office scrutiny of claims.

	£
1979-80	34,588,500
1980-81	38,639,250
1981-82	41,703,750
1982-83	47,212,500

Ms. Harman asked the Secretary of State for the Home Department if he will list the local authorities which have applied for money under section 11 of the Local Government Act 1966 together with the number of applications for each authority for each year from 1979 to 1983.

Mr. Waddington: The following table lists local authorities which received grant in the relevant period. Grant is not time limited and local authorities will have received payment in respect of posts approved before 1979 as well as on new posts approved between 1979 and 1983. Details of new applications made by each local authority between 1979 and 1983 could be obtained only at disproportionate cost.

Local authorities which received grant under section 11 in the financial years 1978-79—1983-84

Avon
Aylesbury Vale
Barking
Barnet
Bedfordshire
Berkshire
Birmingham
Blackburn
Bolton
Bradford
Brent
Buckinghamshire
Bury
Calderdale
Cambridgeshire
Camden
Cleveland
Coventry
Croydon
Derby City
Derbyshire
Dudley
Ealing
Enfield
Gloucestershire
GLC
Greenwich
Hackney
Hammersmith
Hampshire
Haringey
Harrow
Hertfordshire
Hillingdon
Hounslow
ILEA
Ipswich
Islington
Kensington and Chelsea
Kent
Kirklees
Lambeth
Lancashire
Leeds
Leicester City
Leicestershire
Lewisham
Luton
Manchester
Merton
Newham
Northampton BC
Northamptonshire
North Bedfordshire
North Herts
Nottinghamshire
Oldham
Oxford City
Oxfordshire
Pendle
Preston
Reading
Redbridge
Rochdale
Rotherham
Rugby
Sandwell
Sheffield
Shropshire
Slough
Southampton
Southwark
Staffordshire
Suffolk
Tameside
Tower Hamlets
Trafford
Walsall
Waltham Forest
Wandsworth
Warwickshire
Wellingborough
Westminster
Wolverhampton
Wycombe

1979-80—1983-84
Bristol
1978-79—1979-80
Gravesham
1978-79—1983-84
Warwick DC
1978-79, 1982-83 and 1983-84
West Sussex
1981-82—1983-84
Richmond
Wiltshire
1978-79, 1979-80, 1980-81, 1982-83 and 1983-84
Nottingham City
1982-83 and 1983-84
Liverpool
West Midlands
1983-84
Bexley
South Glamorgan
Essex
Hyndburn
Newcastle

Ms. Harman asked the Secretary of State for the Home Department what has been the total number of new personal social services applications under section 11 of the Local Government Act 1966 since the criteria were revised in 1983.

Mr. Waddington: Sixty-three.

Metropolitan Police

Mr. Eldon Griffiths asked the Secretary of State for the Home Department what assessment he has made of the costs to the Metropolitan police of deploying police

officers away from their duties in suburban areas for the purpose of policing marches and demonstrations in central London over each of the past five years.

Mr. Giles Shaw: The Commissioner of Police of the Metropolis tells me that information is not maintained in a form which would enable such an assessment to be made. It is, however, the commissioner's policy to ensure, whenever possible, that aid from the divisions for such purposes is provided within officers' normal tours of duty so as to minimise overtime, which normally represents the major element in any additional costs of policing marches and demonstrations.

Mr. Eldon Griffiths asked the Secretary of State for the Home Department how many hours of police overtime the Metropolitan police were required to work for the purpose of policing marches and demonstrations in central London in each of the years since 1980.

Mr. Giles Shaw: The Commissioner of Police of the Metropolis tells me that this information is not available.

Mr. Tony Banks asked the Secretary of State for the Home Department (1) what was the total amount *(a)* invoiced for and *(b)* received by the Metropolitan police for police services from (i) sporting events, excluding football, (ii) private companies, (iii) nationalised industries and (iv) ceremonial events for each of the past three complete financial years;

(2) what was the total amount received by the Metropolitan police in each of the past five years for policing services other than from statutory funding sources.

Mr. Giles Shaw: I shall reply as soon as possible.

Mr. Norman Atkinson asked the Secretary of State for the Home Department what advice he has given to the Metropolitan police as to their present relationship with local authority police units; and whether this includes advising local police commanders to refuse precise information in regard to police matters when such information is requested by London borough councils.

Mr. Giles Shaw: My right hon. and learned Friend has given no specific guidance on this matter. It is the policy of the Commissioner of Police of the Metropolis to meet reasonable requests for information from local authorities, as from any other body or individual, unless there are good operational or other reasons not to do so.

Mr. Norman Atkinson asked the Secretary of State for the Home Department if he will consider ways of establishing a close relationship between the Metropolitan police and the London borough of Haringey police sub-committee; and if he will set down guidelines for the future development of local authority police units.

Mr. Giles Shaw: No, but we hope that all borough and district councils in the Metropolitan police district will participate in arrangements made under section 106 of the Police and Criminal Evidence Act 1984 for consultation between the police and the community. My right hon. and learned Friend issued guidance on these arrangements on 25 January, which made it clear that councillors should be part of the consultative process. I regret such arrangements do not yet exist in Haringey because the borough council has so far refused to take part.

Greater London (Elected Police Authority)

Mr. Norman Atkinson asked the Secretary of State for the Home Department what further consideration he has given to the creation of a directly-elected police authority for Greater London.

Mr. Giles Shaw: None.

Cheshire Police Force

Mr. Nicholas Winterton asked the Secretary of State for the Home Department what was the establishment of the Cheshire police force on 31 March; what was the actual strength on that date; to what factors he ascribes the difference between the two figures; and if he will make a statement.

Mr. Giles Shaw: The authorised establishment of the Cheshire constabulary is 1,845, an increase of 40 since May 1979. The strength of the force was 1,799 on 31 March 1985. Police manpower levels fluctuate from month to month because of different recruiting and wastage patterns, seasonal changes and other local reasons. I understand that the force is in the process of recruiting more officers.

Animal Cruelty (Legislation)

Mr. Gale asked the Secretary of State for the Home Department when he is planning to publish the supplementary White Paper containing the Government's further plans for new legislation to replace the Cruelty to Animals Act 1876.

Mr. Brittan: The new White Paper "Scientific Procedures on Living Animals" is published today (Cmnd. 9521).

SOLICITOR-GENERAL FOR SCOTLAND

Travelling Families (Non-harassment)

45. **Mr. Lambie** asked the Solicitor-General for Scotland what recent advice the Lord Advocate has given the procurator fiscal in Kilmarnock about the implementation of the policy of non-harassment of travelling families.

The Solicitor-General for Scotland: All procurators fiscal, including the procurator fiscal at Kilmarnock, have recently been advised of the modification to the policy of non-harassment of travelling people which took effect on 1 April 1985 and which linked toleration of unlawful encampment to achievement by local authorities of provision of pitch targets.

Yuill and Dodds

46. **Mr. Foulkes** asked the Solicitor-General for Scotland how many prosecutions have been taken or are pending against Yuill and Dodds for road traffic offences in relation to the transport of coal.

The Solicitor-General for Scotland: It is not the usual practice of the Crown to disclose information which would be tantamount to revealing previous convictions recorded against a particular individual or company. As regards pending prosecutions, this information is regarded as confidential until such time as a complaint calls in court. There are no prosecutions against the firm of Yuill and Dodds currently before the courts in central Scotland.

Scottish Law Commission

47. **Mr. Malone** asked the Solicitor-General for Scotland what plans he has to meet the chairman of the Scottish Law Commission to discuss its current recommendations.

The Solicitor-General for Scotland: I have no plans at the moment for such a meeting, but my noble and learned Friend, the Lord Advocate, and I have meetings, formal and informal, from time to time with the commission to discuss various issues of mutual interest.

Driving Licences (Prosecutions)

48. **Sir Hector Monro** asked the Solicitor-General for Scotland how many prosecutions took place in 1984 of drivers whose cars held an invalid Department of Transport test certificate.

The Solicitor-General for Scotland: Statistics showing the number of persons proceeded against for contraventions of section 44(1) of the Road Traffic Act 1972 are not kept seperately. The only available figures combine contraventions of section 44 and section 46.

TRADE AND INDUSTRY

Multi-Fibre Arrangement

Mr. Gould asked the Secretary of State for Trade and Industry in which product categories and on how many occasions multi-fibre arrangement supplier countries increased the utilisation of their quotas by 10 per cent. or more of their quotas in 1984 compared with 1983.

Mr. Channon: Multi-fibre arrangement quota utilisation increased by 10 per cent. or more in 1984 compared with 1983 in respect of 92 quotas. The following table gives details of the relevant countries and categories:

Supplier Country	*Category*
Brazil	9
Bulgaria	8
China	2, 4, 10, 12, 37
Czechoslovakia	3, 8, 13, 14B, 39, 100, 117
Egypt	2, 20
Hong Kong	10, 16, 24, 29, 71, 72, 76B, 82
Hungary	3, 6, 8, 20, 24, 67, 73
India	2, 6, 8, 17, 19, 20, 26
Indonesia	6 14A, 15A, 15B, 22, 26, 27, 29, 30A, 80, 83,
Korea (republic of)	111
Macao	26, 71, 74, 81
Mexico	1
Pakistan	4, 9
Peru	2
Poland	2, 3, 4, 6, 8, 9, 15, 17, 24, 32, 38A
Romania	2, 4, 6, 8, 15B, 16, 20, 26, 37, 119
Sri Lanka	6
Thailand	2+3, 8, 21, ex24, 74A
Yugoslavia	3, 4, 5, 7, 8, 12, 73

Company Statistics

Mr. Heddle asked the Secretary of State for Trade and Industry how many companies went into voluntary liquidation *(a)* because they had ceased trading and *(b)* because they had been purchased as off the shelf and were no longer required, for each year since 1979 to the latest available date.

Mr. Fletcher: The total number of companies in Great Britain which notified their voluntary liquidation in each year was as follows:

Year	
1979	6,899
1980	8,411
1981	9,991
1982	12,809
1983	12,908
1984	12,718

No records are maintained to identify the reasons for such liquidations.

Mr. Heddle asked the Secretary of State for Trade and Industry how many companies were compulsorily wound up for reasons of non-compliance with statutory documentation for each year since 1979 to the latest available date.

Mr. Fletcher: None. A significant number of companies were removed from the register in each year, however, under the provisions of section 353 of the Companies Act 1948*, where the registrar had reason to believe that they were no longer in business or in operation; such action normally follows failure by the companies concerned to respond to reminder letters in respect of outstanding statutory documents. The numbers struck-off on this basis in each year for Great Britain are as follows:

Year	
1979	18,734
1980	21,135
1981	23,245
1982	47,861
1983	35,172
1984	44,451

* now sections 652 and 653 of the Companies Act 1985

Directors' Fees and Emoluments

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry what has been the increase in directors' fees and other emoluments in the latest year for which figures are available compared to 1979.

Mr. Fletcher: Figures on this subject are not immediately available from my Department's regular analyses of company accounts, but I shall write to the hon. Member as soon as possible.

Management Consultants

Mr. Mates asked the Secretary of State for Trade and Industry if he will list the contracts, with the subject of assignment, awarded to management consultancy firms by his Department in 1984, with the name of the consultants concerned.

Mr. Butcher: The following is the list for the 1984 calendar year:

Consultancy Firm	*Contract*
Aregon International Limited	Software Engineering
Aspect Advertising Limited	Awareness of Assistance in Relation to Invisible Exports
British Consulting Engineers (China) Limited	Advice on Power Station Project

Consultancy Firm	Contract
Ewbank Preece Consulting Engineers	Consultancy Assistance on Turbine Contract
Key Sharpe and Associates	Economic Advice on Telecommunications
Helix Software Consultants Limited	Project Definition for Alvey Directorate
Langton Limited	Network Analysis
D. E. Lennard and Associates Limited	Marine Related Energy Sources
Logica (UK) Limited	High Speed Network
Mackintosh International Limited	Commercial Foundry Requirements in United Kingdom
Merrow Systems Technology Limited	Management of Innovation Seminar
Oxford Economic Research Associates Limited	Exchange Rate Risks
P. A. Consulting Services Limited	Potential Japanese Investment in United Kingdom
Plain English Campaign	Forms Scrutiny
Research Associates	Technical Help to Exporters Scheme
Segal Quince and Associates	Operation of Managed Workshops for Small Firms
Software Sciences Limited	Computer Consultancy
Touche Ross and Company	Review of Special Steels Industry
Urwick Dynamics Limited	Marketing of services of a Departmental Industrial Research Establishment
Urwick Orr and Partners	Advice on Training Courses
Yard Limited	Monitoring Systems

Hall Russell Shipbuilders, Aberdeen

Mr. Robert Hughes asked the Secretary of State for Trade and Industry if he proposes to attach any conditions to the contract for the sale of Hall Russell Shipbuilders, Aberdeen, restricting the ability of the new owners to tender for commercial ship contracts for a specific period.

Mr. Norman Lamont: No.

Shipbuilding Intervention Fund

Mr. Robert Hughes asked the Secretary of State for Trade and Industry if he will list the criteria governing eligibility for assistance under the shipbuilding intervention fund; and whether there are any differences in the application of the criteria as between British Shipbuilders and other companies.

Mr. Norman Lamont: Intervention fund support is a form of selective financial assistance paid under the provisions of sections 7 and 8 of the Industrial Development Act 1982, and the terms and conditions of the regime are subject to approval by the European Commission within the framework of the EC fifth directive on aid to shipbuilding (81/363/EEC). Each case, public or private, is considered on its merits within this context. The last tranche of intervention fund support approved by the Commission was terminated in June 1984 and negotiations with the European Commission on the terms and conditions of a further tranche are currently in train.

ASEAN (Trade Development)

Mr. Adley asked the Secretary of State for Trade and Industry what steps he is taking to improve trade with the countries in membership of the Association of South East Asian Nations; and if he will make a statement.

Mr. Channon [*pursuant to his reply*, 29 April 1985, c. *55*]: My Department and the South-East Asia trade advisory group of the British Overseas Trade Board, on the basis of regular assessment, regard the Asean region as one of the most promising areas for trade in the world and give every encouragement to British exporters to explore the opportunities offered by the markets of those countries. I plan to visit a number of Asean countries, accompanied by a group of business men, starting on 20 June.

The wide range of services provided by the British Overseas Trade Board is available to British companies and these are being extensively used.

ENVIRONMENT

Traditional Urban Programme

Ms. Harman asked the Secretary of State for the Environment what was the reason for the reduction in the traditional urban programme financial allocation to Southwark under circular 25 compared with circular 24.

Sir George Young: The London borough of Southwark's financial allocation under traditional urban programme circular 25 reflects the process of concentrating those resources available nationally on the most worthwhile projects in the most deprived areas.

Property Services Agency

Mr. Maude asked the Secretary of State for the Environment (1) what new arrangements have been introduced in the Property Services Agency for the central monitoring of value for money;

(2) when the three-tier system of management of the United Kingdom territorial organisation of the Property Services Agency will be replaced by a two-tier system as recommended by the Comptroller and Auditor General;

(3) whether the Property Services Agency has yet prepared its remedial plan of action, including timetables, in response to the Comptroller and Auditor General's report and the 30th report of the Public Accounts Committee on the Property Services Agency;

(4) when he expects the Property Services Agency's analysis of the results of management review techniques for assessment of maintenance performance to be published;

(5) when he expects the Property Services Agency's guidelines for standard criteria for determining maintenance priorities to be published;

(6) whether he is satisfied that the Property Services Agency's basic records are complete;

(7) whether the Property Services Agency has now completed its uniform arrangements for the central monitoring of value for money in line with its statement to the Public Accounts Committee;

(8) whether any new arrangements for the central monitoring of value for money in the Property Services Agency have been introduced since 1 April.

Sir George Young: My hon. Friend's questions relate to recommendations in the 30th report of the Committee of Public Accounts on the Property Services Agency's building maintenance expenditure published in July 1984.

The PAC has subsequently taken evidence from the PSA about progress in implementing its recommendations, and, as part of this, a written memorandum was supplied to the Committee earlier this year, which

included a copy of the PSA's action plan on building maintenance. The Committee will be publishing in due course its conclusions and the evidence taken from the PSA. Since the latter will cover not only my hon. Friend's questions but the maintenance issues raised in the original report by the Comptroller and Auditor General and the 1984 PAC report, I hope that he will be prepared to wait until it is available.

Mr. Maude asked the Secretary of State for the Environment how many contractors have been removed, permanently or temporarily, from the approved list of Property Services Agency contractors since August 1983 for reasons other than their conviction for a criminal offence.

Sir George Young: Thirty nine. Two of these firms have subsequently been re-admitted to the approved list following the completion of a 12-month period of suspension.

Mr. Maude asked the Secretary of State for the Environment how many contractors on the approved list of contractors have been found to have overcharged the Property Services Agency during the last financial year.

Sir George Young: Ten.

Mr. Maude asked the Secretary of State for the Environment if he will name those contractors who have been found to have overcharged the Property Services Agency since August 1983 but who have been retained on the Property Services Agency list of approved contractors.

Sir George Young: Since August 1983, 16 firms on the agency's approved list have been found to have overcharged the Property Services Agency. Eight of these firms are still banned from receiving further work from the PSA and two have recently been reinstated to the approved list. The circumstances of the other six cases did not justify removal from the approved list. For legal and commercial reasons, I am not prepared to name the firms concerned.

Mr. Maude asked the Secretary of State for the Environment how many nominated quantity surveyors have been dismissed by the Property Services Agency since August 1983.

Sir George Young: Since August 1983, 19 firms providing nominated quantity surveying services have been banned from receiving further Property Services Agency work, mainly because of poor performance. The bans cover periods ranging from one to five years. Nine of the firms have since been reinstated.

Mr. Maude asked the Secretary of State for the Environment what is the present total estimated value of unpriced work for measured term contracts in the Property Services Agency up to the present date.

Sir George Young: On 31 March 1985 the value of completed work awaiting the clearance of final accounts was £115 million.

Council House Sales

Mr. Proctor asked the Secretary of State for the Environment (1) what was the number of council and development corporation houses sold in the Basildon district council area in each of the last six years from May 1979 to May 1985; and if he will make a statement;

(2) how many council and development corporation houses were sold in each year since May 1979; and if he will make a statement.

Sir George Young: Dwelling sales in the years 1980-81 to 1983-84 reported by Basildon district council and development corporation appear in issues 62, 63, 67 and 71, respectively, of "Local Housing Statistics": copies are avilable in the Library. Basildon district council reported selling 28 dwellings in 1979-80 and 127 in April to December 1984. Basildon development corporation sold 762 dwellings in May 1979 to March 1980 and 422 in April to December 1984.

Estimates of the dwelling sales, right to buy and voluntary, by local authorities and new towns in England are as follows:

	Local authorities	*New towns*
1979-80	53,500	1,900
1980-81	68,200	3,300
1981-82	128,200	3,900
1982-83	181,200	4,300
1983-84	126,200	4,000
1984*	66,100	3,000

*April to December.

Poll Tax

Dr. Mawhinney asked the Secretary of State for the Environment if he will list the studies commissioned by his Department, or otherwise available to him, regarding the relative incidence of a poll tax on taxpayers in different income brackets.

Mr. Waldegrave: The only substantive published material of the relative incidence of a poll tax is in the 1981 Green Paper on "Alternatives to Domestic Rates", Cmnd. 8449.

Pocock *v.* Steel (Rent Act Amendment)

Mr. Ward asked the Secretary of State for the Environment whether legislation is to be introduced to amend case 11 of schedule 15 to the Rent Act 1977 in the light of the decision in the Court of Appeal on the case of Pocock *v.* Steel.

Mr. Patrick Jenkin: The Government have considered carefully the implications for landlords using case 11 of the Court of Appeal's decision, which has overturned the widely accepted view of the effect of the case. We have decided that the legislation should be amended.

The main effects that amending legislation should have are, first, to enable landlords to use case 11 in respect of a letting of a dwelling which they have occupied at any time in the past; and secondly, to restore to owners with existing case 11 lettings the right to use that case to regain possession of their homes, provided that they can satisfy the requirements of the case as amended. There would also need to be certain transitional provisions.

My hon. Friend the Member for Hampshire, East (Mr. Mates), obtained leave on 14 May to introduce a Bill which would have these effects. The Bill is being published today and will have the Government's support.

Organochlorines

Mr. Ron Davies asked the Secretary of State for the Environment what restrictions exist on the use of organochlorines in houses and in house construction in European Community countries.

Sir George Young [*pursuant to his reply*, 2 May 1985, c. *185*]: The term organochlorines encompasses a wide range of pesticides, disinfectants and solvents, some of which are used in the protection of building materials and in eradicating pests in houses. Most European Community countries regulate the use of organochlorine substances as pesticides either by permitting certain uses or by banning certain uses: the approach adopted varies according to the particular legal system. I am advised that the use of DDT, aldrin, dieldrin and endrin in houses and in some products used in house construction is banned or severely restricted in Belgium, Denmark, France, Germany, Holland and the United Kingdom. The use of lindane in these countries is generally less severely restricted. The use of chlorophenols, which are less persistent, is severely restricted in Denmark and in Germany. In the United Kingdom, the level of contaminants in chlorophenols used in wood preservatives is closely controlled through the pesticides safety precautions scheme.

Rates

Lord James Douglas-Hamilton asked the Secretary of State for the Environment what is the average increase in rates for each local authority in England; and if he will publish a table.

Mr. Waldegrave [*pursuant to his reply*, 7 May 1985, c. *304*]: I have today placed in the Library a list of increases in rate/precept poundage in April 1985 for each local authority for which information is available.

Lord James Douglas-Hamilton asked the Secretary of State for the Environment what is the average increase in the rate poundage in each local authority in England of *(a)* domestic ratepayers, *(b)* commercial ratepayers and *(c)* industrial ratepayers, and if he will publish a table or tables.

Mr. Waldegrave [*pursuant to his reply*, 7 May 1985, c. *304*]: I have today placed in the Library the increases in rate poundage in April 1985 for each rating authority for which information is available.

EDUCATION AND SCIENCE

Frenchay Hospital (Animal Experiments)

Mr. Merchant asked the Secretary of State for Education and Science if his Department will provide funds to Frenchay hospital in Bristol to accelerate the development of the techniques being developed there to replace the use of animals for practising microsurgical techniques.

Mr. Brooke: The Department's responsibilities for the support of publicly funded biomedical research are discharged by the Medical Research Council (MRC), which receives an annual grant-in-aid from the science budget, and by the universities, which receive block grants for teaching and research allocated on the advice of the Unversity Grants Committee. It is for the MRC and the universities to decide their respective scientific priorities within the resources allocated to them; this includes decisions on whether to give additional support to work already being supported by other bodies.

Burnham Committee

Mr. Forth asked the Secretary of State for Education and Science when he expects to complete the current review of teachers' representation on the Burnham Committee.

Sir Keith Joseph: I aim to complete the review before the end of this calendar year.

EMPLOYMENT

Youth Training

Miss Boothroyd asked the Secretary of State for Employment, pursuant to his reply of 30 April, *Official Report*, column *108*, whether he will outline the selection procedure for the 15 per cent. of ex-trainees who are contacted to provide statistics of post-youth training scheme employment rates; whether he will list, by type of work undertaken whilst on youth training schemes, those contacted who comprised this 15 per cent. for each of the last 12 months; and whether he will further list the types of work undertaken whilst on youth training schemes by the 85 per cent. of ex-trainees not contacted for the compilation of the post-youth training scheme employment statistics for each of the last 12 months.

Mr. Peter Morrison: The 15 per cent. sample for the survey of young people who have left the youth training scheme is selected on a random basis. This ensures that the sample reflects all the types of scheme, and industrial sectors and occupational groups, experienced by young people on the youth training scheme as a whole, as well as the balance of provision between the modes and the range of trainees taking part in the scheme.

Young Persons

Mr. Andrew F. Bennett asked the Secretary of State for Employment if he has any plans to seek to repeal section 119A of the Factories Act 1961 relating to notification to the careers service when an employer takes into employment a young person aged 18 years or under; and if he will make a statement.

Mr. Peter Bottomley: I have asked the Health and Safety Commission for advice about the need in present-day conditions for section 119A of the Factories Act. I await its response.

Shield Computer System

Mr. Andrew F. Bennett asked the Secretary of State for Employment whether he is satisfied with the procedures for removing firms registered on the Shield computer system which have closed down; and what steps are taken to ensure that totals recorded remain accurate.

Mr. Peter Bottomley: I am satisfied that the records of the Shield register on the Health and Safety Executive's computer are changed when up-to-date information, which has been checked as accurate, becomes available. Labels are no longer used for recording information.

Mr. Andrew F. Bennett asked the Secretary of State for Employment if he will list as at 1 April 1985 and for

previous years where figures are available the number of establishments registered on the Shield computer system where the Factory Inspectorate is responsible for enforcing the Health and Safety at Work etc. Act; if he will break the figures down by area office and are a industry group; and if he will seek to ensure that in all future annual reports of the Health and Safety Executive this information is included in a statistical appendix together with the approximate number of employed in total in such establishments.

Mr. Peter Bottomley: On 30 April 1985 the total number of establishments allocated on the Health and Safety Executive's Shield computer system to the Factory Inspectorate was 393,675. This compares with 393,237 on 31 December 1983, 322,233 on 31 December 1982 and 260,653 on 31 December 1981. The breakdown by areas on 30 April 1985 was:

	Establishments
South West	20,803
South	27,145
South East	24,788
London (formerly three areas and being reorganised into two at the time) (total)	52,414
East Anglia	20,242
Northern Home Counties	17,670
East Midlands	18,414
West Midlands	19,091
Wales	18,258
North Midlands	15,521
South Yorkshire and Humberside	16,766
West and North Yorkshire	21,652
Greater Manchester	15,850
Merseyside	15,429
Marches	15,569
North West	17,774
North East	16,025
Scotland East	19,888
Scotland West	20,376

A further breakdown by industry groups within areas could not be provided except at disproportionate cost.

The information held on Shield as to the number employed at each establishment is intended as a guide to inspectors, and may be several years out of date, depending on when the last visit took place. Totals would therefore not be meaningful.

HSE already publishes a large amount of statistical information in its various annual reports, but a tabulation of this kind is not felt to be of sufficiently general interest to be included.

Employment Medical Advisory Service

Mr. Andrew F. Bennett asked the Secretary of State for Employment what is the current level of outstanding fees owed by private firms to the Employment Medical Advisory Service for medical examination undertaken; and whether he is satisfied with the procedures and sanctions for collection, enforcement and payment of such fees.

Mr. Peter Bottomley: On 31 March 1985, £29,888 had been outstanding for more than three months in respect of medical examinations carried out by the Employment Medical Advisory Service.

A new computerised accounting system, introduced by the Health and Safety Executive on 1 April, will enable the arrangements for the collection of outstanding debts to be improved.

The Health and Safety Executive is currently considering legal proceedings to enforce payment of outstanding debts.

Retail Trades

Mr. John Evans asked the Secretary of State for Employment when he received the report entitled "Pay and Employment in Four Retail Trades", commissioned from the department of applied economics, Cambridge university.

Mr. Peter Bottomley: The final version of this report was received in November 1984. It was then the subject of further discussion with the researchers on points of technical and statistical detail until February this year.

Wages Councils

Mr. Thurnham asked the Secretary of State for Employment if he will publish in the *Official Report* the statistical evidence concerning the impact on employment of the possible abolition of wages councils adduced by those individuals and organisations which have made representations advocating abolition of wages councils following the publication of the consultative document on the subject.

Mr. Peter Bottomley: No. Decisions on what, if anything, to publish as a result of this consultation exercise can only be taken after 31 May.

Milk Roundsmen (Child Labour)

Mrs. Renée Short asked the Secretary of State for Employment how many cases of the use of illegal child labour by milk roundsmen have been brought to his attention; and what action he has taken as a result.

Mr. Peter Bottomley [*pursuant to his reply*, 7 May 1985, c. 363-64]: None. Individual cases of illegal child employment by milk roundsmen are a matter for the appropriate enforcing authorities in England, Wales and Scotland.

FOREIGN AND COMMONWEALTH AFFAIRS

Namibian Political Prisoners and Detainees

Mr. Terry Lewis asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a further approach to the South African authorities to seek to secure the release of Namibian political prisoners and detainees.

Mr. Rifkind: We have consistently made clear to the South African authorities our concern over all human rights abuses in Namibia, including the practice of arbitrary arrest and detention without trial. We shall continue to do so whenever we consider this would be appropriate and effective.

Association of South East Asian Nations

Mr. Adley asked the Secretary of State for Foreign and Commonwealth Affairs when he next intends to meet his counterparts in the Association of South East Asian Nations; and if he will seek closer ties and regular meetings with them.

Mr. Luce: My right hon. and learned Friend attaches importance to maintaining close contact with his counterparts in the Association of South East Asian Nations. They meet regularly at EC-ASEAN Foreign Ministers' meetings and bilaterally whenever mutually convenient. My right hon. and learned Friend is always pleased to see ASEAN Foreign Ministers when they are in London and recently received the Thai Foreign Minister.

United Nations (Disarmament Resolutions)

Mr. Cohen asked the Secretary of State for Foreign and Commonwealth Affairs whether Her Majesty's Government consult their North Atlantic Treaty Organisation allies and the North Atlantic Treaty Organisation itself before deciding upon their voting position at the United Nations on all disarmament resolutions; and if he will make a statement.

Mr. Luce: Although the North Atlantic Treaty Organisation is not represented as a formal group within the United Nations system, delegations of its member states consult closely in the margins of most United Nations disarmament meetings, especially on those arms control and disarmament resolutions which have implications for our common security.

HOUSE OF COMMONS

Air Conditioning (Upper Committee Floor)

Mr. Norman Atkinson asked the Lord Privy Seal if he will issue a general instruction to end the present practice of re-cycling 50 per cent. extracted polluted air through the air conditioning system supplying the Upper Committee Floor (South) windowless offices; and if he will arrange to have the stagnant humidity wells within the ducting drained of their water.

Mr. Biffen: I am informed that the roof-lit offices on the Upper Committee Floor (South) are ventilated with a mixture of 75 per cent. fresh air and 25 per cent. recirculated air. Air is recirculated as an energy conservation measure. The amount recirculated is calculated on the volume of fresh air needed for the various room sizes and the numbers of occupants, which is in accordance with the health and safety regulations.

All supply air is filtered and the relative humidity is controlled by means of steam jets. The humidity wells which once formed part of the system are no longer used and have had permanent drains installed to ensure that stagnant water does not accumulate within them.

SCOTLAND

Rates

9. **Mr. Johnston** asked the Secretary of State for Scotland if he will give a figure for the shift in the burden of rates in Scotland to small shopkeepers.

Mr. Ancram: Small shops cannot be distinguished as a separate category of rateable premises in the information available to me, but the burden of rates on small shopkeepers and others whose valuations have been very steeply increased this year will be lessened by the measures my right hon. Friend will put before the House in accordance with the statement he made yesterday.

18. **Lord James Douglas-Hamilton** asked the Secretary of State for Scotland which authorities he intends to take selective action against in Scotland, with a view to reducing rate levels.

Mr. Ancram: My right hon. Friend hopes to announce his decision shortly.

24. **Mr. O'Neill** asked the Secretary of State for Scotland what representations he has had from the Convention of Scottish Local Authorities regarding the replacement of domestic rates with a poll tax.

Mr. Ancram: I have had no views from the convention on this matter since it commented, in response to the 1981 Green Paper, that poll tax as an addition to rates merited further examination.

29. **Mr. George Robertson** asked the Secretary of State for Scotland what further steps he intends to take to relieve domestic and commercial ratepayers from the current year's rate demands.

Mr. Ancram: I refer the hon. Member to the statement my right hon. Friend made yesterday at columns 175-86.

30. **Mr. Home Robertson** asked the Secretary of State for Scotland if he will make a statement on the Government's plans for domestic rating relief after 1985-86.

Mr. Ancram: Decisions on domestic rate relief, together with all other aspects of rate support grant, are taken each year following consultation with the Convention of Scottish Local Authorities. I will be reaching decisions on domestic rate relief in 1986-87 and following years in the usual way.

31. **Mr. McTaggart** asked the Secretary of State for Scotland what recent representations he has received about alternatives to the present rating system.

35. **Mr. Hugh Brown** asked the Secretary of State for Scotland what recent representations he has received concerning proposals to reform the rating system; and if he will make a statement.

Mr. Ancram: I refer the hon. Members to the answer I gave earlier today to the right hon. Member for Rutherglen (Mr. MacKenzie).

36. **Mr. Willie W. Hamilton** asked the Secretary of State for Scotland if he will make a statement on options currently being considered for resolving the problem of the rating system.

Mr. Ancram: Not yet.

37. **Dame Judith Hart** asked the Secretary of State for Scotland what recent representations he has received from small businesses in the constituency of Clydesdale about the rises of up to 400 per cent. in rateable values following revaluation.

Mr. Younger: I have received a number of representations on this subject but cannot identify any particular ones from Clydesdale. I announced on 14 May the Government's proposals to protect Scottish ratepayers from the effects of very large rises in rateable value in 1985-86.

Anti-Poverty Programme

10. **Mr. Wilson** asked the Secretary of State for Scotland why he has withdrawn Scotland from the EEC anti-poverty programme.

14. **Mr. Foulkes** asked the Secretary of State for Scotland if he will reconsider his decision not to apply for assistance for Scotland from the EEC anti-poverty programme.

Mr. Ancram: After careful consideration, my right hon. Friend and I concluded that participation in the programme was not justified in the light of the potentially very limited benefits to Scotland; and that the balance of advantage lay in concentrating available resources on existing identified programmes and priorities. I see no reason to reconsider this decision.

Spending Programmes

12. **Mr. Ewing** asked the Secretary of State for Scotland when he expects to announce what spending programmes in his Department have been reduced as a result of switching £38·5 million to help with domestic rate relief.

Mr. Younger: I announced on 27 March, at columns 265-66, the reductions in cash limits made to finance the increase in domestic rate relief.

Industrial Development (Grampian Region)

13. **Mr. Malone** asked the Secretary of State for Scotland when he intends to meet the members of Grampian region council to discuss industrial development in the region.

Mr. Younger: I have no request from Grampian regional council for a meeting. Any such request would, of course, be given careful consideration.

Highlands Health Board

15. **Mr. Kennedy** asked the Secretary of State for Scotland what additional funding is being made available to the Highlands health board by his Department to assist with the extra operational costs incurred through the opening of the Wick general hospital and Raigmore hospital, Inverness.

Mr. John MacKay: Health boards are expected to meet the running costs of new capital developments from the financial allocations made available to them through the SHARE formula.

Young People

16. **Mr. Bruce** asked the Secretary of State for Scotland if he proposes to take any action to improve the opportunities for young people in Scotland.

Mr. Younger: Large sums of money have been allocated to a whole range of programmes to help young people to get better employment opportunities. These have been widely welcomed.

Job Creation

17. **Mr. Hirst** asked the Secretary of State for Scotland how many jobs have been created in Scotland since June 1983; and how many people in Scotland are currently in employment or full-time training compared with the total in June 1983.

Mr. Younger: 23,830 new jobs were associated with offers of selective financial assistance over the period 1 July 1983 to 18 April 1985. The seasonally adjusted number of employees in employment has risen by 23,000 from 1,912,000 in June 1983 to 1,935,000 in December 1984. No statistics are compiled on the training provided directly by employers but the numbers engaged on the Manpower Services Commission's TOPS, YTS and youth opportunities programmes were 24,461 in June 1983 and 34,648 in March 1985.

Greater Glasgow Health Board

19. **Mr. Maxton** asked the Secretary of State for Scotland when he will next meet the chairman of the Greater Glasgow health board to discuss staffing problems.

Mr. John MacKay: Staffing problems are matters in the first instance for individual boards. Neither my right hon. Friend nor I have received a request for a meeting to discuss such matters with the chairman of Greater Glasgow health board whom I see frequently.

Revaluation

20. **Mr. Gourlay** asked the Secretary of State for Scotland how many representations he has received about revaluations; and if he will make a statement.

Mr. Younger: I refer the hon. Member to the answer my hon. Friend gave earlier today to the right hon. Member for Rutherglen (Mr. MacKenzie).

22. **Mr. Lambie** asked the Secretary of State for Scotland if he will arrange to meet the Strathclyde assessor to discuss the 1985 revaluation.

Mr. Younger: My officials have been in touch as necessary with the Strathclyde assessor and with other assessors who have supplied certain information to me about the results of the 1985 revaluation. But I have no powers to influence the judgments of the assessors, for which they are answerable ultimately to the courts. I do not think meetings with them would be appropriate, since they would take up scarce time and resources and so serve to slow down the processing of appeals which is a major burden upon assessors at present.

Detoxification Units

21. **Dr. Godman** asked the Secretary of State for Scotland how many detoxification units there are; where they are situated; and if they admit only those suffering from alcohol addiction.

Mr. John MacKay: If the hon. Member is referring to the establishment of designated places as provided for under section 5 of the Criminal Justice (Scotland) Act 1980, the only designated place currently in operation is Albyn house, Aberdeen.

All consultant psychiatrists at psychiatric hospitals and general hospitals with psychiatric units may use the beds at their disposal to provide treatment, which would involve detoxification, for patients addicted to alcohol. There are, moreover, special alcohol units with facilities for inpatient treatment at the following hospitals:

Crichton Royal Hospital, Dumfries
Royal Edinburgh Hospital
Dykebar Hospital, Paisley
Argyll and Bute Hospital, Lochgilphead
Ravenscraig Hospital, Greenock
Gartnavel Royal Hospital, Glasgow
Monklands District General Hospital, Airdrie
Southern General Hospital, Glasgow
Hartwood Hospital, Shotts
Sunnyside Royal Hospital, Montrose
Bellsdyke Hospital, Larbert

Scottish National Farmers Union

23. **Mr. Maclennan** asked the Secretary of State for Scotland when he last met the president of the Scottish National Farmers Union; and what subjects were discussed.

Mr. John MacKay: My right hon. Friend, together with other Agriculture Ministers, met representatives of the National Farmers Unions on 20 March to discuss the European Commission's agricultural price-fixing proposals for 1985-86. The president and the general secretary represented the SNFU at that meeting.

My right hon. and noble Friend, the Minister of State, met the president on 16 April to discuss milk quotas.

Inshore Fishing

25. **Mr. Henderson** asked the Secretary of State for Scotland if he proposes reform of the law relating to inshore fishing in Scottish waters; and if he will make a statement.

Mr. John MacKay: Yes, my right hon. Friend hopes shortly to lay orders commencing and implementing the Inshore Fishing (Scotland) Act 1984.

Council Houses (Renfrew)

26. **Mr. Adams** asked the Secretary of State for Scotland what discussions he has had with the Renfrew district council about assistance from his office to reduce the waiting list for a council house in the Renfrew district council area.

Mr. Ancram: None. It is the responsibility of Renfrew district council to consider the housing needs of its area and to take action accordingly. While the council's most recent housing plan indicates that the district has a crude surplus of general needs housing, my right hon. Friend has recognised the need for additional investment by increasing the council's capital allocation on the housing revenue account block by 24 per cent. in the current year.

Tourism

27. **Mr. Craigen** asked the Secretary of State for Scotland if he will make a statement on the future of tourism in Scotland, indicating the number of people now employed full-time and part-time in the tourist industry in Scotland.

Mr. John MacKay: The Scottish tourist industry has a sound base on which to build and offers good prospects for growth, with sales reaching record levels in 1983 and 1984. Tourism in Scotland is estimated to support, both directly and indirectly, approaching 100,000 full-time and part-time jobs, although due to the definitional problems this figure is inevitably subject to considerable uncertainty.

Teachers (Pay)

28. **Mrs. McCurley** asked the Secretary of State for Scotland what further progress has been made towards resolving the current teachers' pay dispute; and if he will make a statement.

34. **Mr. Canavan** asked the Secretary of State for Scotland whether he will make a statement about the teachers' pay dispute.

Mr. Younger: I refer my hon. Friend and the hon. Gentleman to the reply which I gave earlier today to the hon. Member for Edinburgh, East (Mr. Strang).

40. **Mr. Douglas** asked the Secretary of State for Scotland if he will make a further statement on the situation in Scottish schools as it relates to the current claim by teachers to have an independent review of their salaries.

Mr. Younger: This week, I understand that over 100 primary schools will be affected for three days by strike action by members of the Educational Institute of Scotland. In addition, primary teachers in 15 areas will be on strike for one day. Last term, 65,000 teacher days were lost in primary and secondary schools. Almost 30,000 teacher days have been lost this term to 10 May. All Scottish secondary schools were affected by a strike by EIS and SSTA members on 24 April but no strike action is being taken in secondary schools at present and the Scottish Certificate of Education examinations are going ahead normally. I am seriously concerned at the effects of all disruptive action by teachers, whether in the form of strikes, boycotts of curriculum development or other forms of non-co-operation and non-performance of their professional duties.

Cultural Heritage

32. **Mr. McKelvey** asked the Secretary of State for Scotland what steps he has taken to implement the Helsinki agreements to recognise and protect the cultural heritage of Scottish national minorities.

Mr. Younger: Section 23 of the National Heritage (Scotland) Act 1985 provides that I may make such payments as the Treasury may approve to any body whose activities appear to me to be likely to promote the development or understanding of cultural or scientific matters. In addition, I have for a number of years directly supported a range of voluntary organisations which promote the Gaelic language and culture. For 1985-86 financial provision for support to these organisations was increased by 17 per cent.

British Rail Engineering Ltd

33. **Mr. Norman Hogg** asked the Secretary of State for Scotland if he has any plans to meet the board of British Rail Engineering Ltd to discuss the future of Springburn works; and if he will make a statement.

Mr. Ancram: My right hon. Friend has no plans to meet the board of British Rail Engineering Ltd. The future of the Springburn works is a matter for its commercial judgment, taking account of the need to provide adequate repair and maintenance capacity to meet the current and future requirements of the railway.

Forestry

38. **Sir Hector Monro** asked the Secretary of State for Scotland what financial encouragement he is giving to private forestry; and what estimate he has made of new planting in the private sector in 1985-86.

Mr. John MacKay: Financial encouragement is given to private forestry through the various grant schemes administered by the Forestry Commission and by means of special tax arrangements which acknowledge the fact that forestry is a long-term investment. The commission's estimate of the new planting that will be carried out by the private sector in 1985-86, based upon expected grant applications during the year, is 17,000 hectares.

Hazardous Materials (Transport)

39. **Mr. Tom Clarke** asked the Secretary of State for Scotland what criteria his Department uses in determining the routeing for the transport of noxious or hazardous materials within Scotland.

Mr. Ancram: There are specific requirements for the safe conveyance of such materials, but the Scottish Development Department does not prescribe routes for this purpose.

Forestry Commission

41. **Mr. John Mark Taylor** asked the Secretary of State for Scotland what recent changes there have been in staffing levels at the Foresty Commission.

Mr. John MacKay: The number of staff employed by the Forestry Commission was 6,836 at 31 March 1984 and 6,335 at 1 January 1985.

Cormorants

Mr. Kilroy-Silk asked the Secretary of State for Scotland if he will publish in the *Official Report* a copy of the licence to kill cormorants granted in 1985 to the South Esk settlement trust.

Mr. John MacKay: Licence applications are treated in confidence, and it would not be appropriate to publish copies of a licence in the *Official Report*. In this particular case, however, I can confirm that the licence was issued in pursuance of the provisions of section 16(1)*(k)* of the Wildlife and Countryside Act 1981 and included a specific condition prohibiting shooting within the area of Montrose basin except by prior arrangements with the Scottish Wildlife Trust which manages this as a local nature reserve.

Mr. Kilroy-Silk asked the Secretary of State for Scotland if the 1985 licence to kill cormorants issued to South Esk settlement trustees of Haughs of Kinnaird, Brechin, Angus, specifically stated as the grounds of authorising the killing of cormorants the prevention of damage to fisheries.

Mr. John Mackay: The licence was issued in pursuance of section 16(1)*(k)* of the Wildlife and Countryside Act which relates to the prevention of serious damage to fisheries.

Paupers' Funerals and Graves

Mr. Willie W. Hamilton asked the Secretary of State for Scotland what reply he is making to the hon. Member for Fife, Central on the question of legislation concerning paupers' funerals and graves, details of which have been supplied to him.

Mr. John Mackay: A copy of my reply to the hon. Member has been placed in the Library.

Forestry Commission (Regional Advisory Committees)

Mr. Ron Davies asked the Secretary of State for Scotland if he will name, for each of the Forestry Commission's new regional advisory committees, the member who has been nominated primarily to represent the environmental interest.

Mr. John MacKay: The following members were appointed primarily to cover the environmental interest.

Regional Advisory Committee

Region	*Member*
North England	Dr. H. M. T. Frankland
East England	Mr. H. W. Mackworth-Praed
West England	Mr. I Mercer
Wales	Mr. J. M. Harrop
North Scotland	Mr. J. Grant
Mid Scotland	Mr. B. S. Brookes
South Scotland	Dr. R. Aitken

Renal Treatment (Funding)

Mr. Craigen asked the Secretary of State for Scotland if he will indicate the funding available for renal treatment in the west of Scotland in the current year and in 1984-85 and the number of staff and patients respectively; and what discussions he has had with the area health boards in the west of Scotland and the Kidney Patients Association about the level of funding.

Mr. John MacKay *[pursuant to his reply,* 7 May 1985, c. *374]*: Renal treatment in the west of Scotland is provided by the Greater Glasgow health board. The board is making £4·6 million available for this service in 1985-86, compared to £4·4 million in 1984-85.

Five consultants, 18 other medical staff and about 100 nurses are currently employed full-time in the treatment of patients suffering from chronic renal failure in the west of Scotland. In addition, other doctors and nurses devote part of their time to this service. In 1984, over 600 patients (including both inpatients and outpatients) were treated.

I have personally discussed the level of resources available for this service with the consultant in charge of the unit, and have had discussions with the president of the Kidney Patients Association. I have also been in correspondence with, and have spoken to, the chairman of Greater Glasgow health board on this subject.

OVERSEAS DEVELOPMENT

Inter American Development Bank

Mr. Foulkes asked the Secretary of State for Foreign and Commonwealth Affairs (1) if it is his policy to instruct the United Kingdom delegation to the Inter American

Development Bank to support all proposals for technically sound projects for Nicaragua which are submitted to the European group for discussion; and if he will make a statement;

(2) if it is his policy to instruct the United Kingdom delegation to the Inter American Development Bank to support all proposals for the reconstruction of infrastructure in *(a)* Nicaragua and*(b)* El Salvador which are submitted to the European Group for discussion; and if he will make a statement;

(3) what instructions have been given to the British delegations at the Inter American Development Bank and the World Bank concerning proposals for *(a)* Nicaragua and *(b)* El Salavador; if there has been any change in these instructions since 1980; and if he will make a statement.

Mr. Rifkind: Each proposal, whether for infrastructure or any other purpose, is considered on its merits. Such consideration has to have regard to the project's feasibility in the circumstances prevailing in the country, to its technical merits and to the recipient country's standing in relation to all the International financial institutions. Voting instructions during the period since 1980 have therefore varied from project to project.

Mr. Foulkes asked the Secretary of State for Foreign and Commonwealth Affairs if he will list all proposals which have been discussed by the European group but not submitted to the full board of the Inter American Development Bank; and if he will state the reasons for their non-submission.

Mr. Rifkind: There have been no such proposals. Project proposals are considered only within the European constituency of which the United Kingdom is a member when the bank issues a formal project document; and where such a document is issued, the project automatically goes before the executive board.

Mr. Foulkes asked the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library copies of all loans and credits approved by the Inter American Development Bank to Nicaragua since 1979 together with any conditions which were attached to the loans.

Mr. Rifkind: Yes. The only conditions attached to the loans were those normal for the type of loan to any recipient country.

Mr. Foulkes asked the Secretary of State for Foreign and Commonwealth Affairs if he will list the occasions since 1982 on which the United Kingdom, as represented by the European executive director on the board of the Inter American Development Bank, has lodged an official protest; and if he will place a copy of such protests in the Library.

Mr. Rifkind: There have been no such protests.

Mr. Foulkes asked the Secretary of State for Foreign and Commonwealth Affairs if he will list all loans and credits to *(a)* Nicaragua and *(b)* El Salvador since 1979 which have been discussed at (i) the board of the Inter American Development Bank and (ii) the European group to the Inter American Development Bank stating in each case the outcome of the discussions.

Mr. Rifkind: During the period in question the following projects were discussed by the executive board of the Inter American Development Bank:

Nicaragua

	US$ million
1979	
Credits for Farmers and Livestock Producers	98·00
Rio Blanco-Siuna Road	32·00
plus Small Projects and Technical Co-operation totalling	8·67
Total	138·67
1980	
Farm Credits Programme	65·00
plus Small Projects and Technical Co-operation totalling	7·40
Total	72·40
1981	
Forestry Development	8·00
plus Small Projects and Technical Co-operation totalling	1·83
Total	9·83
1982	
Asturias Hydroelectric project	34·00
plus Small Projects and Technical Co-operation totalling	1·49
Total	35·89
1983	
Fishery Rehabilitation Programme	30·70
plus Small Projects and Technical Co-operation totalling	0·76
Total	31·46
1984	None
1985 (to date)	None

Source: 1979-1984 Bank Annual Reports
All were approved

El Salvador

	US$ million
1979	
Livestock Production	16·30
Second Stage Health Care Programme	27·00
Pre-investment Investigation:	
Economic and Social Development	4·50
plus Small Projects and Technical Co-operation totalling	1·68
Total	49·48
1980	
Agricultural Credit	16·50
Agrarian Reform Programme: Input for Co-operatives	45·40
Export Financing	1·50
Total	63·40
1981	
Rural Roads	30·80
Farm Marketing Programme	15·60
Export Financing	2·00
plus Technical Co-operation totalling	0·12
Total	48·52
1982	
Industrial Credits	40·00
Credit for Short-term Export Finance	0·50
San Lorenzo Hydro-electric project	66·00
Farm Research and Extension	12·90
Export Financing	2·50
plus Technical Co-operation totalling	0·10

	US$ million
Total	122·00
1983	
Pre-investment Programme Second Stage	7·50
San Marcos Bridge Construction (River Lempa)	6·00
plus Small Projects and Technical Co-operation totalling	1·66
Total	15·16
1984	
Industrial Recovery	60·00
Farm Credit	40·50
plus Technical Co-operation totalling	0·70
Total	101·20
1985 (to date)	
Rural Water Supply (Stage III)	21·00
Total	21·00

Source: 1979-84 Bank Annual Reports
All were approved

The United Kingdom is represented on the board by an executive director, currently a German Government official, who also represents his own Government and those of six other European countries. Those eight countries do not meet in advance of board meetings, but they convey their instructions separately to the executive director.

Nicaragua and El Salvador (Aid)

Mr. Foulkes asked the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library copies of all Ministerial statements made since 1982 concerning aid, loans and credits to *(a)* Nicaragua and *(b)* El Salvador.

Mr. Rifkind: I refer the hon. Member to the answers given by my right hon. Friend the Minister for Overseas Development to the hon. Member for Islington, North (Mr. Corbyn) on 15 December 1983 a column 526 and on 25 April 1984 at column 483 and by my hon. Friend the Member for Wycombe (Mr. Whitney) on 16 December 1983 at columns 609-10. Copies of the relevant *Hansards* are already in the Library.

NORTHERN IRELAND

Housing Executive Homes

Mr. Peter Robinson asked the Secretary of State for Northern Ireland (1) how many houses owned by the Northern Ireland Housing Executive in Belfast are fitted with *(a)* metal window frames, *(b)* PVC window frames and *(c)* wooden window frames;

(2) how many homes built with metal window frames and owned by the Northern Ireland Housing Executive have had these frames replaced with frames other than metal; and what are the principal estates on which such work has occurred.

Mr. Chris Patten: These are matters for the chairman of the Northern Ireland Housing Executive, who has advised me that information in the form requested is not readily available and could be compiled only at disproportionate cost.

Rates (Summonses)

Mr. Peter Robinson asked the Secretary of State for Northern Ireland (1) how many summonses for the non-payment of rates have been issued by the rating division of the Department of the Environment in each of the last four years;

(2) how many summonses issued for the non-payment of rates by Department of the Environment rating division in each of the last five years were subsequently withdrawn; and what were the principal reasons for these withdrawals;

(3) what was the total cost of issuing summonses by the Department of the Environment rating division for the non-payment of rates in each of the last five years;

(4) what is the policy of the Department of the Environment rating division with regard to cases where summonses for the non-payment of rates have been issued wrongly; and if, in these circumstances, it is his policy to seek to recover from those summoned the cost of the summons.

Mr. Chris Patten: The numbers of summonses issued are as follows:

	Numbers
1981-82	24,496
1982-83	15,229
1983-84	25,382
1984-85	34,305

The numbers of summonses withdrawn are as follows:

	Numbers
1980-81	15,492
1981-82	18,130
1982-83	*11,400
1983-84	21,279
1984-85	25,749

* Estimated figure.

The principal reason for withdrawing summonses was the payment of the debt prior to the court hearing.

Legal expenses incurred in the issuing of summonses are as follows:

	Numbers
1982-83	22,511
1983-84	86,604
1984-85	244,162

Costs for 1980-81 and 1981-82 are not readily available.

The policy in those cases where summonses have been issued wrongly is to withdraw the summons and to waive the costs involved.

Food Shops (Smoking)

Mr. John David Taylor asked the Secretary of State for Northern Ireland if he has any plans to take steps to prohibit smoking in shops and halls which are specifically for the sale of fresh or frozen food; and if he will make a statement.

Mr. Chris Patten: Staff are already prohibited from smoking in such premises by the Food Hygiene (General) Regulations (Northern Ireland) 1964. There are no plans to introduce legislation to prohibit the public from smoking in food establishments, as there is no evidence that open food is at risk of contamination from customers' smoking.

Warnock Report

Mr. John David Taylor asked the Secretary of State for Northern Ireland if he will list the names of all organisations in Ulster which have responded to the Warnock report on human fertilisation and embryology; and how many have supported the recommendations on research and how many have opposed them.

Mr. Chris Patten: The information is as follows:

The Northern Ireland Assembly
Northern Health and Social Services Board
Western Health and Social Services Board
Southern Health and Social Services Board
Eastern Health and Social Services Board
The Royal College of General Practitioners—Northern Ireland Faculty
Royal College of Nursing—Northern Ireland Board
The National Board for Nursing, Midwifery and Health Visiting for Northern Ireland
The Royal College of Midwives — Northern Ireland Board
Association of Nurse Administrators (Northern Ireland Division)
The Health Visitors' Association
The Catholic Bishops in Northern Ireland
Church of Ireland Social and Family Welfare Association
Church of Ireland Armagh Diocesan Board of Social Responsibility
LIFE (Northern Ireland)
Women's Forum—Northern Ireland
The National Association for the Childless (Northern Ireland)
The Association of District Committees for the Health and Personal Social Services
Ballymena Borough Council
Derry City Council
Fermanagh District Council
Limavady District Council
Down District Council
Newtownabbey Borough Council
Presbytery of Ballymena — the Presbyterian Church in Ireland
Reformed Presbyterian Church of Ireland
Ministry of Healing Committee of the Methodist Church
Western Presbytery of the Reformed Presbyterian Church of Ireland
Willowfield Parish Church
Clinical Genetics Society
The Baptist Union of Ireland
The Methodist Church in Ireland
The Free Presbyterian Church of Ulster
The Presbyterian Church in Ireland
The Joint Committee of Professional Nursing, Midwifery and Health Visiting Associations (Northern Ireland)
The Society for the Protection of Unborn Children
The Sisters of Nazareth Adoption Society
The Family Planning Association

Twenty one organisations opposed embryo research. Eleven bodies considered research acceptable in certain circumstances. Six bodies either expressed no opinion or were unable to reach any consensus view on this aspect of the report.

Dental Technicians

Mr. Gregory asked the Secretary of State for Northern Ireland how many dental technicians *(a)* are employed by health boards in Northern Ireland, and *(b)* also undertake private contract work; and if he will make a statement.

Mr. Chris Patten: *(a)* 22: *(b)* information is not held on the numbers, if any, undertaking private contract work.

Belfast Parade (Incident)

Mr. Michael Brown asked the Secretary of State for Northern Ireland if he will make a statement on the investigation into the events which took place during the parade in Belfast on the afternoon of 12 August 1984.

Mr. Hurd: I have received a report from the Chief Constable of the Royal Ulster Constabulary on the investigation into the events surrounding the so-called anti-internment parade in Belfast last August 12. The investigation was supervised by Mr. Philip Myer, Her Majesty's Inspector of Constabulary, who has assured me that the enquiry has been fully and most competently carried out.

Arising from those events, the Director of Public Prosecutions for Northern Ireland has directed a charge of manslaugher against a reserve constable of the Royal Ulster Constabulary, and a lesser charge against another member of the force. Disciplinary action is being considered in other cases.

Those are matters for the courts and the disciplinary procedures of the Royal Ulster Constabulary. Since the events evoked widespread concern at the time, I wish to make a brief comment on the broader aspects of public policy. First, this parade was one of which the police had not been given the proper notice as required by law. This is no mere legal technicality. The purpose of notice is to enable the police to make arrangments for the keeping of order. It was, however, a primary objective of Provisional Sinn Fein to make that task as difficult as possible for the police. That objective was largely successful, to the extent that the police were unable to arrest Martin Galvin, against whom an exclusion order from the United Kingdom had been made.

Secondly, controversy has centred on the reaction of the police in the moments following Mr. Gavin's appearance on the speaker's rostrum. The Chief Constable's report identified shortcomings in the preparatory planning for control of the parade, and errors of judgment and insufficiently firm command on the ground. The organisational and tactical lessons of this will, I am sure, be well learned. I understand that the Chief Constable has taken action within the force to remedy the position and to ensure that the same weaknesses of command and control do not recur.

Stop Orders

Mr. Clifford Forsythe asked the Secretary of State for Northern Ireland (1) how many stop orders the planning authorities have issued in each of the last three years for which figures are available because building work had commenced before planning permission had been given, in *(a)* the Antrim borough council area and *(b)* the Newtownabbey borough council area; and in how many of these cases planning permission was subsequently granted;

(2) how many stop orders were issued by the planning authorities in each of the last three years for which figures are available because they contravened regulations on ribbon development in *(a)* the Antrim borough council area and *(b)* the Newtownabbey borough area; and in how many of these cases planning permission was subsequently given.

Mr. Chris Patten: I shall reply to the hon. Gentleman as soon as possible.

Planning Applications

Mr. Clifford Forsythe asked the Secretary of State for Northern Ireland how many planning applications have been turned down in each of the last three years for which figures are available because they were deemed to infringe the area of special control in *(a)* the Antrim borough council area and *(b)* the Newtownabbey borough council area.

Mr. Chris Patten: I shall reply to the hon. Gentleman as soon as possible.

DEFENCE

Military Training Courses

Mr. Chris Smith asked the Secretary of State for Defence if, pursuant to the answer of 28 March, *Official Report*, column *319*, he will define the term generally accepted standards on human rights in respect of candidates for places on military training courses in the United Kingdom.

Mr. Lee: It is not possible to be precise about such definitions, but we would expect candidates who conform to the normal standards of civilised behaviour.

Non-strategic Nuclear Weapons

Mr. Michie asked the Secretary of State for Defence whether any work has been done on preliminary studies for new British non-strategic nuclear weapons.

Mr. Butler: It is normal practice to keep under review the need to replace all United Kingdom in-service weapons systems. There are, however, no plans to replace the United Kingdom's current generation of tactical nuclear weapons and there is no early requirement to do so.

Anti-submarine Nuclear Bombs

Mr. Michie asked the Secretary of State for Defence what studies have been conducted concerning the long-term environmental effects of detonating anti-submarine nuclear bombs.

Mr. Butler: No such studies have been carried out by my Department.

Artillery Shells

Mr. Ashdown asked the Secretary of State for Defence if he will describe the difference between an artillery shell filled with (i) TNT and (ii) RDX/TNT mix with particular reference to *(a)* the cost per shell for production, *(b)* its battlefield effectiveness and *(c)* its explosive power.

Mr. Butler: Shells filled with RDX/TNT cost slightly more, and have a greater explosive power and battlefield effectiveness, than shells filled solely with TNT.

Mr. Ashdown asked the Secretary of State for Defence why a recent order for 11,000 medium artillery shells has been placed with PRB in Belgium.

Mr. Butler: The contract for 11,000 shells was awarded to PRB because, following a competitive tender exercise, its tender offered the best value for money.

FV 342 (Repairs)

Mr. McNamara asked the Secretary of State for Defence (1) when the information that the decision of headquarters British Army of the Rhine that the repairs to the FV342 will not be possible in Germany and first conveyed to the Under-Secretary of State for the Armed Forces, the deputy under secretary (civilian management) and the assistant secretary QMG by a representative of the Civil Service trade unions on 26 April, was officially given to them;

(2) whether, following the decision of headquarters British Army of the Rhine that repairs of the FV432 will not now be possible in Germany, he will re-examine the programme for the repair of the FV432 with a view to using the facility of the Royal Electrical and Mechanical Engineers workshop at Chilwell or Bicester.

Mr. Lee: I shall answer shortly.

NATIONAL FINANCE

Income Tax

Mr. Ralph Howell asked the Chancellor of the Exchequer how much income tax was received during 1983-84 from each of the following income groups: *(a)* under £2,000, *(b)* £2,000 to £3,000, *(c)* £3,000 to £4,000, *(d)* £4,000 to £5,000, *(e)* £5,000 to £6,000, *(f)* £6,000 to £7,000, *(g)* £7,000 to £8,000, *(h)* £8,000 to £9,000, *(i)* £9,000 to £10,000, *(j)* £10,000 to £11,000, *(k)* £11,000 to £12,000 and *(l)* £12,000 to £20,000; and if he will provide for each of the income brackets listed the number of taxpayers in each bracket.

Mr. Moore: Figures are available on the basis of income tax due in respect of income in a year, not tax received in the year. The latest estimates for 1983-84, based on projections from the 1982-83 survey of personal incomes, are as follows:

Range of total incomes (lower limit)* £	*Taxpayers†* '000	*Total income tax due‡* £ million
under 2,000	250	neg
2,000	1,500	300
3,000	1,850	800
4,000	2,150	1,300
5,000	2,100	1,800
6,000	2,050	2,200
7,000	1,850	2,400
8,000	1,600	2,500
9,000	1,350	2,300
10,000	1,200	2,300
11,000	850	1,800
12,000	2,900	8,800
20,000	850	7,900
	20,500	34,400

*Total income includes only those forms of income liable to tax.
†Counting married couples as one.
‡Amounts have been rounded to the nearest £100 million, neg = less than £50 million.

Johnson Matthey Bankers

Mr. Blair asked the Chancellor of the Exchequer (1) whether, pursuant to his reply on 7 May, *Official Report*,

column 726, he will list the categories of departures from normal prudent banking practice of Johnson Matthey Bankers; and if he will make a statement;

(2) whether he will ask the review body considering banking supervision and the affairs of Johnson Matthey Bankers to investigate whether, following the departures of Johnson Matthey Bankers from normal prudent banking practice, any employee of Johnson Matthey Bankers was subject to dismissal or other disciplinary action.

Mr. Ian Stewart: I have nothing to add to the answers given to the hon. Member on 3 May, 7 May and 8 May, at columns *256*, 726 and *402* respectively.

Mr. Blair asked the Chancellor of the Exchequer whether the £100 million facility granted to Johnson Matthey by the Bank of England has been converted into its capital base.

Mr. Ian Stewart: I refer the hon. Member to the statement issued by the Bank of England on 13 May, of which a copy has been placed in the Library.

Mr. Blair asked the Chancellor of the Exchequer what is the estimated loss to the Inland Revenue from the arrangements whereby the rescue of Johnson Matthey Bankers is to be financed by banks other than the Bank of England.

Mr. Ian Stewart: Any such estimates can only be hypothetical, since tax revenue forgone as a result of indemnities provided by the private sector banks participating in the rescue operation would have to be measured against the loss of revenue—in the form of relief for bad debts — which would have arisen if Johnson Matthey Bankers had been allowed to fail.

Pound Sterling

Mr. Gould asked the Chancellor of the Exchequer, pursuant to his reply, *Official Report*, 22 April, column 374, concerning the exchange rate of the pound sterling against certain European monetary system currencies, if he will indicate the changes in the fluctuation margins; if he will add the April 1985 figures to his previous answer on the December 1982 basis, and on the basis of the margin relevant in April; and if he will indicate the number of occasions on which the pound sterling moved outside its notional fluctuation margins on the basis of the changes in the margins which have occurred since 1982.

Mr. Ian Stewart: I shall let the hon. Member have a reply as soon as possible.

European Community Budget

Mr. Gould asked the Chancellor of the Exchequer if he will publish in the *Official Report* the percentage increase in EC expenditure and the percentage increase in EC own resources in 1984 and forecasts for 1985; whether the additional subscriptions are to be included in own resources for the purpose of the EC budget calculations; and what is his forecast of the percentage of spending accounted for them by the common agricultural policy in 1985.

Mr. Ian Stewart: I shall let the hon. Member have a reply as soon as possible.

SOCIAL SERVICES

Family Incomes

Mr. Ralph Howell asked the Secretary of State for Social Services (1) what is the net weekly spending power of a man with a wife and one child aged eight years, whose weekly income is (i) £50, (ii) £60 and (iii) £70, whose rent and rates are £15·60 and £7·35, respectively, and who are receiving all state benefits to which they are entitled *(a)* when he is working and *(b)* if he were unemployed, and assuming that both husband and wife were earning the £4 disregarded income;

(2) what is the net weekly spending power of a man with a wife and one child aged eight years, whose weekly income is (i) £80, (ii) £90, (iii) £100, (iv) £110 and (v) £120, whose rent and rates are £20 and £7, respectively, and who are receiving all state benefits to which they are entitled *(a)* when he is working and *(b)* if he were unemployed, assuming that both husband and wife were earning the £4 disregarded income;

(3) what is the net weekly spending power of a man with a wife and one child aged eight years, whose weekly income is (i) £130, (ii) £140 and (iii) £150, whose rent and rates are £30 and £10, respectively, and who are receiving all state benefits to which they are entitled *(a)* when he is working and *(b)* if he were unemployed, assuming that both husband and wife were earning the £4 disregarded income;

(4) what is the net weekly spending power of a man with a wife and three children aged four, eight and 11 years, whose rent and rates are £15·60 and £7·35, respectively, as shown in the tax benefit model tables November 1984, whose income is (i) £50, (ii) £60 and (iii) £70 per week, and who are receiving all state benefits to which they are entitled *(a)* when he is working and *(b)* if he were unemployed, assuming that both husband and wife were earning the £4 disregarded income;

(5) what is the net weekly spending power of a man with a wife and three children aged four, eight and 11 years, whose weekly income is (i) £80, (ii) £90, (iii) £100, (iv) £110 and (v) £120, whose rent and rates are £20 and £7, respectively, and who are receiving all state benefits to which they are entitled *(a)* when he is working and *(b)* if he were unemployed, assuming that both husband and wife were earning the £4 disregarded income;

(6) what is the net weekly spending power of a man with a wife and three children aged four, eight and 11 years, whose weekly income is (i) £130, (ii) £140 and (iii) £150, whose rent and rates are £30 and £10, respectively, and who are receiving all state benefits to which they are entitled *(a)* when he is working and *(b)* if he were unemployed, assuming that both husband and wife were earning the £4 disregarded income;

(7) what is the net weekly spending power of a man with a wife and four children aged four, eight, 11 and 15 years, whose income is (i) £50, (ii) £60 and (iii) £70 per week, whose rent and rates are £15·60 and £7·35, respectively, and who are receiving all state benefits to which they are entitled *(a)* when he is working and *(b)* if he were unemployed, assuming that both husband and wife were earning the £4 disregarded income;

(8) what is the net weekly spending power of a man with a wife and four children aged four, eight, 11 and 15 years, whose income is (i) £80, (ii) £90, (iii) £100, (iv) £110 and (v) £120 per week, whose rent and rates are £20

and £7, respectively, and who are receiving all state benefits to which they are entitled *(a)* when he is working and *(b)* if he were unemployed, assuming that both husband and wife were earning the £4 disregarded income;

(9) what is the net weekly spending power of a man with a wife and four children aged four, eight, 11 and 15 years, whose income is (i) £130, (ii) £140, (iii) £150 per week, whose rent and rates are £30 and £10, respectively, and who are receiving all state benefits to which they are entitled *(a)* when he is working and *(b)* if he were unemployed, assuming that both husband and wife were earning the £4 disregarded income.

Mr. Whitney: The information requested is given in the table. Assumptions are as stated in the questions and otherwise as in the November 1984 DHSS tax-benefit model tables, of which a copy is in the Library. The combinations of assumptions stated in the questions are not typical, and apply in only a very small proportion of cases, as explained in the notes to the table. The comparisons between income in and out of work are therefore misleading and have no general application.

Net Weekly Spending Power for the Family Types Described in the Specified Circumstances

Weekly rent and rates (including £1·50 water rates) £	*Gross weekly earnings of family head* £	*Family Type: Couple with 1 child aged 8 years* £	*Couple with 3 children aged 4, 8 and 11 years* £	*Couple with 4 children aged 4, 8, 11 and 15 years* £
(a) working families				
15·60 + 7·35*	50	65·66	92·15	104·03
	60	68·11	96·61	110·72
	70	67·76	96·26	111·04
20 + 7†	80	65·59	94·09	108·87
	90	65·02	93·54	108·32
	100	67·32	92·82	107·65
	110	69·62	92·02	106·85
	120	69·32	94·32	106·05
30 + 10‡	130	69·02	91·42	103·15
	140	68·72	93·72	105·45
	150	70·90	94·48	107·75
(b) Unemployed family in receipt of supplementary benefit and part-time earnings‖	—	65·75	95·94	112·89

* It is estimated that among married couples with children living in rented accommodation where the head is in full-time work, just over 2 per cent. earn £70 or less a week. Of these, about a third (about 15,000 families) pay £22·95 or more a week in rent and rates.

† It is estimated that among couples with children living in rented accommodation where the head is in full-time work, less than 2 per cent. (about 35,000) earn between £70 and £120 a week gross and pay rent and rates as high as the figure of £27 assumed in these questions.

‡ The number of married couples with children in these circumstances—ie with the head of the family in full-time work, earning between £120 and £150 gross weekly, and the family living in rented accommodation and paying £40 or more weekly rent and rates—is too small to estimate or quantify.

‖ Latest estimates show that only about 1·5 per cent. of married unemployed supplementary benefit claimants have part-time earnings. The proportion where both the claimant and the spouse works is not known, but must be less than 1·5 per cent.

Mr. Ralph Howell asked the Secretary of State for Social Services (1) if he will estimate the effect of the recent Budget changes on the net weekly spending power of a man with a wife and two children aged eight and 11 years whose income is £100 per week and whose rent and rates are £20 and £7, resepctively *(a)* when he is working and *(b)* if he were unemployed, and assuming that he and his wife were both earning the £4 disregarded income and in each case were receiving all the benefits to which they were entitled;

(2) if he will estimate the effect of the recent Budget changes on the net weekly spending power of a man and a wife with two children aged 11 and 15 years whose income is £120 per week, whose rent and rates are £20 and £7 per week, respectively, and who are receiving all state benefits to which they are entitled *(a)* when he is working and *(b)* if he was unemployed, and assuming that both husband and wife were earning the £4 disregarded income.

Mr. Whitney: On the stated assumptions (and otherwise on the basis of the assumptions in the November 1984 DHSS tax-benefit model tables) the effect of the recent budget changes would be to increase net weekly spending power from April 1985 by £1·73 where the man was earning £100 or £120 a week. Where the man was unemployed, and in receipt of supplementary benefit, the changes would have no effect on net weekly spending power.

NHS (Hospital Readmission)

Mr. Deakins asked the Secretary of State for Social Services what information is available to him about re-admissions of patients into National Health Service hospitals in each year since 1979.

Mr. John Patten: Information on readmission is available centrally only for mental illness and mental handicap hospitals and units. The total numbers of such readmissions between 1979 and 1983 are given in the table. Further details for the years up to 1982, including some analyses by sex, age and diagnostic group, are given in the report "In-patient statistics from the mental health inquiry for England 1982", copies of which are in the Library.

Readmissions to mental illness and mental handicap hospitals and units in England

*Number of readmissions**

Year	Mental illness hospitals and units	Mental handicap hospitals and units
1979	120,073	15,733
1980	127,184	17,915
1981	132,893	20,854
1982	133,475	23,820
1983	138,080	29,729

* Some patients have more than one readmission in a year and are represented more than once in the figures. The figures include admissions as part of a programme for sharing responsibility with caring relatives.

NHS (Pensions)

Mr. Michael Brown asked the Secretary of State for Social Services (1) what is the total number of National Health Service employees entitled to index-linked pensions;

(2) what is the total number of National Health Service ancillary staff entitled to index-linked pensions.

Mr. John Patten: On 18 December 1984, 757,000 NHS employees were members of the National Health Service superannuation scheme and can be expected to become entitled to index-linked pensions. Of these, 130,000 were classified as manual workers.

Leukaemia (East Anglia)

Mr. Weetch asked the Secretary of State for Social Services how many people have died of leukaemia in each health district of the East Anglian regional health authority in each of the last 10 years; and how these figures break down by age and sex.

Mr. John Patten: The information is given in the tables. Due to reorganisation of the National Health Service, the areas shown for 1975-80 are not conterminous with those for the later years, and hence the figures for the two periods are not comparable.

Number of deaths from Leukaemia for each health district in East Anglian Regional Health Authority, 1975-1980
1975-1978 ICD (8th Rev.) 204-207
1979-1980 ICD (9th Rev.) 204-208

Age group in years

Health District	Sex	All ages	Under 1	1-4	5-14	15-24	25-34	35-44	45-54	55-64	65-74	75 and over
1975												
Cambridge	M	17	—	1	—	—	2	2	—	5	5	2
	F	10	—	—	—	—	—	—	—	4	1	5
Peterborough	M	4	—	—	1	—	—	—	1	—	2	—
	F	4	—	—	—	1	1	—	—	—	—	2
Norwich	M	21	—	1	2	1	—	—	2	2	6	7
	F	10	—	—	1	—	—	—	1	1	5	2
Great Yarmouth and Waveney	M	5	—	—	—	—	—	—	—	2	—	3
	F	2	—	—	—	—	—	—	—	2	—	—
Kings Lynn	M	6	—	1	—	1	—	—	—	2	2	—
	F	4	—	—	—	—	—	—	—	2	—	2
Bury St. Edmunds	M	6	—	—	—	1	—	—	—	2	2	1
	F	4	—	1	—	—	—	1	1	—	—	1
Ipswich	M	8	—	1	—	—	—	—	1	2	4	—
	F	10	—	—	1	1	1	1	—	—	3	3
1976												
Cambridge	M	9	—	—	1	—	1	—	—	1	5	1
	F	6	—	1	—	—	—	2	1	—	1	1
Peterborough	M	5	—	—	—	1	1	—	1	—	1	1
	F	3	—	—	—	—	—	—	1	—	1	1
Norwich	M	20	—	—	1	—	2	2	2	4	5	4
	F	16	—	—	—	—	—	—	2	4	2	8
Great Yarmouth and Waveney	M	3	—	—	1	—	—	—	—	1	1	—
	F	3	—	—	—	—	—	1	—	1	—	1
Kings Lynn	M	5	—	—	1	—	—	—	—	—	1	3
	F	5	—	—	—	—	—	—	—	—	2	3
Bury St. Edmunds	M	13	—	1	—	—	1	—	—	1	6	4
	F	6	—	—	—	—	1	—	—	1	2	2
Ipswich	M	4	—	—	1	—	—	—	1	—	—	2
	F	9	—	—	—	1	—	—	1	—	2	5
1977												
Cambridge	M	10	—	—	—	1	1	1	2	1	—	4
	F	9	—	1	1	—	—	—	2	2	1	2
Peterborough	M	6	—	1	—	—	—	—	—	1	3	1
	F	5	—	—	—	—	—	—	—	—	1	4
Norwich	M	18	—	—	1	—	—	1	1	6	5	4
	F	15	—	2	—	—	—	—	2	6	1	4
Great Yarmouth and Waveney	M	4	—	—	—	1	—	—	—	—	2	1
	F	5	—	—	—	—	—	1	1	1	—	2
Kings Lynn	M	8	—	—	—	—	—	—	—	—	6	2
	F	3	—	—	—	—	—	1	—	—	1	1
Bury St. Edmunds	M	6	—	—	—	—	1	—	1	—	3	1
	F	3	—	—	—	1	—	—	—	—	—	2
Ipswich	M	10	—	—	1	—	—	1	1	—	4	3

Health District	Sex	All ages	Under 1	1-4	5-14	15-24	25-34	35-44	45-54	55-64	65-74	75 and over
	F	12	—	—	—	—	—	—	—	1	5	6
1978												
Cambridge	M	20	—	—	1	2	—	—	3	2	5	7
	F	5	—	—	—	2	—	—	—	—	1	2
Peterborough	M	4	—	—	2	—	—	—	1	1	—	—
	F	8	—	—	3	—	—	—	—	—	4	1
Norwich	M	17	—	—	2	—	—	—	1	2	7	5
	F	19	—	—	—	1	—	—	—	3	4	11
Great Yarmouth and Waveney	M	7	—	—	1	—	1	1	1	—	1	2
	F	5	—	—	2	—	1	1	—	1	—	—
Kings Lynn	M	8	—	—	1	—	—	—	1	2	3	1
	F	7	—	—	—	—	—	—	—	2	2	3
Bury St. Edmunds	M	4	1	—	—	—	—	—	1	—	—	2
	F	8	—	1	1	—	—	—	1	—	1	4
Ipswich	M	11	—	—	—	—	—	—	—	1	6	4
	F	9	—	—	1	—	—	1	1	1	3	2
1979												
Cambridge	M	13	—	—	—	—	1	—	2	2	3	5
	F	15	—	—	3	—	—	—	2	2	4	4
Peterborough	M	5	—	—	—	—	1	—	—	—	3	1
	F	5	—	—	—	—	—	—	2	—	1	2
Norwich	M	19	1	1	1	1	—	—	—	2	3	10
	F	22	—	—	—	—	1	—	1	3	6	11
Great Yarmouth and Waveney	M	5	—	—	—	—	—	—	—	—	2	3
	F	4	—	—	—	—	—	—	—	3	1	—
Kings Lynn	M	6	—	—	2	—	—	—	1	1	2	—
	F	2	—	—	—	—	—	—	—	—	1	1
Bury St. Edmunds	M	12	—	—	1	—	—	—	1	4	2	4
	F	5	—	—	1	—	—	—	—	—	2	2
Ipswich	M	8	—	—	1	—	—	—	—	1	3	3
	F	9	—	—	—	—	1	—	1	1	2	4
1980												
Cambridge	M	18	—	—	1	—	—	2	1	2	5	7
	F	14	—	—	—	—	3	2	—	1	5	3
Peterborough	M	5	—	—	—	—	—	—	—	2	—	3
	F	1	—	—	—	—	—	—	—	—	—	1
Norwich	M	21	—	—	—	1	4	1	—	4	4	7
	F	15	—	—	—	—	—	1	1	2	5	6
Great Yarmouth and Waveney	M	9	—	—	—	—	1	1	—	2	1	4
	F	5	—	1	—	—	1	—	—	—	1	2
Kings Lynn	M	8	—	—	1	—	—	—	1	2	2	2
	F	8	—	—	—	1	—	1	—	1	3	2
Bury St. Edmunds	M	6	—	1	—	—	—	—	1	1	1	2
	F	1	—	—	—	1	—	—	—	—	—	—
Ipswich	M	13	—	—	—	—	—	2	—	—	6	5
	F	14	—	—	—	—	1	1	2	2	5	3

Number of deaths from Leukaemia for each district health in East Anglian Regional Health Authority, 1981-1984
1981-1984 ICD (9th Rev.) 204-208

Age group in years

District Health Authority	Sex	All ages	Under 1	1-4	5-14	15-24	25-34	35-44	45-54	55-64	65-74	75 and over
198:												
Cambridge	M	6	—	—	—	—	—	—	—	2	1	3
	F	11	—	—	1	1	—	—	2	1	3	3
Huntingdon	M	1	—	—	—	—	—	—	—	—	1	—
	F	4	—	—	—	—	—	—	—	—	2	2
Peterborough	M	5	—	—	—	—	—	—	—	1	2	2
	F	3	—	—	—	—	—	—	—	1	—	2
Norwich	M	23	—	—	1	1	3	1	4	2	4	7
	F	15	—	—	3	—	—	1	—	1	3	7
Great Yarmouth and Waveney	M	10	—	—	1	—	1	—	2	3	—	3
	F	11	—	—	—	—	1	1	1	1	1	6
West Norfolk and Wisbech	M	6	—	—	—	—	1	—	—	—	4	1
	F	1	—	—	—	—	—	—	—	—	—	1
West Suffolk	M	6	—	—	1	—	—	—	—	1	3	1
	F	3	—	—	—	—	—	—	—	—	2	1
East Suffolk	M	13	—	—	—	2	—	2	1	1	4	3
	F	10	—	—	—	—	—	1	—	—	3	6
1982												
Cambridge	M	16	—	—	—	1	—		—1	1	5	8
	F	6	1	—	—	—	—	—	—	—	2	3

District Health Authority	Sex	All ages	Under 1	1-4	5-14	15-24	25-34	35-44	45-54	55-64	65-74	75 and over
Huntingdon	M	1	—	—	—	—	—	—	—	—	—	1
	F	2	—	—	—	—	—	—	—	2	—	—
Peterborough	M	6	—	—	2	1	—	—	1	1	—	1
	F	11	—	—	1	—	—	—	2	1	3	4
Norwich	M	20	—	—	—	—	1	2	1	3	10	3
	F	15	1	—	—	—	1	2	1	2	1	7
Great Yarmouth and Waveney	M	9	1	—	1	—	1	1	1	—	2	2
	F	4	—	—	—	—	—	—	1	—	1	2
West Norfolk and Wisbech	M	7	—	—	1	—	—	—	1	1	3	1
	F	7	—	—	—	—	—	—	—	2	2	3
West Suffolk	M	9	—	—	—	2	1	—	1	2	2	1
	F	8	—	—	—	—	—	—	1	—	2	5
East Suffolk	M	16	—	—	1	3	—	2	1	2	5	2
	F	13	—	—	—	—	—	—	4	2	4	3
1983												
Cambridge	M	8	—	—	—	—	—	—	2	2	3	1
	F	6	—	—	—	—	—	—	1	3	1	1
Huntingdon	M	3	—	—	—	—	—	—	1	—	1	1
	F	6	—	1	1	—	—	—	—	—	1	3
Peterborough	M	6	—	—	1	—	—	—	—	—	2	3
	F	3	1	—	—	—	—	—	—	2	—	—
Norwich	M	19	—	—	—	—	1	—	—	4	5	9
	F	15	—	—	—	1	—	—	—	2	3	9
Great Yarmouth and Waveney	M	7	—	1	—	1	—	—	—	—	3	2
	F	7	—	—	—	—	—	—	1	—	3	3
West Norfolk and Wisbech	M	8	—	—	—	1	—	—	—	1	3	3
	F	3	—	—	—	—	1	—	—	—	—	2
West Suffolk	M	8	—	—	—	2	1	—	—	2	2	1
	F	5	—	—	—	—	—	—	1	1	—	3
East Suffolk	M	17	—	1	4	—	2	—	1	3	3	3
	F	13	—	—	—	—	—	2	1	3	2	5
1984												
Cambridge	M	9	—	—	—	—	—	—	—	2	—	7
	F	7	—	—	—	—	—	1	—	1	3	2
Huntingdon	M	3	—	—	—	—	—	—	—	—	1	2
	F	3	—	—	—	—	—	—	—	2	—	1
Peterborough	M	8	—	—	—	—	—	—	—	2	4	2
	F	9	—	1	1	—	1	1	1	1	1	2
Norwich	M	28	—	—	—	—	—	2	2	4	8	12
	F	24	—	1	1	—	2	2	1	2	2	13
Great Yarmouth and Waveney	M	11	—	—	—	—	—	—	—	3	6	2
	F	9	—	—	—	—	—	2	1	3	1	2
West Norfolk and Wisbech	M	8	—	1	—	—	—	1	1	3	—	2
	F	5	—	—	1	—	—	—	—	1	1	2
West Suffolk	M	10	—	—	1	—	1	—	1	1	3	3
	F	5	—	—	—	—	—	1	—	—	—	4
East Suffolk	M	13	—	—	—	—	—	1	—	3	4	5
	F	10	—	—	—	1	—	—	—	3	1	5

Chiropodists

Mr. David Atkinson asked the Secretary of State for Social Services when he expects to make a decision on the future of the chiropody profession.

Mr. Kenneth Clarke: We are still considering the result of discussions we had last year with interested professional bodies. However those discussions failed to produce any clear consensus of opinion within the chiropody profession and are not likely to lead to any significant changes. We do not propose to introduce any legislation on the subject.

Disability Pensions

Mr. Body asked the Secretary of State for Social Services in what circumstances a special exception is made to the general rule in awarding a disability pension from the date of the commencement of the period of the assessment, so that the disability pension may be back-dated to an earlier date.

Mr. Newton: Industrial injuries disablement pension cannot be paid for a period earlier than 90 days from the date of the accident or onset of the industrial disease. Where a claim is made more than 90 days after disablement occurred, payment may be back-dated if the claimant had a good reason for the delay, such as physical or mental incapacity or official misdirection.

War disablement pension is usually made from the date of the relevant claim or appeal. Special exception can be made and a payment from an earlier date considered only where the claimant had a good reason for the delay as described above.

If my hon. Friend has a particular case in mind, I should be happy to look into it for him.

Population Statistics

Mr. Janner asked the Secretary of State for Social Services what is his Department's latest estimate of the number of *(a)* single men and *(b)* single women, respectively, over the age of 16 years living in the United Kingdom.

Mr. John Patten: The latest estimate relates to 30 June 1983 and is as follows:

	Number
Single Men	6,170,000
Single Women	5,090,000

Common Earnings Rule

Mrs. Beckett asked the Secretary of State for Social Services what net savings he expects to make as a result of his decision to introduce a common earnings rule of £28·45 for adult dependants of claimants of *(a)* invalidity benefit, *(b)* retirement pension, *(c)* severe disablement allowance and *(d)* unemployability supplement.

Mr. Newton: The proposal to introduce a common earnings rule of £28·45 is estimated to produce savings of £2 million in the 1985-86 financial year, £10 million in the 1986-87 year, and £20 million in the 1987-88 year. The savings are expected to be almost equally distributed between the invalidity and retirement pensions. Savings from severe disablement allowance and the unemployability supplement are expected to be insignificant.

Mobility Allowance

Mr. Alfred Morris asked the Secretary of State for Social Services if he will publish in the *Official Report* the letter sent to the Minister with responsibility for the disabled on 27 April by the chairman of the Joint Committee for the Disabled about the level of the mobility allowance, together with his reply.

Mr. Newton: The letters are as follows:

I refer to our previous correspondence on motoring costs and the value of the mobility allowance — my letter of 15 December 1985 and your reply of 14 January 1985, reference PO(2)4810/14.

Following the March Budget statement, I have updated the schedule comparing motoring costs with mobility allowance values. As you will see, and as you no doubt appreciated, the increase in tax on petrol and inflation in general have seriously increased the gap between motoring costs and the value of the mobility allowance.

As you will see from the enclosed printout (produced on the indentical basis to that of the December 1984 schedule), the index of motoring costs has increased from 206 to 221 in comparison with the index of the MobA rate of 200.

If disabled people's mobility is not to continue to be reduced, the mobility allowance will have to be raised this coming November by 10 per cent. at the very least.

Peter Large

Thank you for your further letter of 27 April enclosing an updated schedule comparing the increases in mobility allowance and motoring costs since 1978.

I again note the results but I do not think that there is anything which I can usefully add to my reply to you on 14 January which was subsequently published. [*Official Report*, Vol. 71 c. *60-61*]. The increase of mobility allowance from November will be announced, as usual, in June.

Tony Newton

Joint Committee on Mobility for the Disabled
Motoring costs and MobA 1978-85

	1978 April	*1979 April*	*1979 June*	*1980 April*	*1981 April*	*1982 April*	*1983 April*	*1984 April*	*1985 April*
Standing charges (£)									
Insurance	134·80	155·00	155·00	185·40	228·40	239·85	241·20	255·70	277·40
Depreciation	341·26	392·59	418·03	480·96	505·37	601·66	653·60	697·56	745·79
Subscription	11·50	12·50	12·50	15·00	17·50	30·00	33·00	35·00	36·50
TOTAL	487·56	560·09	585·53	681·36	751·27	871·51	927·80	988·26	1,059·69
Cost/mile in pence (10,000 miles)	4·8756	5·6009	5·8553	6·8136	7·5127	8·7151	9·278	9·8826	10·5969
Running costs/mile (pence)									
Petrol	2·247	2·737	3·169	3·857	4·286	4·619	4·738	4·929	5·465
Oil	·149	·171	·171	·234	·285	·301	·313	·327	·336
Tyres	·315	·334	·356	·423	·457	·528	·516	·573	·573
Servicing	·499	·566	·603	·526	·589	·642	·604	·656	·665
Repairs and replacements	1·813	2·085	2·220	2·533	2·837	3·092	3·732	4·053	4·226
TOTAL	5·023	5·893	6·519	7·573	8·454	9·182	9·903	10·538	11·265
Total cost/mile (pence)									
Standing charges	4·8756	5·6009	5·8553	6·8136	7·5127	8·7151	9·278	9·8826	10·5969
Running charges	5·023	5·893	6·519	7·573	8·454	9·182	9·903	10·538	11·265
TOTAL	9·8986	11·4939	12·3743	14·3866	15·9667	17·8971	19·181	20·4206	21·8619
MobA rate (£)	10	12	12	14·5	16·5	18·3	19	20	20
Index (motor costs)	100	116·1164	125·0106	145·3397	161·3026	180·8044	193·7749	206·2979	220·8585
Index (MobA rate)	100	120	120	145	165	183	190	200	200

Childbirth (Statistics)

Mrs. Ann Winterton asked the Secretary of State for Social Services what information he has concerning the numbers and rate per 1,000 births of caesarian section deliveries in each of the regional health authorities.

Mr. John Patten: The available information, derived from the hospital inpatient inquiry is given in the table.

The estimated number of deliveries shown is less than the number of births by caesarean section because multiple births are counted as single deliveries. The rates expressed

per 1,000 live births may differ slightly from other published rates which are expressed per 1,000 total deliveries.

Estimated number of Caesarean section deliveries from HIPE and rate per thousand live births by Regional Health Authority of mothers usual residence 1982, 1983 (provisional).

Regional Health Authority	1982		1983	
	Number	Rate per 1,000 births	Number	Rate per 1,000 births
Northern	3,267	83·1	3,514	89·8
Yorkshire	3,935	85·9	4,335	93·2
Trent	5,620	99·7	5,646	98·8
East Anglian	2,117	92·7	2,312	100·2
North West Thames	4,551	99·7	4,969	109·0
North East Thames	5,050	102·1	4,984	99·9
South East Thames	4,548	103·7	4,042	91·8
South West Thames	3,855	111·7	3,622	104·4
Wessex	3,024	92·1	3,044	92·1
Oxford	2,726	87·4	2,744	88·7
South Western	3,692	104·6	3,659	103·0
West Midlands	6,085	89·6	5,753	84·3
Mersey	3,823	121·6	3,609	113·3
North Western	5,600	105·0	5,661	105·6

Mrs. Ann Winterton asked the Secretary of State for Social Services what information he has concerning comparative survival rates in different regions following birth as a result of *(a)* normal delivery, *(b)* forceps delivery and *(c)* caesarian section delivery.

Mr. John Patten: We do not collect sufficient information centrally to give a reliable comparison of survival rates for the different regions and methods of delivery.

Mrs. Ann Winterton asked the Secretary of State for Social Services what information he has concerning the rates of use of general anaesthetic in childbirth in each of the different health regions.

Mr. John Patten: I shall let my hon. Friend have a reply as soon as possible.

Mrs. Ann Winterton asked the Secretary of State for Social Services what information he has concerning the percentage of total births which require caesarean section delivery in England and Wales in each of the last five years for which figures are available.

Mr. John Patten: The available information, derived from the hospital inpatient inquiry, is shown in the table. This covers England and Wales in 1979-81 and England in 1982-83. Statistics for Wales in 1982-83 are a matter for my right hon. Friend the Secretary of State for Wales.

Multiple births are counted as single deliveries. These figures therefore differ from other published rates that are expressed as percentages of total deliveries.

Estimated number of caesarean section deliveries as a percentage of total live and still births: England and Wales 1979-81, England 1982, 1983 (Provisional)

	Year	Percentage
England and Wales	1979	8·2
	1980	8·7
	1981	9·0
England	1982	9·8
	1983	9·8

Mrs. Ann Winterton asked the Secretary of State for Social Services what information he has concerning the average relative costs of normal deliveries, caesarean deliveries and forceps deliveries.

Mr. John Patten: Information is not collected centrally on the average costs of different types of delivery, but my hon. Friend may find the table useful. Average costs will depend on many factors other than postnatal stay, for example the time spent in hospital before delivery, the cost of the delivery itself and the amount of professional care required by the mother before and after delivery.

Estimated mean postnatal stay of delivered cases in the hospital of delivery: 1980, England and Wales

Method of delivery	Mean length of stay (days)
Spontaneous*	5·3
Caesarean section	12·9
Instrumental†	7·7
Other and unspecified	7·2

* Includes spontaneous breech delivery.
† Includes vacuum extraction and breech extraction

Statistical Bulletins

Mr. Meacher asked the Secretary of State for Social Services, pursuant to the answer, *Official Report*, 25 April, column *118*, if he will list for each of the statistical bulletins, the title, date of publication, subject matter, number of pages, numbers printed, numbers distributed free of charge and to whom and the numbers sold and at what price.

Mr. John Patten: The information is as follows.

Statistical Bulletin No. 1/84

Title: Hospital activity statistics for England 1972-82.

Published: April 1984

Subject matter:	Analysis by sector, of in-patient cases, day cases, out-patients and accident and emergency services, giving trends in numbers of cases, bed availability, duration of stay and other indicators over the decade.
Number printed:	600
Number of pages:	21
Number distributed free of charge:	Approximately 350
Recipients of copies free of charge:	Departmental users Regional Health Authorities Other Government Departments Libraries of both Houses Health Service researchers
Number so far sold, at £1·00 each:	72

Statistical Bulletin No. 2/84

Title:	Hospital activity statistics for England 1973-83
Published:	November 1984
Subject matter:	Analysis by sector, of in-patient cases, day cases, out-patients and accident and emergency services, giving trends in numbers of cases, bed availability, duration of stay and other indicators over the decade.
Number printed:	600
Number of pages:	25
Number distributed free of charge:	Approximately 250
Recipients of copies free of charge:	Departmental users Regional Health Authorities Other Government Departments Libraries of both Houses Health Service researchers
Number so far sold, at £1·00 each:	19

Statistical Bulletin No. 1/85

Title:	Mental illness hospitals and units in England: Results from the Mental Health Enquiry 1983
Published:	22 March 1985
Subject matter:	For NHS mental illness hospitals and units, analyses of admissions, discharges and resident patients. Comparisons of 1983 figures with those for earlier years from 1973 onwards.
Number printed:	400
Number of pages:	13
Number distributed free of charge:	Approximately 200
Recipients of copies free of charge:	Departmental users Regional Health Authorities Other Government Departments Libraries of both Houses Health Service researchers, including psychiatric case registers
Number so far sold, at £1·00 each:	1

Statistical Bulletin No. 2/85

Title:	Mental handicap hospitals and units in England: Results from the Mental Health Enquiry 1983
Published:	22 March 1985
Subject matter:	For NHS mental handicap hospitals and units, analyses of admissions, discharges and resident patients. Comparisons of 1983 figures with those for earlier years from 1973 onwards.
Number printed:	450
Number of pages:	9
Number distributed free of charge:	Approximately 300
Recipients of copies free of charge:	Departmental users Regional Health Authorities Other Government Departments Libraries of both Houses Health Service researchers, including psychiatric case registers National Development Team for Mentally handicapped
Number so far sold, at £1·00 each:	Nil

Limited List Prescribing

Mr. Nicholls asked the Secretary of State for Social Services what steps he has taken to ensure that doctors and pharmacists understand the rules for limited list prescribing; and if he will make a statement.

Mr. Kenneth Clarke: The regulations governing the selected list are inevitably complex. As a result doctors and pharmacists are finding it difficult to decide when scheduled drugs may be dispensed against prescriptions for non-scheduled ones with the same ingredients. The point has been made to us that the Government's intentions should be more clearly expressed. We accept this view and propose to amend the regulations as soon as possible in order to put their meaning beyond any doubt. The appropriate representative bodies are being consulted urgently about the proposed amendments in the usual way.

War Pensioners (Surgical Appliances)

Mr. Crouch asked the Secretary of State for Social Services if he will publish the report on the supply of surgical appliances to war pensioners; and if he will make a statement.

Mr. Newton: The report gives the results of a study by Research Surveys of Great Britain Ltd. which forms an extension of the survey of artificial limb users described in a reply to my hon. Friend the Member for Hornsey and Wood Green (Sir H. Rossi) on 27 July 1984 at columns *853-4*.

The study was funded by the Department and carried out at the end of 1984 at the request of the working party which, under the chairmanship of Professor Ian McColl, is reviewing the services provided by artificial limb and appliance centres in England. It was designed primarily to

assess war pensioners' experience of the provision through the centres of surgical appliances, and involved a postal survey of 1,798 individuals.

Most of those surveyed said they were fairly satified or very satisfied with the service currently provided. Five per cent. were on the whole dissatisfied, and many of these were concerned about problems with appliances, particularly those of getting a well-fitting appliance. The survey indicated a low level of awareness among war pensioners that the National Health Service also provides a comprehensive surgical appliances service through hospitals. Of those who had used both services a small majority preferred that provided by the hospitals.

With the agreement of Professor McColl I am placing copies of the report in the Library and sending copies to organisations representing war pensioners. Copies will be available to other interested organisations on request.

Benefits

Mr. Fisher asked the Secretary of State for Social Services what percentage of those eligible claimed *(a)* supplementary benefit, *(b)* family income supplement and *(c)* rent rebate, rate rebate or housing benefit in each of the last five financial years for which statistics are available.

Mr. Whitney [*pursuant to his reply*, 10 May 1985, c. *543*]: The available information is given in the table. The estimates of take-up of rent rebates and allowances and rate rebates relate to England and Wales. Estimates for Scotland are not available.

Estimates of take-up of supplementary benefit in 1983 are expected within the next two or three months. Further estimates of take-up of family income supplement and the first estimate of take-up under the 1983 housing benefit scheme are expected early next year.

	Period covered	*Percentage taking up entitlement*
(a) Supplementary benefit	*1981	71
(b) Family income supplement	†1981-82	about 50
(c) Rent rebates‡	1980	70-75
	1981	70-75
	1982	70-75
Rent allowance‡	1980	60-65
	1981	60-65
	1982	60-65
Rate rebate‡	1980	70
	1981	65
	1982	65

* Covers the calendar year.
† Covers the two calendar years.
‡ England and Wales only. Estimates relate to October in each year.

Dr. Charles Entwistle

Mr. Beaumont-Dark asked the Secretary of State for Social Services if he will make a statement on the suspension since 1981 of Dr. Charles Entwistle from Rubery Hill hospital; and when he now expects the matter to be resolved.

Mr. Kenneth Clarke [*pursuant to his reply*, 13 May 1985, c. *32*]: Following the conclusion of an appeal to the Secretary of State and the advice of a professional committee which sat in July 1984, we directed that the suspension of Dr. Entwistle by the West Midlands regional health authority shall be continued expressly and only for the purpose of holding a committee of inquiry as soon as possible. The authority is now reporting to our Department on their progress in setting up the inquiry which is expected to last for a month. No date has yet been decided but I very much hope that the inquiry will begin in the near future.

When this case has been concluded, we will review the need for further guidance to Authorities to ensure that cases of this kind do not recur.

Written Answers to Questions

Thursday 16 May 1985

HOME DEPARTMENT

Metropolitan Police

Mr. Eldon Griffiths asked the Secretary of State for the Home Department what has been the cost to the Metropolitan police of providing at football matches in London additional police officers whose costs were not defrayed by the football clubs themselves.

Mr. Giles Shaw: The Commissioner of Police of the Metropolis tells me that this information is not available. Metropolitan police charges to football clubs for policing at matches are based on the full economic cost of a previously agreed number of police officers posted inside the ground. Additional officers may, at the discretion of the police, be deployed inside the ground if the need arises on the day, and the club would not be charged for these. Clubs are not required to meet the cost of officers posted in the streets and other public places outside the ground; this is an ordinary policing requirement.

Community Radio

Mr. Cartwright asked the Secretary of State for the Home Department when he expects to make a further announcement about the development of community radio and the granting of licences for experimental low power transmissions.

Mr. Giles Shaw: I refer the hon. Member to the reply given to a question from my hon. Friend the Member for Mitcham and Morden (Mrs. Rumbold) on 9 May at column *469*.

Northumbrian Police

Mr. Garrett asked the Secretary of State for the Home Department what was the authorised establishment of the Northumbrian police as at 31 March; how many officers there were actually in post; to what he ascribes the deficiency; and if he will make a statement.

Mr. Giles Shaw: The authorised establishment of the Northumbrian police is 3,378, an increase of 53 since May 1979. The strength of the force was 3,295 on 31 March 1985. Police manpower levels fluctuate from month to month because of different recruiting and wastage patterns, seasonal changes and other local reasons. I understand that there was further recruitment to the Northumbrian police in April 1985, and the present strength is 3,314. The number of full-time civilian staff in the force has increased by 211 to 931 since May 1979, including an increase of 81 in the last year.

Irradiated Fuel Leak (Temple Mills)

Mr. Tony Banks asked the Secretary of State for the Home Department what emergency services were present at Temple Mills in east London on 9 May to deal with the suspected leak from an irradiated fuel flask.

Mr. Giles Shaw: Officers from the British Transport police, the Metropolitan police, and the London fire brigade attended.

Missing Persons

Mr. Peter Bruinvels asked the Secretary of State for the Home Department if he will publish a table showing juveniles and vulnerable adults who were *(a)* recorded as missing from outside the Metropolitan police district, including overseas, and *(b)* who were traced or identified, broken down under each heading by age and sex, for each of the last 10 available years; and if he will make a statement.

Mr. Mellor: I shall reply as soon as possible.

Metropolitan Police (Road Accidents)

Mr. Peter Bruinvels asked the Secretary of State for the Home Department, pursuant to the answers to the hon. Member for Leicester, East on 13 May, if he will provide a breakdown as between marked and unmarked police vehicles of the figures relating to *(a)* road accidents involving Metropolitan police vehicles on emergency calls and *(b)* casualties resulting from road accidents involving Metropolitan police vehicles on emergency calls.

Mr. Giles Shaw: The precise figures requested are not readily available. The breakdown between marked and unmarked Metropolitan police vehicles involved in accidents when answering emergency calls or pursuing suspect vehicles in 1984 in which death or injury resulted, is as follows:

	Marked vehicles	*Unmarked vehicles*
Fatal accidents	4	1
Injury accidents	33	10

Television Detector Vans

Mr. Sumberg asked the Secretary of State for the Home Department how many detector vans are used by the Post Office for the purpose of detecting those who have not paid their television licences in the Greater London area and in each of the six metropolitan counties.

Mr. Giles Shaw: The 22 detector vans are available for use throughout the country, though at any one time they may all be concentrated in a particular metropolitan or other area.

Benzodiazepine

Mr. Wareing asked the Secretary of State for the Home Department if he will have consultations with *(a* the Association of British Social Workers, *(b)* the National Society for Mentally Handicapped Children and Adults, *(c)* National Association for Mental Health, *(d)* the Medical Practitioners Union, *(e)* social services departments, *(f)* the Transport and General Workers Union, *(g)* the Confederation of Health Service Employees, *(h)* the National Union of Public Employees and *(i)* the General Municipal, Boilermakers and Allied Trades Union about the possible rescheduling of benzodiazepine drugs under the United Nations convention on psychotropic substances.

Mr. Mellor: My right hon. and learned Friend will be considering shortly how these drugs should be scheduled

under the Misuse of Drugs Act 1971 and he will be happy to take into consideration, at this stage, any comments which any organisation may wish to put to him

TRADE AND INDUSTRY

Farm Machinery

40. **Mr. Cash** asked the Secretary of State for Trade and Industry what is the current level of United Kingdom farm machinery exports.

Mr. Channon: In 1984 agricultural machinery (excluding wheeled agricultural tractors) to the value of £138·7 million (fob) was exported.

Source: Business Monitor PQ 3211.

Silk

Mr. Evennett asked the Secretary of State for Trade and Industry whether he has recently held discussions with representatives of the Chinese Government concerning restrictions on the import of Chinese silk; and if he will make a statement.

Mr. Channon: No. However, my officials are in contact with the Chinese authorities concerning the administration of the import licensing controls.

Companies (Subordinate Legislation)

Mr. Favell asked the Secretary of State for Trade and Industry if he has now finalised his plans for remaking subordinate legislation in the light of the consolidation of the Companies Acts.

Mr. Fletcher: Yes. The instruments to be remade are as follows:

The Companies (Forms) Regulations
The Companies (Disqualification Orders) Regulations
The Companies (Registers and other Records) Regulations
The Companies (Disclosure of Directors' Interests) (Exceptions) Regulations
Stock Exchange (Designation of Nominees) Order
The Companies (Unregistered Companies) Regulations

In addition, we shall be revising the Companies (Alteration of Table A etc.) Regulations in order to clarify various points raised with the Department since the regulations were published last October and to make them easier to use.

The Companies (Unregistered Companies) Regulations were laid before the House on 8 May. The remaining instruments will be laid shortly with a view to their all coming into effect on 1 July at the same time as the consolidation Acts.

Weights and Measures

Mr. Favell asked the Secretary of State for Trade and Industry whether it is intended to publish the report of the Eden committee on the "Metrological Control of Weighing and Measuring for the Use for Trade".

Mr. Fletcher: Arrangements are now in hand to publish the report in full. Publication will be followed by extensive consultation with all the relevant interests. I shall inform the House when copies of the report are available. In the meantime, I have placed a copy of the Committee's recommendations in the Library.

WALES

Lobster Fisheries

Mr. Wigley asked the Secretary of State for Wales what representations he has received concerning possible local byelaws for the protection of lobster fisheries from over-exploitation; and if he will make a statement.

Mr. Nicholas Edwards: I have received representations from one fisherman about a draft byelaw prepared by the South Wales Sea Fisheries Committee with a view to licensing lobster fishing in its district. Should such a byelaw be submitted formally to me it would be advertised so as to allow me to take any objections into account before deciding on its confirmation.

South of Cardiff Redevelopment Scheme

Mr. Terlezki asked the Secretary of State for Wales if he will make a statement about the progress so far on the south of Cardiff redevelopment scheme.

Mr. Nicholas Edwards: Since I gave approval, in principle, for urban development grant in respect of the development proposals by Tarmac, work on the necessary legal arrangements has been continuing and is progressing well. A public inquiry into the compulsory purchase of land needed for the development ended on 22 April and the inspector will be submitting his report to me next month. I hope to be able to announce my decisions on the compulsory purchase orders by the end of June.

UHT Milk

Mr. D. E. Thomas asked the Secretary of State for Wales how much UHT milk is currently consumed in Wales; and how much of this consumption consists of milk produced in *(a)* Britain, *(b)* the European Economic Community and *(c)* the rest of the world.

Mr. Nicholas Edwards: Fifty nine million litres of UHT milk were sold in England and Wales in the year ended 31 March 1984: separate England and Wales figures are not readily available. In 1984 approximately 99 per cent. of total UHT milk sold in Great Britain was produced in Great Britain, with the balance being accounted for by imports from the European Economic Community.

Ante and Post-natal Care

Mr. D. E. Thomas asked the Secretary of State for Wales if he will set out the figures for expenditure on *(a)* ante-natal and *(b)* post-natal care in Wales for each of the years from 1979-80 to 1984-85.

Mr. Wyn Roberts: This information is not collected centrally.

Acid Rain

Mr. D. E. Thomas asked the Secretary of State for Wales what action he intends to take to reduce the amount of ecological damage caused by acid rain in Wales.

Mr. Wyn Roberts: There is no reliable evidence to link ecological damage in Wales with acid rain, but research is being carried out to assess the relative contributions made by acidic rainfall, soil and bedrock types, afforestation and land practices, to the known acidity of some Welsh lakes and streams.

PRIME MINISTER

Terrorism

Q18. **Mr. Latham** asked the Prime Minister what further discussions she envisages with Heads of Government at the European Council or other international bodies to combat terrorist atrocities.

The Prime Minister: The December European Council endorsed measures to strengthen co-operation against terrorism and abuse of diplomatic immunity. We have since continued to work for further co-operation within the Ten. We welcomed the discussion of terrorism at the Bonn economic summit and shall continue to work for close and effective international co-operation in that forum and elsewhere.

FA Cup Final

Q40. **Mr. Pavitt** asked the Prime Minister if she intends to pay an official visit to the London borough of Brent to attend the Football Association cup final.

The Prime Minister: Not in 1985, but I hope to do so another year.

Lost Documents (Disciplinary Action)

Q47. **Mr. Dalyell** asked the Prime Minister what disciplinary action Her Majesty's Government propose to take against civil servants responsible for losing the documents concerning the Tornado aircraft and the perimeter fence at Aldermaston which were recently found on a rubbish dump in London.

The Prime Minister: It would be premature to reach any conclusions about the incident to which the hon. Gentleman refers until the investigations into it have been completed.

Rail Electrification (North Wales)

Q98. **Dr. Marek** asked the Prime Minister whether British Rail has made any proposals to Her Majesty's Government to electrify the North Wales line in the near future.

The Prime Minister: No.

Engagements

Mr. Greenway asked the Prime Minister if she will list her official engagements for Thursday 16 May.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in this House I shall be having further meetings later today.

Secretary of State for the Environment (Speech)

Mr. Alex Carlile asked the Prime Minister whether the speech of the Secretary of State for the Environment to the County Planning Officers Society dinner on Thursday 14 March represents the policy of Her Majesty's Government.

The Prime Minister: Yes.

Value Added Tax Tribunals

Mr. Nicholls asked the Prime Minister whether she will consider changing the arrangements for administering value added tax tribunals.

The Prime Minister: I have decided to transfer responsibility for administering the VAT tribunals to the Lord Chancellor in relation to England and Wales and Northern Ireland, and for Scotland to the Secretary of State for Scotland with effect from 1 April 1986. The responsibilities of the Secretary of State for Scotland will be discharged on his behalf by the Scottish Courts Administration.

Consequential provisions will be introduced into the current Finance Bill.

Civil Service (Secondments)

Sir John Osborn asked the Prime Minister if she will make a further announcement about secondments to the Civil Service.

The Prime Minister: In my reply to my hon. Friend the Member for Erith and Crayford (Mr. Evennett) on 18 March I announced that, in the light of the legal advice which had been received, measures were being taken to provide that future appointments to the Civil Service by secondment are made in compliance with the Civil Service Order in Council 1982 and any regulations made thereunder. New procedures will be introduced as soon as possible. Until then, all proposals for new secondments are being referred to the Civil Service commissioners and are being considered on an individual basis against the background of the provisions and discretionary powers contained in the Order in Council.

There remains the question of regularising appointments on secondment terms made by Departments in the belief that the Civil Service Order in Council 1982 did not apply to such arrangements. The Civil Service commissioners have been advised by their legal advisers that an appropriate way to proceed would be by way of a further order—the Civil Service Order in Council 1985—the object of which will be to regularise all such appointments made during the currency of the 1982 order and its predecessor the 1978 order on or before 18 March 1985 when I made the announcement to which I have already referred. The order was made at a meeting of the Privy Council which was held yesterday, and a copy of it has been placed in the Library.

Bonn Economic Summit

Mr. Deakins asked the Prime Minister if the countries represented at the Bonn economic summit made any criticism of United States policy in Central America and in particular its military and economic measures against Nicaragua; and if she will make a statement.

The Prime Minister: There was general agreement among the countries represented at the summit on the need for political stability, national security and economic recovery in Central America. We made clear our view that Nicaragua should cease its destabilising policies.

Civil Servants (Terms and Conditions)

Mr. Cohen asked the Prime Minister if Her Majesty's Government will include in the terms and conditions of

employment in the Civil Service a declaration that the holding of racialist views is not compatible with employment in the service; and if he will make a statement.

The Prime Minister: No. The existing rules are quite clear.

"Protecting the Ratepayers"

Dr. Cunningham asked the Prime Minister if she will give the most recent estimate of the costs of the information programme on the Rates Act 1984 entitled "Protecting the Ratepayers".

The Prime Minister: I refer the hon. Member to the answer given by my hon. Friend the Parliamentary Under-Secretary of State for the Environment to the hon. Member for Tottenham (Mr. Atkinson) on 22 November 1984, at column 282.

Share and Property Ownership

Mr. Baldry asked the Prime Minister (1) what initiatives Her Majesty's Government are pursuing to promote wider share ownership;

(2) what initiatives Her Majesty's Government are pursuing to promote the wider ownership of capital and property.

The Prime Minister: Extending direct ownership is an integral part of our commitment to an entrepreneurial and dynamic economy.

Privatisation has already probably doubled the number of individual shareholders in the United Kingdom and has meant that over one third of a million employees have acquired shares in the companies in which they work. We have given individual investors preferential treatment in recent share sales. The tax treatment of profit sharing schemes has been improved and new tax reliefs for share option schemes have been introduced, benefiting over half a million employees. Other tax changes including the abolition of investment income surcharge, reduction of stamp duty and other tax measures will promote wider ownership of shares, capital and property. In the City, far-reaching changes which will increase the opportunities for individual investors are under way. And under our right to buy policies, extended last year, and other initiatives to support low-cost home ownership, three quarters of a million council and public sector tenants have brought their own homes, and the number of home owners has increased by over 1·8 million.

Our policies in all these areas are deliberately designed to spread ownership and to encourage employees to participate in the success of companies in which they work. I have no doubt that they are succeeding and will continue to do so.

OVERSEAS DEVELOPMENT

Christian Aid

Mrs. Virginia Bottomley asked the Secretary of State for Foreign and Commonwealth Affairs what public funding has been made available to or through Christian Aid in each of the last five years.

Mr. Rifkind: The Overseas Development Administration has made the following grants to Christian Aid for the purposes stated:

1. For projects co-financed under the joint funding scheme

	£
1980-81	250,000
1981-82	300,000
1982-83	330,000
1983-84	330,000
1984-85	700,000
Total	1,910,000

2. For relief or development projects in support of refugees (information for 1980-81 and 1981-82 is not readily available)

	£
1982-83	10,000
1983-84	7,000
Total	17,000

3. For disaster relief

	£
1982-83	127,949
1983-84	150,000
1984-85	1,183,087
Total	1,461,036

4. For a special disaster relief programme in Bangladesh

	£
1984-85	113,927

5. For bilateral food aid

	£
1984-85	*150,000

* All for Ethiopia.

EDUCATION AND SCIENCE

Institute of Hearing Research

Mr. Alfred Morris asked the Secretary of State for Education and Science if he will make a statement on the progress of the work of the Institute of Hearing Research and on the adequacy of its findings.

Sir Keith Joseph: The programme of research at the Medical Research Council's Institute of Hearing Research continues to progress very well, and I understand that it is considered by the council to be of high scientific merit. The institute is making important contributions to knowledge on the problem of hearing.

Academic and Related Salaries

Mr. McNamara asked the Secretary of State for Education and Science what reply he has sent to the letter he received from Dr. A. J. Mount, president of the Hull Association of University Teachers, requesting an independent committee of inquiry into academic and related salaries.

Sir Keith Joseph: I am sending Dr. Mount and others who have written to me on the subject a statement of the Government's position on university teachers' pay. That makes it clear that the request of the Association of

University Teachers for an independent committee of inquiry falls to be considered with the university employers in committee A in the first instance.

GCSE Examinations (Religious Studies)

Mr. Steen asked the Secretary of State for Education and Science why religious studies is not included in the range of subjects for the new GCSE examinations for which a distinction may be obtained.

Mr. Dunn: The three models for GCSE distinction and merit certificates put forward in the Department's consultation paper last December all include religious studies as an option within one of the subject groupings.

Universities (National Insurance)

Mr. McNamara asked the Secretary of State for Education and Science what estimate he has made of the cost to each university of proposals to alter employers' national insurance contributions; and when he expects to announce whether his Department will give grant aid to the universities to cover the additional cost.

Sir Keith Joseph: No estimate has been made of the cost to individual universities of the proposals to alter employers' national insurance contributions. The additional cost to the universities as a whole is estimated to be about £7 million in the first 12 months. The possibility of providing additional funds is under consideration and it is not yet possible to say when an announcement will be made.

Departmental Committees of Inquiry

Mr. Eggar asked the Secretary of State for Education and Science how many departmental committees of inquiry he and his predecessors, including Ministers of Education, have commissioned since 1955; and what were the subjects the committees investigated, the dates they were established, who chaired them and the dates they reported.

Sir Keith Joseph [*pursuant to his reply*, 13 May 1985, c. *43-48*]: I regret that the item about school examinations listed at column *47* was partly incorrect and that a reference to the report of the committee of inquiry into the teaching of mathematics in schools has been omitted. The information should read as follows:

'School examinations: report of the steering committee established to consider proposals for replacing the General Certificate of Education ordinary level and Certificate of Secondary Education examinations by a common system of examining. 1977 [1978].

Chairman: Sir James Waddell.

Mathematics counts: report of the Committee of Inquiry into the Teaching of Mathematics in Schools. 1978 [1981].

Chairman: Dr. W. H. Cockcroft.'

Expenditure

Mr. Patrick Thompson asked the Secretary of State for Education and Science if he will state the amount of *(a)* central Government and *(b)* local authority spending during each of the last 10 years, together with the percentage change in real terms over each previous year, under the following headings: (i) education, (ii) schools and (iii) universities.

Sir Keith Joseph [*pursuant to his reply*, 13 May 1985, c. *54*]: The following table shows public expenditure on universities in Great Britain and on schools in England for the last nine years; figures for 1975-76 are not readily available on a comparable basis. The GDP deflator has been used to revalue figures for earlier years to 1984-85 prices. Percentage changes have been calculated from the previous year's figure.

Public Expenditure

£ million 1984-85 prices

	1976-77	*1977-78*	*1978-79*	*1979-80*	*1980-81*	*1981-82*	*1982-83*	*1983-84*	*‡1984-85*
(i) *Education*									
(a) Central Government	1,971	1,610	1,573	1,646	1,738	1,649	1,780	1,778	1,764
Percentage change		(−18)	(−2)	(+5)	(+6)	(−5)	(+8)	(0)	(−1)
(b) Local authority*	12,513	11,735	11,715	11,473	11,759	11,655	11,627	11,683	11,434
Percentage change		(−6)	(0)	(−2)	(+2)	(−1)	(0)	(0)	(−2)
(ii) *Schools*									
(a) Central Government	112	77	45	69	58	57	51	54	61
Percentage change		(−31)	(−42)	(+54)	(−16)	(−1)	(−10)	(+6)	(+12)
(b) Local authority*	9,346	9,326	8,572	8,334	8,517	8,362	8,311	8,319	8,172
Percentage change		(0)	(−8)	(−3)	(+2)	(−2)	(−1)	(0)	(−2)
(iii) *Universities*†									
(a) Central Government‖	1,629	1,277	1,301	1,357	1,449	1,358	1,507	1,488	1,466
Percentage change		(−22)	(+2)	(+4)	(+7)	(−6)	(+11)	(−1)	(−1)
(b) Local authorities	—	—	—	—	—	—	—	—	—

* Includes current expenditure of local authorities (both relevant for rate support grant and other) and their capital expenditure.

† Current and capital expenditure on universities; also includes grants to the Open University, the Computer Board for the Universities and Research Councils and to certain other bodies.

‡ Figures for 1984-85 are provisional.

‖ The universities line excludes income from tuition fees which are largely paid from public funds as part of student awards. As the balance between recurrent grant and fee income has changed from time to time, the percentage changes shown are not a true measure of changes in public expenditure on universities.

ENERGY

Nuclear Material (Safeguards)

Mr. D. E. Thomas asked the Secretary of State for Energy to what uses nuclear material withdrawn from safeguards under article 14 of the tripartite agreement between the United Kingdom-Euratom and International Atomic Energy, Cmnd. 6730, is put.

Mr. Goodlad: Nuclear material withdrawn from safeguards under the terms of article 14 of the agreement between the United Kingdom, Euratom and the IAEA is used for national security purposes.

ATTORNEY-GENERAL

Fraud Investigation

Mr. Evennett asked the Attorney-General whether his Department issues any guidance to police and other law enforcement agencies concerning the investigation of fraud and related offences.

The Attorney-General: No. My responsibility is for the work of the Director of Public Prosecutions who does not himself undertake the investigation of fraud or any other category of crime. However, he is always willing to advise the police and other enforcement agencies, particularly in respect of cases of alleged fraud where he is likely to be responsible for the conduct of any resulting prosecution. In cases of particular complexity this assistance may extend to the establishment of a fraud investigation group to co-ordinate legal and investigative aspects of the inquiry, about which my right hon. and learned Friend the Home Secretary has issued advice to chief officers of police. I meet the Director of Public Prosecutions regularly to discuss the work of his Department. The scope of these discussions includes the handling of fraud cases generally as well as individual cases of particular difficulty or importance. the guidelines as to the criteria for prosecution which I published in March 1983 are of general application. But I have published no formal guidelines relating to any specific categories of criminal offences. Following establishment of the Crown prosecution service my existing criteria will be supplemented by the guidance which the Director will be required to promulgate by virtue of clause 9 of the Prosecution of Offences Bill.

CIVIL SERVICE

Ministerial Appointments (Directory)

Mr. Meadowcroft asked the Minister for the Civil Service (1) whether he intends to publish an up-to-date directory of paid public appointments made by ministers;

(2) whether he will publish a list of additions, deletions and amendments to the directory of paid public appointments made by ministers, last published in 1978.

Mr. Hayhoe: The "Directory of Paid Public Appointments" has been superseded by the Cabinet Office (MPO) annual publication "Public Bodies." This contains a large amount of detailed information about public bodies, including ministerial appointments. The 1984 edition was published by HMSO in December last year. The next edition is due out in December 1985.

NORTHERN IRELAND

Window Frames

Mr. Peter Robinson asked the Secretary of State for Northern Ireland what is the estimated difference in cost to the Northern Ireland Housing Executive between refurbishing metal window frames and replacing them.

Mr. Chris Patten: This is a matter for the chairman of the Northern Ireland Housing Executive who has advised me that the average cost of servicing galvanised metal windows in a typical 7-window house is £150. The cost of replacement varies with the size and type of window frame and ranges from approximately £600 to £1,700 per dwelling.

European Institution

Mr. John David Taylor asked the Secretary of State for Northern Ireland who represented the Northern Ireland Office at the meeting in London on 24 April with a delegation from the European Parliament about European institutions; and if he will make a statement on the views expressed by the Northern Ireland Office representative on the proposals for *(a)* European union, *(b)* United Kingdom membership of the European monetary system, *(c)* a reduced role for the use of the national veto in decisions by the European Economic Community Council of Ministers and *(d)* the suggested Inter-Governmental Conference for a new European Economic Community treaty and reformed institutions.

Mr. Hurd: My right hon. and learned Friend the Secretary of State for Foreign and Commonwealth Affairs, assisted by my hon. Friend the Member for Edinburgh, Pentlands (Mr. Rifkind), received the delegation and gave the views of the Government as a whole on the specific matters referred to, which have been explained in the House on several occasions recently. My Department was not separately represented at the meeting.

Gaelic Studies

Sir John Biggs-Davison asked the Secretary of State for Northern Ireland what encouragement and assistance are being given to Gaelic studies in the Province.

Mr. Scott: Irish is studied by more than 20,000 pupils in Northern Ireland secondary schools and is developing in a proportion of primary schools. The curriculum, however, is essentially a matter for school authorities and head teachers and is not dictated or controlled by the Government or the Department of Education for Northern Ireland. Bunscoil Ghaelach, an Irish language primary school, obtained grant-aided status in September 1984, and a special unit in which tuition is provided through the medium of the Irish language has been approved at Steelstown primary school, Londonderry.

Irish is also available in the Province's two universities and St. Mary's and St. Joseph's colleges of education. As with any other interest areas which meet Department of Education criteria, support is granted to extra-mural courses in Irish or aspects of Irish culture.

District Councils (Abuse of Power)

Sir John Biggs-Davison asked the Secretary of State for Northern Ireland if he will state the occasions since the

imposition of direct rule when ministerial intervention, or action by the Commissioner for Complaints, was invoked on account of alleged abuse of majority power by district councils; and with what result.

Mr. Hurd: Information is not available in the form requested. The annual reports of the Commissioner for Complaints show that since 1972 some 693 complaints were received about the actions of district councils and that in 59 of these the Commissioner found maladministration. Copies of the reports are available in the Library.

University Staff

Mr. Kilfedder asked the Secretary of State for Northern Ireland what information he has as to the trend in real terms over the last five years of the pay of university staff in Northern Ireland.

Mr. Scott: The determination of the salaries of university staff is not a matter in which the Department of Education for Northern Ireland is directly involved. Any agreements affecting salaries, reached through the appropriate negotiating machinery in Great Britain, are automatically applied by the two universities in Northern Ireland.

A comparison of the current salaries of university teachers with those paid in October 1979 indicates that salaries have broadly kept pace with the retail price index.

North Down and Ards Unit

Mr. Kilfedder asked the Secretary of State for Northern Ireland why he has asked the North Down and Ards unit of management to reduce its 1985-86 budget by £166,000.

Mr. Chris Patten: Decisions on the allocation of resources to the units of management are a matter for the Eastern board itself. The board, in common with the other three boards, is required to realise efficiency savings of 0·5 per cent. of its revenue budget. These funds are retained by the board and reinvested in selected priority service developments along with the additional funds made available by the Government.

Dogs

Mr. David Atkinson asked the Secretary of State for Northern Ireland what information he has as to the number of dogs which have been destroyed since December 1983.

Dr. Boyson: I refer my hon. Friend to the answer I gave my hon. Friend the Member for Penrith and The Border (Mr. Maclean) on 15 April 1985, at columns *58-59*.

Belfast (Redevelopment)

Sir John Biggs-Davison asked the Secretary of State for Northern Ireland if he will make a statement about the integrated operations plan for the redevelopment of Belfast with European Community aid.

Mr. Chris Patten: The Belfast integrated operations document, which I presented to the European Commission on 21 February 1985, lists all the capital projects within the Belfast urban area put forward by Northern Ireland Government Departments, district councils, public bodies, voluntary bodies and the private sector for the period 1985-86 to 1989-90 which are envisaged in current expenditure planning or which are regarded as desirable. Integrated operations involves the focusing of public, private and European Community resources on a limited geographical area to maximise their impact. Their is no separate European Community fund for integrated operations, apart from a small budget which may assist feasibility studies within an integrated operations area.

Medical Cards

Mr. William Ross asked the Secretary of State for Northern Ireland how many applications for new medical cards were received and how many sent out on each day and each week from 1 April to the week ending Saturday 18 May.

Mr. Scott: The central services agency does not normally maintain records of this nature. However, during the period from 29 April 1985 to 13 May 1985 inclusive the numbers of applications received and medical cards issued were as follows:

	Applications	*Issues*
29 April	1,501	1,231
30 April	3,220	1,769
1 May	5,972	3,137
2 May	5,323	4,330
3 May	5,810	4,136
4 May	2,419	1,325
5 May	414	2,376
6 May	618	5,176
7 May	7,229	2,490
8 May	5,426	3,162
9 May	4,485	3,158
10 May	3,480	5,506
11 May	543	3,572
12 May	34	4,740
13 May	3,143	*3,000
	49,617	49,108

* Estimate.

These figures cover valid applications for replacement medical cards. In addition, approximately 1,500 applications have been received during the period from new applicants and people who have changed doctor. Of these applications, all those received from applicants of voting age have been processed.

Wages

Mr. D. E. Thomas asked the Secretary of State for Northern Ireland how many workers in Northern Ireland now earn less than the Council of Europe's decency threshold.

Dr. Boyson: The New Earnings Survey indicates that in April 1984 about 37·5 per cent of full-time adult employees in Northern Ireland had gross weekly earnings for a full week of less than £108·3, the latter figure corresponding to 68 per cent. of the national average for all full-time adult employees. Although an advisory committee of the Council of Europe has suggested the figure of 68 per cent. of national full-time adult average earnings as significant in considering low pay, the figure has not been accepted or recognised by the United Kingdom or any other European country.

Security

Mr. William Ross asked the Secretary of State for Northern Ireland whether all the recommendations in regard to staffing levels and security measures outlined in the Baker report have been met.

Mr. Scott [*pursuant to his reply*, 13 May 1985, c. *3*]: The Government have announced their acceptance in principle of the main conclusions of Sir George Baker's review of the Northern Ireland (Emergency Provisions) Act 1978. Detailed consideration of his recommendations is now being given with a view to making proposals to amend this legislation.

Mr. William Ross asked the Secretary of State for Northern Ireland what are the numbers of maximum security prisoners in each prison in Northern Ireland; and how the staffing levels to deal with them compare with the staffing levels required for similar prisoners in Great Britain.

Mr. Scott [*pursuant to his reply*, 13 May 1985, c. *3*]: There are 759 high risk prisoners in Northern Ireland prisons: 468 are in Maze cellular prison, 160 are in Maze compound prison, and 131 are in Belfast prison.

High risk prisoners in Northern Ireland, like category A prisoners in Great Britain, are not accommodated as a separate group, and it is therefore not possible to identify and compare the relevant staffing levels.

Mr. William Ross asked the Secretary of State for Northern Ireland what are the staffing requirements for each prison including the new prison in Northern Ireland; and what are the actual staffing levels for prison staff in each grade.

Mr. Scott [*pursuant to his reply*, 13 May 1985, c. *3*]: Staffing requirements for prisons are dependent on the number of prisoners held and other factors, and are therefore under constant review.

On 26 April 1985, staffing levels were:

	Belfast	*Maze Compound*	*Maze Cellular*	*Magilligan*	*Armagh*	*Hydebank*
Governor Grades	9	4	16	7	2	4
Chief Officers	4	2	9	2	2	2
Principal Officers	27	19	38	16	5	13
Senior Officers	51	29	46	24	10	15
Officers	458	406	878	338	98	152
Clerical Grades	26	18	33	11	7	9
Trades Staff	42	22	54	21	6	18
TOTAL	617	500	1,074	419	130	213

The new prison at Maghaberry is expected to have a requirement for about 550 staff.

Mr. William Ross asked the Secretary of State for Northern Ireland how many civilians are employed as teachers and instructors at each prison in Northern Ireland.

Mr. Scott [*pursuant to his reply*, 13 May 1985, c. *3*]: Numbers are as follows:

Establishment	*Full-Time Teachers*	*Civilian Instructors*
HM Prison, Armagh	Nil	Nil
HM Prison, Belfast	1	Nil
HM Prison, Maze Compound HM Prison, Maze Cellular	5	23
HM Prison, Magilligan	1	11
HM Young Offenders Centre Hydebank Wood	4	8

There are also three civilian chief instructors who are not directly involved in instructional duties. In addition, a panel of part-time teachers is maintained at each establishment, together making 105. The services of these teachers are called upon as required.

Stop Orders

Mr. Clifford Forsythe asked the Secretary of State for Northern Ireland (1) how many stop orders the planning authorities have issued in each of the last three years for which figures are available because building work had commenced before planning permission had been given, in *(a)* the Antrim borough council area and *(b)* the Newtownabbey borough council area; and in how many of these cases planning permission was subsequently granted;

(2) how many stop orders were issued by the planning authorities in each of the last three years for which figures are available because they contravened regulations on ribbon development, in *(a)* the Antrim borough council area and *(b)* the Newtownabbey borough area; and in how many of these cases planning permission was subsequently given;

Mr. Chris Patten [*pursuant to his reply*, 15 May 1985, c. *150*]: Only one stop notice has been issued for whatever reason in the last three years. It was in respect of building work begun without permission in the Newtownabbey borough council area in 1984. Planning permission was subsequently granted on appeal.

Planning Applications

Mr. Clifford Forsythe asked the Secretary of State for Northern Ireland how many planning applications have been turned down in each of the last three years for which figures are available because they were deemed to infringe the area of special control in *(a)* the Antrim borough council area and *(b)* the Newtownabbey borough council area.

Mr. Chris Patten [*pursuant to his reply*, 15 May 1985, c. *151*]: The information is as follows:

	1982	*1983*	*1984*
Year ended 31 December			
Antrim borough council area	13	31	19
Newtownabbey borough council area	23	22	24

HOUSE OF COMMONS

Research Assistants (Passes)

Mr. Tracey asked the Lord Privy Seal if he will list the numbers of hon. Members who have 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and more than 15 research assistants' or temporary research assistants' passes, respectively.

Mr. Biffen: The number of research assistants' passes per Member on issue on 13 May 1985 were as follows:

Number of Research Assistant Passes	*Number of Members*
Nil	310
1	235
2	65
3	21
4	9
5	3
6	4
7	0
8	1
9	2
10	0
11	0
12	0
13	0
14	0
15	0
More than 15	0

Secretaries (Passes)

Mr. Tracey asked the Lord Privy Seal if he will list the numbers of hon. Members who have 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and more than 15 secretaries' or temporary secretaries' passes, respectively.

Mr. Biffen: The number of secretaries' passes per Member on issue on 13 May 1985 were as follows:

Number of Secretary Passes	*Number of Members*
Nil	185
1	337
2	91
3	24
4	6
5	1
6	2
7	2
8	1
9	1
10	0
11	0
12	0
13	0
14	0
15	0
More than 15	0

FOREIGN AND COMMONWEALTH AFFAIRS

Falkland Islands (Fishing)

41. **Mr. Dalyell** asked the Secretary of State for Foreign and Commonwealth Affairs what advice has been sought by fishermen's organisations in the United Kingdom about prospects for fishing off the Falklands.

Mr. Rifkind: The Government have received inquiries from commercial firms about our policy on fishing in the area around the Falkland Islands. They have been told that we are exploring ways of establishing a multilaterally based conservation and management regime.

Licences

Mr. Ashdown asked the Secretary of State for Foreign and Commonwealth Affairs if he will list in the *Official Report* all the different types of licences operated or granted by his Department and the year in which they first came into operation.

Mr. Rifkind: With the exception of permits under section 3 of the Antarctic Treaty Act 1967 (the powers to issue which have been delegated in accordance with that section), the functions of the Foreign Commonwealth Office do not involve the granting of administrative licences of the kind to which I take the hon. Member to refer.

Extradition

Mr. Peter Bruinvels asked the Secretary of State for Foreign and Commonwealth Affairs what is his policy towards the inclusion of provisions having retrospective effect regarding extraditions to the United Kingdom in the forthcoming extradition treaty between the United Kingdom and Spain.

Mr. Rifkind: I am unable to give any details of our negotiations with Spain while they are still in progress. The text of the treaty when signed, will be laid before the House in the usual way.

NATIONAL FINANCE

Football Pool Betting (Revenue)

Mr. Tony Banks asked the Chancellor of the Exchequer if he will give details of the revenue received by his Department from *(a)* the duty on football pool betting and *(b)* value added tax from professional soccer in each of the past five years.

Mr. Hayhoe: The revenue received from football pool betting in each of the past five financial years was as follows:

	£ million
1980-81	150
1981-82	169
1982-83	193
1983-84	198
1984-85	*212

* Estimate.

On the basis of information provided by the Football League, it is estimated that the yield from value added tax on admissions to football matches is of the order of £6 million a year.

Extra-statutory Tax

Mr. Mark Fisher asked the Chancellor of the Exchequer if he will make a statement on the outcome of his review of extra-statutory tax concessions.

Mr. Moore: Yes. The Inland Revenue and the Customs and Excise will be issuing press releases giving

information about extra-statutory concessions which have not previously been published. I am placing in the Library of the House:

(i) a copy of those press releases;
(ii) a copy of the existing Inland Revenue booklet IR1 listing previously published Inland Revenue concessions;
(iii) a copy of the existing VAT leaflet 700/23/84 listing previously published VAT concessions;
(iv) an explanatory memorandum on extra-statutory concessions generally.

The Customs and Excise press release lists non-VAT concessions already published in other Customs and Excise notices.

A revised booklet IR1 incorporating the newly published Inland Revenue concessions will be issued as soon as possible. The VAT leaflet will also be replaced by a new publication, including both VAT and non-VAT concessions, as soon as possible.

New and existing Inland Revenue administrative practices will continue to be subject to a regular twice yearly review to identify any which should properly be classified as extra-statutory concessions. The published list of concessions will be updated accordingly.

I hope that the House will welcome this response to the debate which took place on the subject at the time of the last Finance Bill.

Intergovernmental Agreement

Mr. Portillo asked the Chancellor of the Exchequer if he will place a copy of the text of the 1985 Intergovernmental Agreement in the Library.

Mr. Ian Stewart: A copy of the text of the 1985 Intergovernmental Agreement has today been placed in the Library of the House.

Mortgage Interest Relief

Mr. Gordon Brown asked the Chancellor of the Exchequer if he will provide a table showing the cost of mortgage interest tax relief for each year since 1964 at 1985 prices.

Mr. Moore [*pursuant to his reply*, 10 May 1985, c. *534*]: Information is given in the table. The figures for years up to 1968-69 include the cost of relief for qualifying interest paid on bank loans, which cannot be distinguished from mortgage loans in information available centrally. The figures for 1983-84 onward include the cost of relief in respect of mortgages previously under the option mortgage scheme.

Estimated revenue cost of mortgage interest relief

	*£ million at 1984-85 prices**
1963-64	590
1964-65	700
1965-66	810
1966-67	900
1967-68	1,020
1968-69	1,050
1969-70	1,200
1970-71	1,360
1971-72	1,360
1972-73	1,490
1973-74	1,890
1974-75	2,200
1975-76	2,250
1976-77	2,400
1977-78	2,000
1978-79	1,950
1979-80	2,200
1980-81	2,550
1981-82	2,400
1982-83	2,350
1983-84	†2,900
1984-85	†3,500

* This column has been expressed in 1984-85 prices using the retail prices index.
† Provisional.

Pound Sterling

Mr. Gould asked the Chancellor of the Exchequer, pursuant to his reply, *Official Report*, 22 April, column 374, concerning the exchange rate of the £ sterling against certain European monetary system currencies, if he will indicate the changes in the fluctuation margins; if he will add the April 1985 figures to his previous answer on the December 1982 basis, and on the basis of the margin relevant in April; and if he will indicate the number of occasions on which the £ sterling moved outside its notional fluctuation margins on the basis of the changes in the margins which have occurred since 1982.

Mr. Ian Stewart [*pursuant to his reply*, 15 May 1985 c. *153*]: The following table lists the months in which sterling's monthly average exchange rates against currencies in the EMS exchange rate mechanism have moved outside sterling's notional fluctuation margins since the end of 1982. The margins used are those current at the time in question. For April 1985, both the current margins and the December 1982 margins are used:

ERM currencies	*1983*	*1984*	*1985*	*April 1985**
Deutschemark	January-September; November-December	January; November-December	January-March	April
French franc	January-May; August-September; November-December	January; November-December	January-March	—
Lira	January-March	—	January-February	—
Belgian franc	January-December	January-February; December	January-March	April
Dutch guilder	January-September; November-December	January; November-December	January-March	April
Danish kroner	January-May; July-September; November-December	January-February; October-December	January-March	April
Irish punt	January-May; August-September; November-December	January-February; November-December	January-March	—

* Using the December 1982 notional fluctuation margins.

Asset Sales

Dr. McDonald asked the Chancellor of the Exchequer if he will publish in the *Official Report* a table showing *(a)* the annual proceeds from sales of public sector assets and *(b)* the impact on the public sector borrowing requirement of these asset sales, in both cases from 1979 to date.

Mr. Moore [*pursuant to his reply*, 13 May 1985, c. *30*]: By far the largest components of public sector asset sales are the "special sales of assets" programme (which mainly takes the form of sales of company securities) and sales of land and buildings (mostly council house sales). The figures since 1979-80 are as follows:

£ million

	1979-80	*1980-81*	*1981-82*	*1982-83*	*1983-84*	*1984-85 (estimated outturn)*
Special sales of assets	370	405	494	488	1,142	2,100
Sales of land and buildings	859	1,293	2,100	2,847	2,592	2,536

The direct effect of such sales is to reduce the PSBR by a corresponding amount.

EC (Budget Contributions)

Mr. Gould asked the Chancellor of the Exchequer whether he will publish in the *Official Report* a table showing for each member state of the European Economic Community the contribution under value added tax and other own resources, respectively, as a percentage of gross domestic product to two places of decimals for each year since 1980 and the forecast for the current year.

Mr. Ian Stewart: The information requested is given in the table. However, the calculations for the United Kingdom do not take account of the offsetting effect of refunds for the United Kingdom contributions to value-added tax and other own resources.

VAT and other Own Resources as percentage of GDP

	1980		*1981*		*1982*		*1983*		*1984*		*1985*	
	VAT	*OR*	*VAT*	*OR*	*VAT*	*OR*	*VAT*	*OR*	*VAT*	*OR*	*VAT*	*OR*
Belgium	0·40	0·73	0·44	0·72	0·54	0·80	0·48	0·87	0·49	0·80	0·48	0·80
Denmark	0·40	0·33	0·37	0·32	0·40	0·31	0·43	0·32	0·42	0·35	0·41	0·31
Germany	0·42	0·37	0·46	0·37	0·50	0·35	0·55	0·33	0·54	0·36	0·52	0·33
France	0·39	0·24	0·44	0·24	0·52	0·24	0·53	0·24	0·51	0·26	0·51	0·24
Ireland	0·49	0·58	0·43	0·57	0·57	0·54	0·75	0·59	0·61	0·69	0·55	0·60
Italy	0·30	0·38	0·50	0·30	0·41	0·29	0·48	0·27	0·50	0·26	0·47	0·25
Luxembourg	0·46	0·13	0·66	0·13	0·75	0·13	1·09	0·13	1·15	0·16	0·94	0·11
Netherlands	0·38	0·67	0·40	0·62	0·46	0·58	0·48	0·57	0·47	0·60	0·44	0·56
United Kingdom	0·34	0·49	0·42	0·42	0·56	0·47	0·56	0·43	0·53	0·46	0·56	0·43
Greece	—	—	0·46	0·31	0·51	0·48	0·56	0·42	0·53	0·37	0·53	0·45

Notes

1. For value added tax columns the calculation of the percentage of GDP used the amount contributed by member states, inclusive of the balances and adjustments of previous financial years.
2. Greece joined the Community on 1 January 1981 and for the years 1981 to 1985 will pay instead of VAT a financial contribution based on GNP.
3. From 1979 to 1980 the European budget was established and implemented in European units of account. As from 1981 the budget was established and implemented in European currency units. For 1981 the value and composition of the ECU was the same as the EUA.
4. *GDP base figures*—non-UK GDP figures for the years 1980 to 1984 taken from OECD "Main Economic Indicators" (April 1985). These figures were converted to EUA/ECU equivalents using exchange rates averaged for the years in question. The difference in the value of the exchange rates used to define the GDP and VAT/other own resources data from the base figures has been left out of account. For 1985 non-UK GDP figures are Commission estimates derived from "European Economy". UK figures for all years to 1984 are from Central Statistical Office documents. 1985 UK figures are derived from "European Economy".
5. *VAT and other own resources base figures*—for the years 1980 to 1983 the amounts are taken from the *Official Journal of the European Communities*—Court of Auditors report for the financial year 1983. For 1984 other own resources are from the European Commission's budget revenue estimates; for VAT the figures are taken from the supplementary and amending budget for 1984. For 1985 the figures are established in Council on 23 April 1985.

Sterling (Foreign Exchange Dealings)

Mr. Austin Mitchell asked the Chancellor of the Exchequer what is his estimate of the turnover annually in foreign exchange dealings in sterling.

Mr. Ian Stewart: Comprehensive figures are not available. The Federal Reserve Bank of New York undertook a survey of United States foreign exchange market turnover in April 1983. The results were published in the FRBNY *Quarterly Review*, Summer 1984 and suggested that average daily turnover was around $34 billion of which 16·6 per cent. represented transactions against sterling. Similar data are not available for transactions in Europe but it is thought that average daily turnover in London is no less in total than that in the United States.

ENVIRONMENT

Inner Cities (Deprivation)

Mr. John Fraser asked the Secretary of State for the Environment if he will give the rankings of the indices of deprivation of each of the inner city partnership authorities in relation to all English and Welsh authorities.

Mr. Kenneth Baker: The information requested is shown for England in the table. Information about Welsh authorities is not available on a comparable basis.

Rank Position on Absolute and Percentage Values on Key Indicators—Derived from 1981 Census Data

	Partnership Authorities								
	Birmingham	*Gateshead*	*Hackney*	*Islington*	*Lambeth*	*Liverpool*	*Manchester*	*Newcastle*	*Salford*
Unemployment									
Absolute	1	28	31	50	21	2	3	15	23
Percentage	(17)	(23)	(15)	(33)	(36)	(5)	(8)	(22)	(23)
Overcrowding									
Absolute	1	39	15	37	8	2	3	21	42
Percentage	(17)	(33)	(2)	(14)	(9)	(23)	(21)	(38)	(50)
Single Parents									
Absolute	1	62	13	31	6	4	3	21	25
Percentage	(24)	(118)	(1)	(6)	(2)	(16)	(4)	(55)	(29)
Pensioners									
Absolute	1	42	62	63	26	4	5	10	18
Percentage	(131)	(97)	(97)	(73)	(120)	(77)	(42)	(42)	(42)
Amenities									
Absolute	1	109	15	21	7	2	3	82	49
Percentage	(79)	(279)	(5)	(9)	(11)	(28)	(25)	(300)	(117)
Ethnic									
Absolute	1	220	9	26	6	55	19	61	103
Percentage	(18)	(320)	(3)	(13)	(6)	(146)	(39)	(107)	(181)
Population Change									
Absolute	3	37	10	9	4	1	2	19	14
Percentage	(27)	(38)	(7)	(3)	(5)	(10)	(8)	(18)	(15)
Low Skill									
Absolute	1	35	48	52	29	3	5	24	20
Percentage	(43)	(46)	(51)	(57)	(131)	(13)	(17)	(99)	(17)

Notes:
(1) Absolute values relate to the number of persons (or households) for a particular indicator.
(2) Percentage values relate to the proportion of the population (or households) for a particular indicator.

Land

Mr. Heddle asked the Secretary of State for the Environment what resources are currently being devoted to securing the disposal or the bringing into use of land that is currently registered.

Mr. Macfarlane: Fifty three staff of various grades are engaged, mainly part time, in land register work. Their land register responsibilities include encouraging land-owning bodies to bring land into use or to dispose of it.

Mr. Heddle asked the Secretary of State for the Environment pursuant to his answer to the hon. Member for Mid Staffordshire on 15 January, *Official Report*, column *96*, if he will indicate the nature and costs of the additional resources which would be required to secure the disposal of publicly owned unused and under-used land of between half an acre and one acre.

Mr. Macfarlane: Additional staff would be needed within my Department and probably by the public bodies whose land is registrable. The size of the increase would depend on the number of sites in this category; this is likely to be substantial.

Mr. Heddle asked the Secretary of State for the Environment what steps he has taken to satisfy himself that all publicly-owned unused and under-used land eligible for inclusion in the public land registers is so registered.

Mr. Macfarlane: All public bodies listed in schedule 16 to the Local Government, Planning and Land Act 1980 have been requested to register their holdings of unused and under-used land, in accordance with guidelines set out by my right hon. Friend the Secretary of State. Every six months such bodies are asked to up-date their entries in the register. In addition, where we have reason to believe that a particular site ought to be entered in the register, the matter is taken up with the public body concerned.

Mr. Heddle asked the Secretary of State for the Environment how many times and in what circumstances he has used his powers under the Local Government, Planning and Land Act 1980 to compel authorities to dispose of publicly owned unused and under-used land.

Mr. Macfarlane: Under the powers conferred upon him by section 98 of the Local Government, Planning and Land Act 1980 my right hon. Friend has directed four local authorities to take steps for the disposal of their interest in four specific plots of land entered on the land register.

We are currently considering possible sites where notices under section 99 of the Act (notifying the authority concerned of a proposal to make a direction under section 98 and of its proposed contents), might be appropriate.

Mr. Heddle asked the Secretary of State for the Environment if he is satisfied with the rate of progress of sales of unused and under-used publicly owned land; and if he will make a statement.

Mr. Macfarlane: Between the time when the registers were established and 30 April 1985 about 5,729 hectares of land have been removed by reason of their disposal by the public sector. In the same period, a further 2,386 hectares have been removed because the land has been brought back into full use. I am keen to ensure that progress in bringing back into use unused or under-used land is maintained.

Mr. Heddle asked the Secretary of State for the Environment what information he has on the extent to which local authorities are making public land registers available to the general public; and if he will make a statement.

Mr. Macfarlane: Section 96 of the Local Government, Planning and Land Act 1980 requires district councils to make a copy of the land registers available for public inspection at their principal offices at all reasonable hours. Authorities generally are complying with this requirement.

Mr. Heddle asked the Secretary of State for the Environment if he will publish in the *Official Report* on an authority by authority basis the gross proceeds of sales of publicly-owned unused and under-used land marketed specifically through the media of the public land registers.

Mr. Macfarlane: This information is not kept centrally.

Mr. Heddle asked the Secretary of State for the Environment if he will publish in the *Official Report* on an authority by authority basis, the number of sales of publicly-owned unused and under-used land brought to fruition specifically as a result of the establishment of the public land registers for each year to the latest available date.

Mr. Macfarlane: This information is not available: it cannot be established how much of the 5,729 hectares of registered land which has been disposed of has been sold as a result of the establishment of the land registers.

Fluoridation

Mr. Lawrence asked the Secretary of State for the Environment what is the full chemical breakdown of the substance or substances currently being used to fluoridate the public water supplies.

Mr. Macfarlane: Hexafluorosilicic acid (H_2SiF_6) or disodium hexafluorosilicate (Na_2SiF_6) are currently used to fluoridate public water supplies. The chemical analysis of the former by weight is 80 per cent. water and 20 per cent. Na_2SiF_6, with minute traces of other substances such as phosphate and chloride. The chemical analysis of the latter by weight is at least 98 per cent. Na_2SiF_6 with traces principally of water and iron.

Local Government Reform

Mr. Tony Banks asked the Secretary of State for the Environment if the local authority associations and individual London boroughs will be consulted over the terms of an order conferring on himself nomination rights to ex-Greater London council housing in the event of the Greater London council being abolished.

Sir George Young: Yes.

Mr. Tony Banks asked the Secretary of State for the Environment if he intends to consult the local authority associations and individual London boroughs over the terms of any order transferring Greater London council seaside and country homes to a local district in the event of the Greater London council being abolished.

Sir George Young: Yes.

Mr. Tony Banks asked the Secretary of State for the Environment (1) where the office running the Greater London mobility scheme will be accommodated in the event of the Greater London council being abolished;

(2) how many national mobility office is funded; who employs its staff; and what plans he has for it in the event of the Greater London council being abolished;

(3) if he intends to place any restrictions on the national mobility office in the use of delegated powers to nominate tenants through the Greater London mobility scheme, in the event of the Greater London council being abolished.

Sir George Young: The national mobility office is funded almost wholly by the Exchequer and the staff are employed by the GLC on a contract basis. I expect to write shortly to those bodies represented on the national mobility steering committee inviting them to establish a working party to examine the possibilities of operating the Greater London mobility scheme through an enlarged NMO. The suggested terms of reference cover arrangements for funding, staffing and other related matters (including accommodation); and the preparation of a draft agreement between my right hon. Friend and the national mobility steering committee.

Mr. Tony Banks asked the Secretary of State for the Environment (1) what arrangements he has made for the delegation of his nomination rights to Greater London council seaside and country homes in the event of the Greater London council being abolished;

(2) when he will announce what proportion of vacancies in Greater London council seaside and country homes will still be available to Londoners in the event of the Greater London Council being abolished;

(3) if he anticipates that the number of vacancies available to Londoners in Greater London council seaside and country homes will fall in the financial year 1986-87, when compared with previous years;

(4) if, in the event of the Greater London council being abolished, district councils in receipt of Greater London council seaside and country homes will be permitted to sell any such homes which are vacant and which are not to be made available to Londoners;

(5) when he expects to publish his paper outlining his proposals for the transfer of ownership of Greater London council seaside and country homes in the event of the Greater London council being abolished.

Sir George Young: The paper will be published shortly and will among other things cover nomination rights, distribution of lettings and sales.

Mr. Tony Banks asked the Secretary of State for the Environment (1) if he will list those bodies, associations, authorities and persons which have expressed support for his proposal to confer on the Secretary of State nomination rights to Greater London council seaside and country homes for retired Londoners, in the event of the Greater London council being abolished;

(2) if he will list those persons, bodies, authorities and associations which have expressed support for his proposal

to confer on the Secretary of State nomination rights to former Greater London council housing in the event of the Greater London council being abolished;

(3) if he will list the professional bodies, institutes, academic centres, voluntary housing groups and housing associations which support his proposals to abolish the Greater London council housing role.

Sir George Young: I must ask the hon. Member to seek the views of the bodies concerned direct.

Radioactive Waste

Mr. Wallace asked the Secretary of State for the Environment what progress is being made with regard to feasibility studies into the emplacement of radioactive waste under the seabed; and if he will make a statement.

Mr. Waldegrave: I assume the hon. Member is referring to the concept of emplacing intermediate-level wastes under the continental shelf. I understand that NIREX has received tenders from five firms for a feasibility study of this concept and are considering them.

Cloisters (Leakage)

Mr. Cohen asked the Secretary of State for the Environment if he will make a statement on the circumstances in which there was a leak of water into hon. Members' accommodation in the Cloisters over the weekend of 11 to 12 May; and what steps are being taken to prevent a recurrence.

Mrs. Clwyd asked the Secretary of State for the Environment how long he estimates it will take to repair the damage caused by leaking effluent to hon. Members' offices in the Cloisters over the weekend 11 to 12 May; what was the origin of the damage; and if he will estimate the cost of repairs to furniture and carpets.

Sir George Young: The failure on Sunday 12 May of a ball-valve in a cistern in the Members' cloakroom on the Principal Floor above the corridor outside the Cloisters resulted in an overflow of clean water which ran down into Members' accommodation below. Mopping up was started immediately the flood was discovered, and was completed on Monday morning; drying-out of carpeting took place throughout Tuesday; the room was dehumified on Wednesday, with carpet cleaning and de-odorisation on Thursday. The fault was rectified on Sunday 12 May.

Drying out of the stonework may take some weeks, depending on weather conditions.

The cost of the specialist carpet cleaning was £40. If a new carpet is required, this will cost around £1,000 plus labour charges. There was no damage to furniture.

All overflow pipes are being checked to prevent a similar flood recurring. I very much regret the inconvenience caused to hon. Members.

Seaside and Country Homes

Mr. Tony Banks asked the Secretary of State for the Environment how many applications to build new seaside and country homes his Department has received from London authorities since 1 April 1984; and in how many of those cases he has intervened.

Sir George Young: Three applications have been received in respect of one GLC scheme. We intervened on cost grounds, but are willing to consider more economical proposals.

Mr. Tony Banks asked the Secretary of State for the Environment if, in the event of the Greater London council being abolished, local district councils in receipt of Greater London council seaside and country homes will be allowed to allocate such homes to tenants who are not elderly.

Sir George Young: We expect all such homes to be allocated to elderly people.

Mr. Tony Banks asked the Secretary of State for the Environment when Greater London council seaside and country homes will be transferred to local district councils in the event of the Greater London council being abolished.

Sir George Young: We expect the transfer date to be 1 April 1986.

London Docklands Development Corporation

Mr. Tony Banks asked the Secretary of State for the Environment (1) on how much of the land within the London Docklands (East Docklands) Compulsory Purchase Order 1985 the London Docklands Development Corporation has specific proposals;

(2) what programme for infrastructure works and reclamation the London Docklands Development Corporation has for land within the London Docklands (East Docklands) Compulsory Purchase Order 1985; how the programme is phased and over what period; which sites are included in each phase; and what is the cost of each phase;

(3) how much land within the London Docklands Development Corporation area, not acquired by the London Docklands Development Corporation, was either newly developed or in the process of development by 31 December 1984;

(4) with respect to the land acquired by the London Docklands Development Corporation on which new development had taken place or had started by 31 December 1984, how much of this land was subject to works by the London Docklands Development Corporation before development could take place; and at what cost.

Sir George Young: I refer the hon. Gentleman to the answers I gave him on 29 April 1985 at columns *31-32*.

Housing Stock

Mr. Sean Hughes asked the Secretary of State for the Environment, pursuant to the answer of 8 May, *Official Report*, column *412*, if he will explain on what basis the figure of £3,051 million for the gross housing provision for England for the current year has been calculated.

Mr. Gow: The total gross capital provision of £3,051 million for housing for 1985-86 is made up as follows:

	£ million
Local authorities	2,321
Home loan scheme for first-time purchasers	2
Housing Corporation	685

	£ million
New Towns	43
	3,051

Health Partnership Finance (Hackney)

Mr. Ernie Roberts asked the Secretary of State for the Environment why the health partnership finance sent to Hackney by his Department was £150,000 less than the million pounds promised for the year 1985-86; and when the remaining £150,000 is to be sent.

Mr. Waldegrave: The partnership allocations issued to both the Hackney local authorities and to the City and Hackney district health authority are the same in cash terms as last year. I am satisfied that no promise to increase the health allocation has ever been given by this Department.

Housing Defects Act

Lord James Douglas-Hamilton asked the Secretary of State for the Environment what is his policy with regard to the timescale within which defective houses should be repaired under the Housing Defects Act.

Mr. Gow: The designations made under the Housing Defects Act allow eligible owners to seek assistance before 30 November 1994. As I indicated in my reply of 7 May to the hon. Member for Birmingham, Perry Barr (Mr. Rooker), the National House Building Council has approved its warranty arrangements for the repair of such houses and I hope that the first approvals of repair schemes will be given this summer, and that the first repairs under the NHBC scheme will be completed by the winter.

Rates

Lord James Douglas-Hamilton asked the Secretary of State for the Environment what are the average rate rises in England for 1985-86 compared with 1984-85 for *(a)* owners of domestic properties and *(b)* council house tenants and other houses in the public sector, local authority by local authority.

Mr. Waldegrave: Percentage increases in domestic rate poundages and domestic rate bills (gross of rate rebates) in 1985-86 are the same in each locality for both owners of domestic properties and council house tenants and other houses in the public sector. I have already placed the available information on these increases in the Library.

Estimates of average cash increases in rate bills for owners of domestic properties are not available centrally. Estimates for council house tenants, authority by authority, are not readily available, and cannot be produced except at disproportionate cost.

Lord James Douglas-Hamilton asked the Secretary of State for the Environment what is the average level of rates in 1985-86 for *(a)* owner-occupied properties and *(b)* houses in the public sector.

Mr. Waldegrave: Based on information available so far, the estimate of the average level of domestic rate bills in England in 1985-86 is about £350 per hereditament.

No separate estimate is available for owner-occupied properties. An estimate for council house tenants is not readily available and could only be produced at disproportionate cost.

House of Commons (Maintenance Staff)

Mrs. Clwyd asked the Secretary of State for the Environment how many Property Services Agency maintenance staff there are in the House of Commons.

Sir George Young: There are 26 technical and 108 industrial maintenance staff employed at the PSA's parliamentary works office. Of these, 14 technical and 33 industrial staff work shifts to provide 24-hour cover for the Palace of Westminster and the parliamentary outbuildings. Staff are not allocated specifically to maintenance in the House of Commons.

Royal Docks

Mr. Spearing asked the Secretary of State for the Environment (1) if he will state the programme of infrastructure work being undertaken or planned by the London Docklands Development Corporation in the royal docks area; what is the estimated cost; and if it was put out to competitive tender;

(2) on what part or parts of the land now owned by the London Docklands Development Corporation in the royal Victoria dock, that corporation has specific proposals; what they are; and when they concluded any consultation with the local authority covering any such proposal.

Sir George Young: I refer the hon. Gentleman to the answers I gave the hon. Member for Newham, North-West (Mr. Banks) on 29 April 1985 at columns *31-32*. All LDDC contracts for infrastructure work are put to competitive tender.

AGRICULTURE, FISHERIES AND FOOD

Beef Variable Premium Scheme

4. **Mr. McQuarrie** asked the Minister of Agriculture, Fisheries and Food if he will make a statement on the retention of the beef variable premium scheme for 1985-86.

Mr. MacGregor: The Commission's original CAP price proposals for 1985-86 made no provision for continuation of the beef variable premium scheme. I made it clear however that I would insist on satisfactory provision for the scheme before I could agree to any final settlement, and I was accordingly pleased to see the premium covered in the latest compromise proposals discussed this week. I regret that agreement on this, as on other price fixing questions, has yet to be reached.

Confectionery Industry

12. **Mr. Gregory** asked the Minister of Agriculture, Fisheries and Food when he last met representatives of the confectionery industry; and what subjects were discussed.

Mrs. Fenner: As the confectionery industry will be aware we are available to them at all times and there are frequent contacts with the Ministry at all levels. Their representatives last met my right hon. Friend at their request on 9 February 1984, when I was also present, and CAP price fixing issues of relevance to the industry formed the main items of the discussion.

Horses (Tethering)

16. **Mr. Amess** asked the Minister of Agriculture, Fisheries and Food what recent representations he has received from the Royal Society for the Prevention of Cruelty to Animals concerning the tethering of horses.

Mrs. Fenner: None.

Farms (Environmental Survey)

17. **Sir Michael Shaw** asked the Minister of Agriculture, Fisheries and Food when he expects the publication of the results of his Ministry's survey of environmental topics on farms.

Mrs. Fenner: It is currentiy planned that the first results of the survey of environmental topics on farms should be published around the end of July.

Food Prices

18. **Mr. Thurnham** asked the Minister of Agriculture, Fisheries and Food if he will provide the most recently available figures comparing the increase in food prices and the retail prices index.

Mrs. Fenner: The most recently available figures show that in the year to March 1985, food prices increased by 3·6 per cent. and the retail price index by 6·1 per cent.

Food and Environment Protection Bill

19. **Mr. Wallace** asked the Minister of Agriculture, Fisheries and Food what arrangements he has already made for consultation in preparation for the implementation of regulations under the Food and Environment Protection Bill *[Lords]*; and if he will make a statement.

Mrs. Fenner: We are compiling an inventory of the organisations and individuals, including interested Members of this House, who will receive our consultation document on the implementation of part III of the Bill.

Once the Parliamentary debates on the Bill are completed we shall consider the points made on all sides and issue a comprehensive set of proposals.

Agriculture and the Countryside

20. **Mr. Kenneth Carlisle** asked the Minister of Agriculture, Fisheries and Food whether he will produce a Green Paper on the future of agriculture and the countryside.

Mrs. Fenner: The Government's response to the first report from the Environment Committee on the operation and effectiveness of part II of the Wildlife and Countryside Act, which will be published shortly, will contain a comprehensive statement of the Government's policy towards agriculture and the countryside.

Cereals

21. **Mr. Watson** asked the Minister of Agriculture, Fisheries and Food what policies he will be recommending to the European Economic Community Council of Ministers to deal with growing European surplus of cereal products.

Mr. MacGregor: I remain convinced that a sustained policy of price restraint is the best way of bringing a better balance to the Community cereals market.

Milk Quotas

22. **Sir Hector Monro** asked the Minister of Agriculture, Fisheries and Food if he will make a statement on the sale or lease of milk quotas.

Mr. MacGregor: At present the sale or lease of milk quotas as such is not permitted although quotas may be transferred with land. We fully recognise the need to achieve greater flexibility in the quota system and are therefore taking the initiative in pursuing the possibility of getting agreement to the leasing and sale of quotas in discussion in the Council of Ministers. This will not be easy to negotiate as there is still strong opposition to both concepts from the Commission and some member states, especially to sale which is unlikely to be negotiable at the moment.

27. **Mrs. Kellett-Bowman** asked the Minister of Agriculture, Fisheries and Food how much quota has now been surrendered under the milk outgoers' scheme; and if he will make a statement.

Mr. MacGregor: By 10 May, 1,595 producers had committed themselves to surrender a total of 265·0 million litres.

I am pleased to say that, we have achieved our two principal objectives of making exceptional hardship awards in full for 1985-86 and restoring small producers' quotas to base year production levels for 1985-86.

Departmental Costs

23. **Mr. Pawsey** asked the Minister of Agriculture, Fisheries and Food what economies were made in the last financial year in the administrative costs of running his Department.

Mr. MacGregor: The running costs of my Department are estimated to have been reduced by about 3½ per cent. in real terms in 1984-85.

CAP Expenditure

24. **Mr. Deakins** asked the Minister of Agriculture, Fisheries and Food by what percentage common agricultural policy expenditure in the latest 1985 European Economic Community budget proposals can be further increased and still remain within the financial guidelines.

Mr. MacGregor: The financial guideline does not apply to expenditure in 1985.

Salmon Tagging

25. **Mr. Kirkwood** asked the Minister of Agriculture, Fisheries and Food whether he will now make a statement on the Government's decision on the introduction of a salmon tagging scheme.

Mr. MacGregor: As I said in answer to the hon. Gentleman on 20 February, the examination which we are conducting has revealed a number of considerable difficulties and no decisions have yet been made. I shall make an announcement as soon as we have been able to reach a conclusion.

European Community (Agricultural Legislation)

26. **Sir William van Straubenzee** asked the Minister of Agriculture, Fisheries and Food if he will make a statement on the outcome of his recent discussions with his

European Economic Community counterparts on proposals to make European Economic community agricultural legislation more sensitive to the environment.

Mrs. Fenner: As my right hon. Friend the Minister said in his reply to my hon. Friend the Member for Devon, West and Torridge (Sir P. Mills) on 13 March, the Council of Ministers agreed a new agricultural structures regulation which permits member states to introduce schemes to encourage farming methods and practices which are sympathetic to the environment in environmentally sensitive areas.

Animals (Transit)

28. **Mr. Nicholls** asked the Minister of Agriculture, Fisheries and Food what recent representations he has received about regulations covering the transit of live animals.

Mrs. Fenner: The Ministry continues to receive letters raising points about regulations covering the transit of live animals.

Dairy Farmers

29. **Mr. Hardy** asked the Minister of Agriculture, Fisheries and Food what is the number of dairy farmers in the United Kingdom at the present time; what was the number six years ago; and what is his estimate of the number likely to exist in three years' time.

Mr. MacGregor: In March 1985, 48,848 milk producers were registered with the milk marketing boards in the United Kingdom. In March 1979 there were 60,808 registered milk producers. No estimates have been made of the number of milk producers in three years' time but it seems likely that the number will continue to decline in line with the long term trends towards greater productivity and efficiency in milk production.

Farmers (Less Favoured Areas)

30. **Mr. Harris** asked the Minister of Agriculture, Fisheries and Food what measures are being taken to seek to ensure a better take up of the new benefits available to farmers in the recently extended less favoured areas.

Mrs. Fenner: Any farmer who suspects that his land may be within the less favoured areas boundary may either send details to his local office for the Ministry to check or consult the detailed maps himself at the Ministry's local office. These arrangements have been given regular national and local publicity, most recently through a national press release on 15 April.

Environmental Co-ordination Unit

31. **Mr. Chapman** asked the Minister of Agriculture, Fisheries and Food if he will make a statement about the operation and effectiveness of the recently set up environment co-ordination unit in his Department.

Mr. Jopling: The environment co-ordination unit was established to provide a central co-ordinating point for the many aspects of Ministry activity affecting environmental issues; to create closer links between the advisory, scientific and policy interests within my Department; and to develop a coherent strategic approach to conservation over the whole range of the Ministry's responsibilities. In performing these functions, the unit has played a valuable part in the further strengthening of my policies for encouraging and supporting good conservation practice.

Horticulture Industry

32. **Mr. Hunter** asked the Minister of Agriculture, Fisheries and Food if his Department operates any scheme to help the horticulture industry reduce its energy costs.

Mrs. Fenner: Yes. Under the Ministry's capital grant schemes grants are available for investments in energy saving measures in the glasshouse sector.

Agricultural Development and Advisory Service

33. **Mr. Stephen Ross** asked the Minister of Agriculture, Fisheries and Food if he will make a statement on the future of the Agricultural Development and Advisory Service.

Mr. Jopling: In reply to a written question by my hon. Friend the Member for Devon, West and Torridge (Sir P. Mills) on 13 November 1984, I announced the publication of a report on the future of the agricultural development and advisory service by Professor Bell, and my endorsement of his general conclusions. However, I made clear that a good deal of further work would be needed before detailed final decisions could be taken on the recommendations in the report. That work is in hand and I hope to be in a position to make a further statement before the summer recess.

Dairy Farmers (Northern Ireland)

34. **Mr. Nicholson** asked the Minister of Agriculture, Fisheries and Food what progress he has made in achieving equality of treatment for small dairy farmers in Northern Ireland.

Mr. MacGregor: I am aware of the difficulties in Northern Ireland that have been caused by there being insufficient quota from the outgoers scheme available for reallocation to small producers and am discussing with my right hon. Friends how to tackle the problem.

White Fish

35. **Mr. Austin Mitchell** asked the Minister of Agriculture, Fisheries and Food whether, in view of the falling catches of white fish in the North sea, he will press for the reduction of by-catches in industrial fishing in the pout box from the temporary concession of 18 per cent. down to 5 per cent.

Mr. MacGregor: I have at this stage nothing to add to the reply which I gave the hon. Member on 14 March.

Northamptonshire Veterinary Investigation Centre

36. **Sir John Farr** asked the Minister of Agriculture, Fisheries and Food how many complaints he has received in relation to his proposal to close the Northampton Veterinary Investigation Centre.

Mrs. Fenner: I have received 60 letters specifically about the centre at Northampton.

Agricultural Development Plans

37. **Mr. Alton** asked the Minister of Agriculture, Fisheries and Food how many proposed agricultural

development plans have been refused by his Department on environmental grounds for each year over the last five years.

Mrs. Fenner: I regret that this information is not available. If a proposed development plan contains environmentally damaging proposals my officials would normally first seek to remove or modify the potentially damaging elements in consultation with the farmer and the statutory conservation bodies where appropriate.

Research and Advisory Services

38. **Mr. Kennedy** asked the Minister of Agriculture, Fisheries and Food what recent representations he has received over the proposed reductions in agricultural research and advisory services; and if he will make a statement.

Mr. Jopling: I have received a number of representations expressing concern about the possible impact of the revised expenditure provisions on research and development and the advisory services. In response I have expressed the view that I regard it as reasonable that those who benefit from such activities should make a greater financial contribution towards the cost of undertaking them.

Food Marketing

39. **Mrs. Virginia Bottomley** asked the Minister of Agriculture, Fisheries and Food what recent representations he has received about the marketing of British food products at home and abroad.

Mrs. Fenner: I have not received specific representations about the marketing of British food but meet leaders of the food and agricultural industries and the chairman of Food from Britain frequently and discuss the matter with them. It is clear that opportunities exist to improve our marketing performance and I am encouraged by the industry's increasing awareness of that fact.

Animal Welfare

Mr. Hancock asked the Minister of Agriculture, Fisheries and Food (1) what action he is taking against exporters who make false declarations on the staging of animals during journeys to the continent;

(2) upon the basis of what scientific research the limit of 24 hours for transportation of live animals was determined;

(3) if he will introduce legislation to define the appropriate intervals for the feeding of different species of animals;

(4) if he will introduce legislation to implement fully European Economic Community directives 77/489 and 81/389;

(5) what response he has made to the European Economic Community Commission's request concerning the Government's initial response to the Royal Society of Prevention of Cruelty to Animals complaint on the export of live food animals.

Mrs Fenner: I shall reply to the hon. Member as soon as as possible.

UHT Milk

Mr. D. E. Thomas asked the Minister of Agriculture, Fisheries and Food how much UHT milk is currently consumed in England; and how much of this consumption consists of UHT milk produced in *(a)* Britain, *(b)* the European Economic Community and *(c)* the rest of the world.

Mrs. Fenner: I shall reply to the hon. Member as soon as possible.

Food (Fluoride Content)

Mr. Lawrence asked the Minister of Agriculture, Fisheries and Food what steps are taken by Her Majesty's Government *(a)* to monitor and *(b)* to regulate the fluoride content of processed food on sale to the public.

Mrs. Fenner: I shall reply to my hon. Friend as soon as possible.

Sugar

Mr. Colin Shepherd asked the Minister of Agriculture, Fisheries and Food if he is satisfied with the prospects for the sugar sector of the agriculture industry.

Mr. MacGregor: I shall reply to my hon. Friend as soon as possible.

DEFENCE

Equipment

Mr. Hordern asked the Secretary of State for Defence if he will name the three largest manufacturers in terms of equipment supplied to his Department in each of the last three years, and the total value of equipment so supplied in each of these three years.

Mr. Butler: In each of the three financial years up to and including 1983-84, the three largest suppliers of equipment to the MOD have been British Aerospace plc, Rolls-Royce Limited and the General Electric Company plc. The approximate total value of equipment supplied by these companies was £2,230 million in 1981-82, £2,220 million in 1982-83, and £2,490 million in 1983-84. These figures include all payments for equipment purchased on MOD HQ contracts, together with those payments which can be readily identified from the Tornado programme.

Naval Nuclear Weapons

Mr. Michie asked the Secretary of State for Defence whether it is envisaged that the naval nuclear weapons listed in paragraph 408 of the Defence Estimates could be used in a naval engagement without the conflict escalating into a strategic nuclear exchange.

Mr. Butler: The Government have always made it clear that their policy is not to fight a nuclear war but to prevent such a conflict from the outset. In the words of the Statement on the Defence Estimates 1981:

"It is not certain that any East-West conflict would rise to all-out nuclear war: escalation is a matter of human decision, not an inexorable scientific process. It is perfectly sensible—indeed essential—to make plans which could increase and exploit whatever chance there might be of ending war short of global catastrophe. But that chance will always be precarious, whether at the conventional or the nuclear level; amid the confusions, passions and irrationalities of war, escalation must always be a grave danger. The only safe course is outright prevention."

Nuclear Bombs

Mr. Michie asked the Secretary of State for Defence whether he plans to produce a new British free-fall nuclear bomb and a new nuclear depth bomb before the end of the century.

Mr. Butler: I refer the hon. Member to the answer given by my hon. Friend the Under-Secretary of State for Defence Procurement to the hon. Members for Houghton and Washington (Mr. Boyes), for Glasgow, Central (Mr. McTaggart), for Sunderland, North (Mr. Clay) and for Wigan (Mr. Stott) on 26 February 1985, at columns *158-59*.

Artillery Shells

Mr. Ashdown asked the Secretary of State for Defence what proportion of the trinitrotoluene used to fill the recent order for 11,000 medium artillery shells, placed with PRB, Belgium, was manufactured or supplied by Poland or any other Warsaw pact country.

Mr. Butler: The shells are being manufactured in Belgium. It is the responsibility of the prime contractor to use materials which meet the technical specification.

Gunnery Ranges, Lulworth (Noise)

Viscount Cranborne asked the Secretary of State for Defence what action he proposes to take in response to representations about increased noise resulting from gunfire at the RAC Gunnery School ranges, Lulworth.

Mr. Lee: We are arranging for an independent study to be carried out into the effects of noise and vibration at Lulworth. My noble Friend the Parliamentary Under-Secretary of State for the Armed Forces will write to my hon. Friend with details of the terms of reference once these have been finalised. The results of the survey will be made public in due course.

Non-competitive Contracts (Profit)

Mr. Forth asked the Secretary of State for Defence if he will provide details of the application of the target rate of profit to the pricing of individual Government non-competitive contracts.

Mr. Butler: The rate of profit announced by my right hon. and learned Friend the Chief Secretary on 30 April, at columns 97 and 98, will be applied on a semi-CCA basis as follows:

Risk Work

6·55 per cent. on capital employed, plus 2·92 per cent. on cost. On the basis of the average CP:CE ratio of 2·24:1, this produces a return on capital employed of 13·09 per cent.

Non-Risk Work

5·04 per cent. on capital employed, plus 2·25 per cent. on cost. On the basis of the average CP:CE ratio of 2·24:1, this produces a return on capital employed of 10·08 per cent.

While the profit formula is established now on a semi-CCA basis, historic cost equivalent rates may be applicable for a transitional period on a company by company basis, in accordance with arrangements agreed between the Government and the CBI. The table gives full details both of the semi-CCA target rates and their historic cost equivalents.

The Structure of the Profit Formula

		Semi-CCA Basis per cent.	*Historic Cost Basis per cent.*
Risk Contracts			
Capital-based profit element	A	6·55	9·28
Cost-based profit element	B	2·92	3·09
Average CP/CE ratio	C	2·24/1	3·00/1
Cost-based profit element, expressed as profit on capital employed (B × C)	D	6·54	9·27
Total profit on capital employed (A + D)	E	13·09	18·55
Total profit on cost of production (E + C)	F	5·84	6·18
Non-Risk Contracts			
Capital-based profit element	G	5·04	7·14
Cost-based profit element	H	2·25	2·38
Average CP/CE ratio	I	2·24/1	3·00/1
Cost-based profit element, expressed as profit on capital employed (H × I)	J	5·04	7·14
Total profit on capital employed (G + J)	K	10·08	14·28
Total profit on cost of production (K + I)	L	4·50	4·76
Overall Target Rates			
Weighted average profit on capital employed		12·00	17·00
Weighted average profit on cost of production		5·36	5·67

Contractors whose CP:CE ratio (on a semi-CCA basis) exceeds 4·48:1 (or 6:1 on a historic cost basis) will receive fixed percentage rates of profit on cost computed on the basis of 4·48:1 semi-CCA (or 6:1 historic cost).

The profit rate for a contractor whose CP:CE ratio (on a semi-CCA basis) is less than 1·12:1 (or 1·5:1 on a historic cost basis) may be subject to special negotiation.

In accordance with paragraph 14 of the profit formula agreement, the revised arrangements apply to

(a) risk contracts where no price arrangement had been agreed by 1 May 1985, and

(b) non-risk work carried out after 1 May 1985 for which no arrangement for profit had been agreed by that date.

FH-70 and SP-70 Howitzers

Mr. McNamara asked the Secretary of State for Defence whether any representations have been made since 1980 to the United States Government, directly or through the North Atlantic Treaty Organisation, seeking to ensure the provision by the United States of America of a nuclear capability for the FH-70 and SP-70 howitzers being developed jointly by the United Kingdom, Italy and the Federal Republic of Germany.

Mr. Butler: As I have told the hon. Member previously, the FH-70 has no nuclear role and is not intended to be a nuclear delivery system. The SP-70 is intended to be compatible with all 155mm artillery rounds in use in NATO, including the nuclear artillery round currently made available to British forces by the United States. Technical discussions with United States Government representatives have taken place accordingly.

Mr. McNamara asked the Secretary of State for Defence whether the new self-propelled howitzer, the SP-70, will have a nuclear capability.

Mr. Butler: Yes.

Long Range Stand-off Missile

Mr. McNamara asked the Secretary of State for Defence whether the longe range stand-off missile will have nuclear capacity.

Mr. Butler: The NATO staff target to which feasibility studies are being directed is for a conventional weapon and does not include a nuclear option.

NATO (Force Goals)

Mr. McNamara asked the Secretary of State for Defence if he will publish as a White Paper an unclassified version of the North Atlantic Treaty Organisation's force goals and of the forthcoming guidance to major NATO commanders and to nations.

Mr. Stanley: No, but a copy of the communiqué from the forthcoming ministerial meeting of the Defence Planning Committee will be placed in the Library.

Defence Estimates

Mr. McNamara asked the Secretary of State for Defence if he will make a statement explaining the conceptual military framework referred to in paragraph 209 of the statement on the defence Estimates and the military role of nuclear weapons in the context of that framework.

Mr. Stanley: The formulation by the NATO military authorities of a conceptual military framework is part of the continuing effort to improve NATO's conventional defences by placing greater emphasis on long-term planning. The conceptual military framework should help better to identify overall priorities and assist the more effective implementation of NATO's existing strategy, including the sensible application of emerging technology. The aim of the conceptual military framework is to address NATO's conventional defences, although it naturally acknowledges the deterrent role of both conventional and nuclear forces.

Nuclear Artillery Shells

Mr. McNamara asked the Secretary of State for Defence (1) why there is no reference in the Defence Estimates to the proposed introduction by the North Atlantic Treaty Organisation of new nuclear artillery shells into Europe;

(2) if he will make a statement on the implication for the British Army of the Rhine of the modernisation of nuclear-capable artillery systems operated in Europe by the United Kingdom with warheads provided by the United States of America;

(3) whether the plans for the modernisation of nuclear artillery in the North Atlantic Treaty Organisation envisage a lower number of warheads but a higher number of nuclear capable launchers, and in particular a larger number of nuclear capable 155mm cannon.

Mr. Stanley: I shall answer shortly.

US Navy (Vessel Visits)

Mr. D. E. Thomas asked the Secretary of State for Defence if he will publish in the *Official Report* such records as can be made available on the number of visits to United Kingdom ports of United States Navy ships and submarines in 1984.

Mr. Stanley: As I told the hon. Member on 20 February 1984, at col. *432*, full records of visits by United States navy ships are not generally retained. The following information can be made available:

Number of ship visits recorded

Port	*1984*
Glasgow	1
Hull	1
Leith	3
Loch Ewe	1
Newcastle	1
Portsmouth	31
Plymouth	9
Rosyth	5

Atomic Control Office

Mr. D. E. Thomas asked the Secretary of State for Defence how many staff in his Department work in the atomic control office.

Mr. Butler: Four staff work in the atomic control office (London).

Mr. D. E. Thomas asked the Secretary of State for Defence how long the atomic control office has been in existence.

Mr. Butler: Since 1958, following the bilateral agreement between the Governments of the United Kingdom and United States of America for co-operation on the uses of atomic energy for mutual defence purposes.

FV342 (Repairs)

Mr. McNamara asked the Secretary of State for Defence (1) when the information that the decision of headquarters, British Army of the Rhine, that the repairs of the FV432 will not be possible in Germany and first conveyed to the Under-Secretary of State for the Armed Forces, the deputy under secretary (civilian management) and the assistant secretary QMG by a representative of the Civil Service trade unions on 26 April, was officially given to them;

(2) whether, following the decision of headquarters, British Army of the Rhine, that repairs of the FV432 will not now be possible in Germany, he will re-examine the programme for the repair of the FV432 with a view to using the facility of the Royal Electrical and Mechanical Engineers workshop at Chilwell or Bicester.

Mr. Lee [*pursuant to my reply*, 15 May 1985, c. *152*]: Although we are not yet in a position to undertake the BAOR base repair task for AFV432 mark I vehicles in-theatre as the review of static workshops originally proposed, retaining this work in the United Kingdom represents an increase of only some 2·5 per cent. above the planned level for all REME base repair in this country. This change of plan is thus within the margins of REME's planned capacity and we envisage no difficulty in carrying out the work in our reorganised workshop facilities at Bicester, especially as the forecast United Kingdom load of Saracen and Ferret AFV repair work has now reduced below the level forecast in 1982. A programme change of this routine and marginal nature would not normally be notified to the trade unions as a separate matter.

SOCIAL SERVICES

NHS (Pay)

Mr. Dubs asked the Secretary of State for Social Services when he expects to be in a position to make an announcement on the pay of nurses and other health service workers.

Mr. Kenneth Clarke: On the pay of National Health Service staff covered by review bodies, I refer the hon. Member to my reply to the hon. Member for Fife, Central (Mr. Hamilton) on 14 May at column *108*. Pay negotiations for other staff have not yet been concluded.

Young Offenders (St. Albans)

Mrs. Renée Short asked the Secretary of State for Social services what response he has sent to the St. Albans diocesan board for social responsibility about confirming the present funding of its link scheme for young offenders and if he will make a statement.

Mr. John Patten: This scheme is one of those funded under the intermediate treatment initiative on the basis that grants would be time-limited. I can confirm that funding will continue to the end of the period. Representations from several sources in Hertfordshire including the diocesan board about an extension of funding are still being considered.

Pre-school Playgroups Association (Exhibition)

Mrs. Virginia Bottomley asked the Secretary of State for Social Services if he will arrange for an exhibition relating to the Pre-school Playgroups Association to be held in the Upper Waiting Hall.

Mr. Fowler: Arrangements have been made with the authorities of the House for the exhibition to be held in the Upper Waiting Hall from 20 May to 25 May 1985. I have accepted an invitation to open the exhibition.

Community Care (Mentally Handicapped People)

Ms. Harman asked the Secretary of State for Social Services (1) if he will list the schemes which his Department directly administers under the heading of community care for *(a)* the mentally handicapped, *(b)* the mentally ill and *(c)* the under-fives;

(2) if he will list the total amounts of money spent by his Department on directly administered schemes for *(a)* the mentally handicapped, *(b)* the mentally ill and *(c)* the under-fives in each year since 1980;

(3) if he will make a statement on the future funding of community care schemes directly administered by his Department for the mentally handicapped, the mentally ill and the under-fives.

Mr. John Patten: I assume the hon. Member is referring to centrally funded initiatives for promoting community care for mentally handicapped and mentally ill people and children under five. The "helping the community to care" and "opportunities for volunteering" schemes include community care for these groups within their wider coverage. Details of centrally funded schemes aimed more particularly at promoting community care for these groups are as follows:

The care in the community programme of pilot projects has been established to explore beneficial and cost-effective ways of providing community care for people inappropriately in long-stay hospitals. Twelve mental illness projects and 12 mental handicap projects are each being centrally funded for three financial years, some starting in 1984-85 and the rest in 1985-86. Central funding will amount in total to about £14·6 million.

Under our children's initiative a sum of £9 million has been made available over a period of four years from April 1984 to help health authorities get mentally handicapped children out of long-stay hospitals into more suitable accommodation in the community. So far 30 projects have been approved for central funding under this scheme. Under the same initiative we have also made a total of £1 million available to voluntary organisations over a four-year period for capital expenditure to match, on a pound for pound basis, funds they raise to bring mentally handicapped children out of hospital. So far seven projects have been funded under this scheme.

A total of £6 million of central funds has been made available between 1983 and 1987 to help stimulate the development of comprehensive and integrated local services for elderly mentally ill people. Thirty health districts are benefiting and the funding will help them to set up at least one priority element of the comprehensive range of facilities needed. In all these schemes central funding is being given on the understanding that the projects launched in this way will continue with local funding when central support ends.

The under-fives initiative is designed to stimulate voluntary sector provision for disadvantaged families with children under five. A total of £6 million has been made available between 1983-84 and 1986-87 and the programme includes 111 service-provided projects managed by 15 voluntary organisations. The continued funding of projects from other sources when central funding ends will depend on a number of factors, including success in meeting objectives, relevence to local needs and support in the community.

The total sums devoted by the Department to these five schemes are as follows. There was no expenditure before 1982-83.

£ thousands

	Services for Mentally Handicapped People	*Services for Mentally Ill People*	*Services for Children under 5*
1982-83	46	—	—
1983-84	720	588	648
1984-85*	3,608	2,918	1,926

* Estimated.

Local Office Project

Mr. Ashdown asked the Secretary of State for Social Services if he will make a statement on the content and progress of his Department's local office project phase A; and if he will place a management summary of the operational requirement for this computer system in the Library.

Mr. Whitney: The Department has reviewed the overall phasing of the local office project and now intends to provide in the first stage facilities for the assessment,

calculation and payment of supplementary benefit. Detailed work on replanning the project is in hand. The operational requirement for the computer system has not yet been completed, but we will place a summary in the Library when it is finalised.

Mr. Ashdown asked the Secretary of State for Social Services if he will list and describe the on-line indexing and tracing facilities expected to be available to his Department's staff when local office project phase A has been fully implemented.

Mr. Whitney: In broad terms our aim is to provide controlled facilities for authorised staff in local offices to trace records on the system by reference to national insurance numbers. The detailed facilities likely to be available under the local office project have not yet been defined. It is expected that additional facilities will be available on the departmental central index system.

Central Indexing Project

Mr. Ashdown asked the Secretary of State for Social Services if he will make a statement on the planned development of the operational strategy departmental central index between now and 1990; and if he will list and describe the numbers of on-line computer terminals, including those in offices of the Department of Employment, planned to be attached to such central indexing facilities, in each year to 1990.

Mr. Whitney: A departmental central index is being considered as part of the Department's operational strategy. The requirements for the index are currently being examined and a full study report is being prepared. If a decision to proceed is taken following production of the full study report, the index is planned to come into operation by 1988. The network design envisaged for the operational strategy is such that all terminals within strategy projects would provide the facility for properly authorised staff to access the departmental central index. At present we plan to have the following numbers of terminals, including those in Department of Employment offices:

	Number
1988	14,000
1989	18,000
1990	24,000

These estimates will be subject to change as project plans are developed.

Bolton (Hospital)

Mr. Thurnham asked the Secretary of State for Social Services if the design of Bolton's new hospital will be the subject of an inspection following his statement about legionnaire's disease.

Mr. Kenneth Clarke: The design of Bolton's new hospital accords with the guidance on Legionnaire's disease and hospital water systems contained in DHSS circular HN(80)39 and on cold water supply, storage and mains distribution arrangements in hospital technical memorandum No. 27 (June 1978). This remains the best guidance on reducing the risk of the disease but its adequacy will no doubt be considered by the public inquiry into the present outbreak in Stafford. Any lessons that are eventually learned from the experience at Stafford will be acted on in hospitals throughout the country.

Supplementary Benefit

Mrs. Beckett asked the Secretary of State for Social Services if he will publish in the *Official Report (a)* the number of sick and disabled people receiving supplementary benefit, *(b)* the number of sick and disabled adult dependants of people receiving supplementary benefit and *(c)* the number of sick and disabled child dependants of people receiving supplementary benefit.

Mr. Whitney: At December 1983 it is provisionally estimated that about 242,000 claimants were in receipt of supplementary benefit because of sickness or disability. Information is not available about the numbers of sick or disabled dependants of claimants.

Joint Advisory Committee on Nutrition Education

Mr. Coombs asked the Secretary of State for Social Services whether he is yet in a position to publish a report of the findings of the Joint Advisory Committee on Nutrition Education; and if he will make a statement.

Mr. John Patten: The Joint Advisory Committee on Nutrition Education has prepared nutritional guidance for families based upon the report by the Committee on Medical Aspects of Food Policy, "Diet and Cardiovascular Disease". I understand that the JACNE booklet is to be published shortly by its sponsoring bodies, the British Nutrition Foundation and the Health Education Council.

Continence Advisers

Mr. Alfred Morris asked the Secretary of State for Social Services how many continence advisers are employed; and by which authorities.

Mr. John Patten: The information requested is not collected centrally.

Doctors

Mr. Hickmet asked the Secretary of State for Social Services (1) if he will list those matters in respect of which general practitioners receive indirect expenses; and if he will quantify the average value of each of the same to individual general practitioners;

(2) what instructions he has given to family practitioner committees in relation to the direct and indirect expenses of part-time general practitioners; and if he will make a statement.

(3) pursuant to his reply of 25 March, *Official Report*, column *97*, and 4 April, *Official Report*, column *767*, if he will list and describe in the fullest reasonable particularity the nature and value of the individual expenses incurred by general practitioners.

Mr. Kenneth Clarke: I shall let my hon. Friend have replies as soon as possible.

Mr. Hickmet asked the Secretary of State for Social Services what are the maximum fixed expenses for which general practitioners are eligible under section 63 of the National Health Service Act 1977; and if he will list the same.

Mr. Kenneth Clarke: I shall let my hon. Friend have a reply as soon as possible.

Mr. Hickmet asked the Secretary of State for Social Services what is the top rate seniority allowance for general practitioners; what is the eligibility of older general practitioners to obtain further superannuation; at what age such incentives commence and cease; and what is the effect on the eligibility of general practitioners for such incentives if they obtain limited commitment.

Mr. Kenneth Clarke: The top rate seniority allowance for general medical practitioners is currently £4,375 per annum. A lower allowance first becomes payable after 11 years on the medical register and seven years as a National Health Service principal. Seniority allowance ceases to be payable at age 72. Payment of the allowance to a doctor who has a limited commitment depends on the nature of the commitment.

General practitioners may retire at any time on reaching age 60. If they retire and again practise, even after 24 hours, as principals in the National Health Service, any pension payable will be reduced so that post-retirement earnings plus pension do not exceed pre-retirement earnings. While re-employed, retired doctors continue to pay contributions to the NHS superannuation scheme and earn further pension rights up to age 70. However, general practitioners who retire for the first time at age 65 or over may be re-employed without their pension being liable to reduction. In such a case, the re-employment is not superannuable and no further pension rights may be earned.

Mr. Hickmet asked the Secretary of State for Social Services if he will identify and list, together with the sums payable in respect of each, the basic allowances, seniority allowances and other fees or allowances for which general practitioners are eligible

Mr. Kenneth Clarke: The fees and allowances, together with the rates payable at 1 November 1984, are as follows:

	Rates at 1 November 1984 £
1. Basic Practice Allowance:	
(a) Full rate	6,760 per annum
(b) First 100 patients	1,360 per annum
(c) Each patient above 100 to 999	6·00 per annum
(d) Leave payment	1,352 per annum
2. Additions to Basic Practice Allowance in respect of:	
(i) Pratice in a designated area	
Type 1	2,095 per annum
Type 2	3,195 per annum
(ii) Practice as a member of a group	1,175 per annum
(iii) Seniority	
First payment	1,620 per annum
Second payment	2,760 per annum
Third payment	4,375 per annum
(iv) Vocational training	1,450 per annum
(v) Employment of an assistant (full time) or where the principal (or in a partnership all principals) receive an addition as the practice is in a designated area	4,410 per annum
3. Payments for out of hours responsibilities:	
(i) Supplementary practice allowance	
(a) Full rate	1,345 per annum
(b) First 100 patients	265 per annum
(c) Each patient above 100 to 999	1·20 per annum
(ii) A Supplementary Capitation fee for each patient in excess of 1,000 on the practitioner's list (or in excess of 1,000 per practitioner on the combined list of practitioners, practising in partnership)	1·31 per annum
(iii) A fee for a night visit	14·90 per annum
4. A fee for an item of service carried out for reasons of public policy:	
(i) Vaccination and immunisation	
Fee A	2·20 per annum
Fee B	3·20 per annum
(ii) Cervical cytology test	6·40 per annum
5. Fees for provision of contraceptive services:	
(i) Ordinary	8·55 per annum
(ii) Intrauterine device	28·70 per annum

6. Fees for the provision of maternity medical services:	*On obstetric list*	*Not on obstetric list*
(i) Complete maternity services	100·00	58·35
(ii) Ante-natal care:		
(a) Woman booking up to the 16th week of pregnancy	54·00	31·50
(b) Woman booking from the 17th week to the 30th week of pregnancy	40·50	23·65
(c) Woman booking from the 31st week of pregnancy	27·00	15·75
(iii) Miscarriage	33·35	20·85
(iv) Care during confinement	23·00	13·35
(v) Complete post-natal care	23·00	16·35
(vi) Partial post-natal care		
(a) Each attendance subject to a maximum of	3·05 15·25	2·15 10·75
(b) Full post-natal examination	7·75	5·60
(vii) Second practitioner called in to give anaesthetic	21·30	21·30

7. A fee for the treatment of a temporary resident who:	
(i) Expects to remain in the district for not more than 15 days	4·90
(ii) Expects to remain in the district for more than 15 days	7·35
8. A fee for treatment given by a practitioner in an emergency not in his list and not eligible to be treated as a temporary resident:	
(i) Emergency consultation	
(a) Involving a night visit	14·90
(b) Other	12·75
(ii) Minor surgical operation requiring anaesthetic	12·75
(iii) Treatment of fracture	12·75
(iv) Reduction of dislocation	12·75
(v) Administration of general anaesthetic	21·30
9. A payment in cases in which a practitioner is required to provide the services of a second practitioner for the purposes of administering general anaesthetic except in connection with maternity medical services	21·30

	Rates at 1 November 1984 £	
10.		
(i) Fee for the arrest of dental haemorrhage or for the provision of after care	12·75	
(ii) Fee for the removal of plugs and/or stitches only	8·70	
11. A fee for immediately necessary treatment given by a practitioner under paragraphs 6(3) or 4(4) of his terms of service	4·90 or 7·35	
12. Postgraduate training allowance	605	
13. Payments in respect of the Trainee Practitioner Scheme		
(i) Training grant	3,160	per annum
(ii) Allowance for additional motor vehicle:		
(a) For one year's full-time training	2,241	
(b) For two years' part-time training (for each year)	1,398	
(iii) Trainees salary and board and lodging — approx. maximum payment (dependent on last hospital post)	10,270 to 16,917	
(iv) London Weighting		
(a) London Zone	807	per annum
(b) The Fringe Area	149	per annum
14. Payments under the Doctors' Retainer Scheme	21·35	per session
	Maximum allowance	
15. Initial Practice Allowance		
(i) Type A First year	11,310	
Second year	7,540	
Third year	3,770	
Fourth year	1,885	
(ii) Type B First year	18,850	
Second year	7,540	
(iii) Type C First year	9,900	
Second year	7,425	
Third year	4,950	
Fourth year	2,475	
(iv) Type D Guaranteed net income:		
(a) First doctor	28,690	
(b) Two partners joint net income	50,760	
16. Payments in respect of the supply of drugs and appliances	Various	
17. Inducement payments	Various	
18. Additional payments during sickness	*213·50	per week
19. Additional payments during confinements		
20.		
(a) Prolonged study leave allowance	31·40	per week
(b) Educational allowance locum allowance	Up to a maximum of 213·50	per week
21. Payments under the Rent and Rates Scheme	Various	
22. Payments under the Ancillary Staff Scheme	Various	
23. Related Ancillary Staff Allowance	1,760	per annum
24. Improvement Grant	Various	

Mr. Hickmet asked the Secretary of State for Social Services how many general practitioners operating within the National Health Service are over the age of 65 years.

Mr. Kenneth Clarke: The number of unrestricted principals in England practising in the National Health Service aged 65 and over at 1 October 1984 was 1,189.

Mr. Hickmet asked the Secretary of State for Social Services how many and what representations he has made to the General Medical Services Committee and elsewhere about a fixed retirement age for general practitioners; what was the response; when he will next make representations; and if he will make a statement.

Mr. Kenneth Clarke: We have made no representations and no decision yet about a fixed retirement age.

Dispensing Doctors (Discount Inquiry)

Mr. Hickmet asked the Secretary of State for Social Services, pursuant to his reply of 16 April, *Official Report*, column *166*, why his Department undertook a dispensing doctors' discount inquiry in 1983; what were its terms of reference; what were its conclusions; if he will place a copy in the Library; and if he will make a statement.

Mr. Kenneth Clarke: I shall let my hon. Friend have a reply as soon as possible.

Drugs

Mr. Hickmet asked the Secretary of State for Social Services (1) pursuant to his reply of 4 April, *Official Report*, column *768*, what were the names of the drugs in respect of which manufacturers gave the top 10 highest discounts in 1983; what was the cost of prescribing those drugs to the National Health Service per dispensing doctor and per ordinary general practitioner in 1983; and what was the cost in the last year before discounts were introduced;

(2) what steps his Department is taking to ensure that dispensing doctors account for all discounts they receive as from 1 April from drugs manufacturers and wholesalers.

Mr. Kenneth Clarke: I shall let my hon. Friend have replies as soon as possible.

Mr. Hickmet asked the Secretary of State for Social Services what steps his Department takes to ensure that dispensing chemists dispense the actual drugs which doctors prescribe; and if he will make a statement.

Mr. Kenneth Clarke: Family practitioner committees participate in the National Health Service drug testing scheme. This scheme, which is based on sampling of dispensed prescriptions, fulfils FPCs' statutory responsibility under regulation 29 of the National Health Service (General Medical and Pharmaceutical) regulations 1974 for checking that the quantity and quality of drugs and appliances which have been dispensed by the pharmacist are as prescribed by the doctor.

Mr. Hickmet asked the Secretary of State for Social Services what steps his Department takes to ensure that dispensing doctors dispense the actual drugs which they prescribe; and if he will make a statement.

Mr. Kenneth Clarke: None.

Mr. Hickmet asked the Secretary of State for Social Services (1) pursuant to his reply of 4 April, *Official Report*, column *768*, if he will itemise the cost to the National Health Service of those items described as distribution and administration costs of companies operating within the pharmaceutical price regulation scheme; and if he will make a statement;

(2) if, since 1979, there has been an audit carried out by his Department of the costs and expenses of any company supplying drugs to the National Health Service within the pharmaceutical price regulation scheme; and if he will make a statement;

(3) pursuant to his reply of 4 April, *Official Report*, column *768*, what scrutiny by auditors and other persons his Department makes of sales promotion expenditure claimed by companies within the pharmaceutical price regulation scheme; and if he will make a statement.

Mr. Kenneth Clarke: I do not have a further breakdown of the expenses given in my reply to my hon. Friend on 28 February at column *273*.

The financial returns received annually from the companies are certified by the independent accountants and reconciled to the statutory accounts. They are scrutinised by our officials, including accountants as necessary, in the light of our knowledge of the company and of the underlying costs and profits in the pharmaceutical industry. We can and do challenge items in the returns, including sales promotion, distribution and administration costs, and where necessary ask companies to provide further explanation and substantiation. Where appropriate, our accountants visit companies to discuss any points of doubt or difficulty.

Mr. Hickmet asked the Secretary of State for Social Services, pursuant to his reply of 4 April, *Official Report*, column *768*, what was the value of costs and how many were disallowed by his Department which had been claimed by companies within the pharmaceutical price regulation scheme for 1982, 1983 and 1984, respectively; and what scrutiny was carried out of such companies' financial returns and by how many people in his Department.

Mr. Kenneth Clarke: We could provide information on costs disallowed only at disproportionate cost. On the question of staff scrutinising company financial returns, I refer my hon. Friend to my reply to my hon. Friend the hon. Member for Congleton (Mrs. Winterton) on 4 February at columns *454-5*.

Mr. Hickmet asked the Secretary of State for Social Services how many larger companies supplied drugs to the National Health Service under the pharmaceutical price regulation scheme in 1982, 1983 and 1984, respectively; and if he will identify them by name.

Mr. Kenneth Clarke: In 1983 the 68 pharmaceutical companies fully within the pharmaceutical price regulation scheme were Abbott Laboratories Ltd., Astra Pharmaceutical Ltd., Armour Pharmaceutical Co. Ltd., Ayerst Laboratories Ltd., Bayer UK Ltd., Beecham Pharmaceutical UK Division, Berk Pharmaceuticals Ltd., Boehringer Ingelheim Ltd., Boots Company plc, Bristol-Myers Pharmaceuticals, Brocades Ltd., Ciba-Geigy Pharmaceutical Division, A. H. Cox & Co. Ltd., Cyanamid of Great Britain Ltd., Duphar Laboratories Ltd., Norwich Eaton Ltd., Farmitalia Carlo Erba Ltd., Fisons Pharmaceuticals plc, Geistlich Sons Ltd., Glaxo Laboratories Ltd., Hoechst UK Ltd., ICI Pharmaceuticals plc, Janssen Pharmaceuticals Ltd., Kabivitrum Ltd., Thomas Kerfoot and Co. Ltd., Kirby Warrick Pharmaceuticals Ltd., Leo Laboratories Ltd., Lilly Industries Ltd., Lipha Pharmaceuticals Ltd., Lundbeck Ltd., Macarthys Laboratories Ltd., May and Baker Ltd., MCP Pharmaceuticals Ltd., E. Merck Ltd., Merck Sharp & Dohme Ltd., Merrell Dow Pharmaceuticals, Miles Laboratories Ltd., 3M Health Care Ltd., Napp Laboratories Ltd., Nicholas Laboratories Ltd., Nordisk-UK, Norgine Ltd., Novo Laboratories, Organon Laboratories Ltd., Ortho-Cilag Pharmaceuticals Ltd., Pharmacia GB Ltd., Pharmax Ltd., Pfizer Ltd., Reckitt and Colman, A. H. Robins and Co. Ltd., Roche Products Ltd., Roussel Laboratories, Sandoz Pharmaceuticals, Sanofi (UK) Ltd., Schering Chemicals Ltd., Searle Pharmaceuticals, Servier Laboratories Ltd., Smith Kline and French Laboratories Ltd., Smith and Nephew Laboratories, E. R. Squibb and Sons Ltd., Syntex Pharmaceuticals Ltd., Travenol Laboratories Ltd., Upjohn Ltd., Warner-Lambert (UK) Ltd., Wellcome Foundation Ltd., Winthrop Laboratories, Wyeth Laboratories, Zyma (UK) Ltd.

There is little change from year to year.

Mr. Hickmet asked the Secretary of State for Social Services, pursuant to his reply of 4 April, *Official Report*, column *768*, upon what grounds and by what criteria his Department decides that financial returns submitted by companies within the pharmaceutical price regulation scheme are reasonable or excessive; and if he will make a statement.

Mr. Kenneth Clarke: Apart from sales promotion expenditure, which is limited by a formula common to all companies, it is not possible to define precise criteria by which other adjustments to financial returns are made. We make much use of national and international statistical comparisons, but our adjustments depend on a knowledge of the pharmaceutical industry and individual company circumstances and are a matter for judgment and negotiation.

Mr. Hickmet asked the Secretary of State for Social Services (1) what was the highest amount by which a larger company within the pharmaceutical price regulation scheme exceeded the sales promotion limit in 1982, 1983 and 1984;

(2) pursuant to his reply of 4 April, *Official Report*, column *768*, by how much in total the 51 companies exceeded their sales promotion limit under the pharmaceutical price regulation scheme in 1982; and what were the figures for 1983 and 1984.

Mr. Kenneth Clarke: In 1982, the latest year for which information is available, the 51 companies exceeded their sales promotion limit in total by approximately £33 million and the largest excess by an individual company was just over £2½ million.

Mr. Hickmet asked the Secretary of State for Social Services how many persons are employed in his

Department on a full-time basis to scrutinise the operation of the pharmaceutical price regulation scheme and the claims made thereunder by individual companies; and if he will make a statement.

Mr. Kenneth Clarke: I refer my hon. Friend to my reply to my hon. Friend the Member for Congleton (Mrs. Winterton) on 4 February at columns *454-5*.

Family Practitioner Committees

Mr. Hickmet asked the Secretary of State for Social Services what financial and other assistance is given to general practitioners and family practitioner committees to enable general practitioners to improve their facilities and purchase or construct health centres; in whom the ownership of such health centres is vested; to whom the capital gains of such centres accrue; and if he will make a statement.

Mr. Kenneth Clarke: I shall let my hon. Friend have a reply as soon as possible.

Mr. Hickmet asked the Secretary of State for Social Services what guidelines he issues to family practitioner committees regarding *(a)* the criteria for eligibility of general practitioners for limited commitment contracts, *(b)* the incidence of limited commitment contracts and *(c)* the terms and conditions attached to limited commitment contracts, with particular reference to remuneration and duties.

Mr. Kenneth Clarke: No guidelines are issued and there is no distinct form of contract for a part-time practitioner. A general medical practitioner may limit his commitment to NHS general practice in various ways, with consequences for his remuneration as set out in the statement of fees and allowances payable to general medical practitioners.

BMA Congress (Cairo)

Mr. Hickmet asked the Secretary of State for Social Services (1) whether any expenses incurred by individual general practitioners in attending the British Medical Association Congress in Cairo in the current year will be borne by the National Health Service; and if he will make a statement;

(2) whether he will be attending the British Medical Association's Congress in Cairo in the current year; and if he will make a statement.

Mr. Kenneth Clarke: Neither I, nor any of our Departmental officials will attend the 1985 British Medical Association Congress in Cairo, which is not at NHS expense.

Nye Bevan Lodge House

Mr. Soames asked the Secretary of State for Social Services if he will order an inquiry into the running of the Nye Bevan lodge house in Southwark.

Mr. John Patten: I shall let my hon. Friend have a reply as soon as possible.

Kidney Patients

Mr. McTaggart asked the Secretary of State for Social Services what has been the number of renal transplant operations carried out in: *(a)* England and *(b)* the United Kingdom in each of the last five years for which figures are available.

Mr. John Patten: The number of kidney transplant operations performed in National Health Service hospitals has been as follows:

	(a) England	*(b) United Kingdom*
1984	1,203	1,443
1983	919	1,144
1982	887	1,070
1981	752	905
1980	821	988

Note:
Figures for 1980-82 have been supplied by the European Dialysis and Transplant Association. Figures for 1983-84 are provisional totals supplied by the United Kingdom Transplant Service.

Mr. McTaggart asked the Secretary of State for Social Services what has been the annual acceptance rate per million of total population of new renal patients for treatment in *(a)* England and *(b)* the United Kingdom, in each of the last five years for which figures are available; and how those figures compare with such comparable figures as are available to him for each of the member countries of the European Community over the same period.

Mr. John Patten: Following are figures supplied by the European Dialysis and Transplant Association (EDTA) for the annual acceptance rate per million population for new renal patients in the United Kingdom and other member states of the European Community from 1979 to 1983:

	New renal patients receiving treatment per million population				
	1979	*1980*	*1981*	*1982*	*1983*
United Kingdom	22·0	24·5	27·1	29·5	33·0
Belgium	48·2	41·5	48·4	39·6	61·0
Denmark	25·7	28·8	37·1	26·9	40·4
Federal Republic of Germany	37·0	44·5	49·7	44·0	55·8
France	36·1	42·6	42·3	30·9	44·3
Greece	26·7	20·8	31·6	18·8	40·8
Ireland	16·2	22·2	25·2	19·4	24·2
Italy	31·9	34·2	43·1	33·8	45·5
Luxembourg	62·5	47·5	32·5	47·5	72·5
Netherlands	26·8	32·4	34·8	27·4	45·7

Note:—
Figures are taken from EDTA published annual returns, although United Kingdom figures have been revised to take account of late returns. England data on a comparable basis are not readily available, but figures could be expected to be very similar to those for the United Kingdom.

Mr. McTaggart asked the Secretary of State for Social Services what was the number of renal patients on *(a)* hospital dialysis, *(b)* home dialysis and *(c)* peritoneal dialysis in (i) England and (ii) the United Kingdom in each of the last five years for which figures are available.

Mr. John Patten: According to information supplied by the European Dialysis and Transplant Association, the number of renal patients on dialysis in (i) England and (ii) the United Kingdom from 1978 to 1982 was as follows:

	Number of patients on treatment at 31 December				
	1978	*1979*	*1980*	*1981*	*1982*
(i) England					
(a) Hospital dialysis	796	902	1,005	1,114	1,226
(b) Home dialysis	1,606	1,716	1,758	1,858	1,911
(c) Peritoneal dialysis	103	193	421	764	1,024
(ii) United Kingdom					
(a) Hospital dialysis	1,011	1,127	1,241	1,373	1,490
(b) Home dialysis	1,872	2,022	2,064	2,162	2,218
(c) Peritoneal dialysis	114	229	520	907	1,225

Ante and Post-natal Care

Mr. D. E. Thomas asked the Secretary of State for Social Services if he will set out, for health authorities in south-east England, figures for expenditure on *(a)* ante-natal and *(b)* post-natal care for each of the years from 1979-80 to 1984-85.

Mr. John Patten: Separate information about the expenditure in these fields is not collected centrally.

Family Incomes

Dr. McDonald asked the Secretary of State for Social Services in how many two-parent families in receipt of family income supplement both parents are in paid employment; in how many one parent is in paid employment; and in how many of these cases the woman is the sole earner.

Mr. Whitney: The table shows the position at the end of October 1984, the latest date at which this breakdown is available.

	Numbers
Two-earner couples receiving family income supplement	11,000
Man only earning in couple receiving family income supplement	109,000
Woman only earning in couple receiving family income supplement	2,000
TOTAL	122,000

Dr. McDonald asked the Secretary of State for Social Services if he will list in the *Official Report (a)* the numbers of families with one, two, three, four or more children, respectively, with means (i) below, (ii) at, and (iii) within 140 per cent. of their supplementary benefit level, *(b)* how many of the families in each case were in or out of work and *(c)* what were the total number of families with one, two, three or four or more children in Great Britain, at the latest date for which comparable figures are available.

Mr. Whitney: The information requested is shown in the table. All figures relate to 1981 which is the latest year for which information on low income families is available.

Great Britain 1981

	Employment status of family head	*Estimated number of families with*			
		One child	*Two children*	*Three children*	*Four or more children*
(a) and *(b)* Income relative to supplementary benefit level					
(i) Below 140 per cent.	Working full-time‡	[30,000]	60,000	[30,000]	[10,000]
	Not in work	60,000	[40,000]	[20,000]	[10,000]
(ii) At 140 per cent.*	Working full-time‡	nil	nil	nil	nil
	Not in work	230,000	240,000	110,000	[40,000]
(iii) Within 140 per cent.†	Working full-time‡	150,000	320,000	140,000	70,000
	Not in work	50,000	70,000	[40,000]	[20,000]
(c) Total number of families		2,920,000	2,970,000	940,000	300,000

All figures are subject to statistical error. Figures shown in square brackets are subject to very considerable proportionate statistical error.
* Receiving supplementary benefit.
† Excludes those given at (i) and (ii).
‡ Includes those who have been sick or unemployed for less than 13 weeks.

Board and Lodging Payments

Mr. Tony Banks asked the Secretary of State for Social Services how many single persons under and over 26 years and how many married couples *(a)* with children and *(b)* without children, respectively, in the borough of Newham are in receipts of Department of Health and Social Security board and lodgings payments.

Mr. Whitney: Separate figures are not readily available for the London borough of Newham and could be obtained only at disproportionate cost.

Population Statistics

Mr. Sumberg asked the Secretary of State for Social Services what is the latest available figure for the total population of the Greater London Area, and of each of the six metropolitan counties, respectively.

Mr. John Patten: The latest available information relates to 30 June 1983 and is as follows:

Area	*Estimated resident population*
Greater London	6,754,500
Greater Manchester	2,598,500
Merseyside	1,500,800
South Yorkshire	1,310,500
Tyne and Wear	1,145,300
West Midlands	2,657,600
West Yorkshire	2,059,300

Source: OPCS monitor PP1 84/4.
Equivalent figures for 1984 will be published in June.

Limited List Prescribing

Mr. Meadowcroft asked the Secretary of State for Social Services what is his most recent estimate of the cost saving to the National Health Service which will arise from limited list prescribing.

Mr. Kenneth Clarke: £75 million.

Mr. Meadowcroft asked the Secretary of State for Social Services what is his estimate of the cost to the National Health Service of the proposals to permit the National Health Service prescription and dispensing of scheduled drugs in exceptional circumstances.

Mr. Kenneth Clarke: The Chief Medical Officer's group of medical and pharmaceutical experts, set up to advise us on the contents of the selected list, considered that the drugs which remain available under the National Health Service met all clinical needs in the therapeutic categories concerned. We expect that implementation of our proposals for an appeal mechanism in exceptional circumstances would result in the prescription of very few scheduled drugs, with minimal effect on the selected list savings.

Housing (Health Effects)

Mr. Dobson asked the Secretary of State for Social Services whether his Department has made any study of the impact on health of poor or overcrowded housing.

Mr. John Patten: We are aware of various studies which have been made into possible relationships between housing and health, and there is liaison between officials in this Department and in the Department of the Environment about the issues involved.

Legionnaire's Disease

Mr. Dobson asked the Secretary of State for Social Services if he will make a statement on Government-funded research into legionnaire's disease, giving details of each project funded since 1979, including the grant or budget, the number of researchers involved, the date of commencement of the project and the date of completion in the case of each project.

Mr. Kenneth Clarke: I shall let the hon. Member have a reply as soon as possible.

Human Tissue

Mr. Dobson asked the Secretary of State for Social Services if he has any plans to seek to amend the law on the sale and purchase of living human tissue; and if he will make a statement.

Mr. John Patten: The offering of human tissues for profit is contrary to a Council of Europe resolution to which this country is signatory, and is opposed by the Transplantation Society and the British Transplantation Society. We have no hesitation in condemning this abhorrent practice, and are at present considering the most effective way of preventing it. Unethical conduct by medical practitioners is a matter for the General Medical Council.

Fostering

Mr. Marlow asked the Secretary of State for Social Services what guidelines he issues to local authorities regarding the racial criteria to be used in the placement of children for fostering; and if he will make a statement.

Mr. John Patten: I shall let my hon. Friend have a reply as soon as possible.

Drug Companies

Mr. Meadowcroft asked the Secretary of State for Social Services what was the return on capital allowed to pharmaceutical companies in the financial year 1984-85, and the figure he is assuming for 1985-86 in making the estimates for the current year.

Mr. Kenneth Clarke: I shall let the hon. Member have a reply as soon as possible.

Acute Beds (Bloomsbury)

Mr. Dobson asked the Secretary of State for Social Services on what criteria he based his conclusion that the Bloomsbury health district has a surplus of acute beds.

Mr. Kenneth Clarke: I shall let the hon. Member have a reply as soon as possible.

Ambulance Staff Organisation

Dr. Glyn asked the Secretary of State for Social Services what progress he has made with the chairman of the West Berkshire health authority in recognising the Association of Professional Ambulance Personnel for industrial relations purposes; and if he will make a statement.

Mr. John Patten: We expect health authorities to recognise any organisation which a significant number of their staff have chosen to join. The association's request for recognition by West Berkshire is a matter for the health authority to determine and my hon. Friend may wish to write direct to the chairman.

NHS (Capital Assets)

Mr. Peter Bruinvels asked the Secretary of State for Social Services if he has received the report of the working party of the Association of Health Service Treasurers on managing capital assets in the National Health Service; and if he will make a statement.

Mr. John Patten: My right hon. Friend has received a copy of the working party's report which the association is distributing to all health service treasurers. The report points out that NHS revenue accounts do not at present show the annual cost of consuming and replacing capital assets, including equipment. It examines commercial practices in accounting for capital and sets out a number of proposals for introducing this principle into the accounts of health authorities. The working party emphasise that they are not merely seeking changes in the way information is presented but wish to provide a basis for the more efficient use by managers of the resources available for health care in this country.

I strongly endorse the report's central case that managers in the NHS need to be more fully aware of the value of the assets they manage and cost of using them,

and I should like to thank the association for the important contribution they have made in exploring practical ways of achieving this.

EMPLOYMENT

Youth Training

Miss Boothroyd asked the Secretary of State for Employment, pursuant to his reply of 30 April, *Official Report*, column *108*, what attempts are made to ascertain whether the 85 per cent. of ex-trainees who are not sent a questionnaire find work after completion of their training schemes; whether the 35 per cent. of those sent questionnaires and who do not respond are further contacted by *(a)* the Manpower Services Commission or *(b)* officials of his Department in an attempt to ascertain whether they found work after completion of their training; whether he will take steps to ensure that a larger percentage of ex-trainees are contacted for the purposes of compilation of post-youth training scheme statistics; and whether he will make a statement.

Mr. Peter Morrison: The 15 per cent. sample size for the regular follow-up survey of young people who leave the youth training scheme was chosen because it provides an accurate national picture of what happens to all leavers in each month, including those who are not contacted. It also generates reliable regional and area information each quarter.

At an early stage in the follow-up programme the Manpower Services Commission contracted an independent research organisation to conduct an interview survey of non-respondents. This showed that non-respondents to the postal survey were no different from respondents in their likelihood of being either unemployed or in jobs. Hence, I am satisfied that the existing arrangements for establishing the destinations of young people leaving the youth training scheme provide the best available information.

Private Training Agencies

Ms Clare Short asked the Secretary of State for Employment what is the proportion and number of locally approved mode A places run by private training agencies in *(a)* Wolverhampton and Walsall, *(b)* Dudley and Sandwell, *(c)* Nottinghamshire, *(d)* Staffordshire, *(e)* Liverpool Outer, *(f)* Liverpool Inner, *(g)* Cheshire, *(h)* Oldham, Tameside and Stockport, *(i)* Bolton, Bury, Rochdale and Wigan, *(j)* Glasgow City, *(k)* Edinburgh Central and Fife, *(l)* Sheffield and Rotherham and *(m)* Northumberland, North Tyneside and Newcastle.

Mr. Peter Morrison: The information requested is in the table (the figures relate to 1984-85).

Area	*Total contracted mode A places*	*Contracted places *private training organisations*	*Percentage private training places of total mode A*
Wolverhampton and Walsall	4,200	1,193	28·4
Dudley and Sandwell	4,085	1,531	37·5
Nottinghamshire	6,363	1,008	15·8
Staffordshire	8,819	2,492	28·3
Liverpool Outer	3,705	1,295	35·0
Liverpool Inner	4,855	2,624	54·0
Cheshire	3,435	2,215	64·5
Oldham, Tameside and Stockport	3,679	1,169	31·8
Bolton, Bury, Rochdale and Wigan	4,176	869	20·8
Glasgow City	6,706	1,634	24·4
Edinburgh, Central and Fife	7,600	1,584	20·8
Sheffield and Rotherham	5,288	824	15·6
Northumberland, North Tyneside and Newcastle	2,751	1,050	38·2

* Private training organisations are defined as private companies whose business is wholly or partly the provision of training services to commerce and industry. Group training associations and other industrial training bodies are excluded.

Private training organisations either existed prior to the youth training scheme as commercial training providers or have been set up in order to provide training for the scheme. In most cases the organisations provide the off-the-job training in their own centre and send trainees to other organisations for work experience.

Licences

Mr. Ashdown asked the Secretary of State for Employment if he will list in the *Official Report* all the different types of licences operated or granted by his Department and the year in which they first came into operation.

Mr. Peter Bottomley: This Department has been responsible for issuing licences for employment agencies and employment businesses since 1976.

The Health and Safety Executive is responsible for issuing several types of licences. These are listed, together with the year of origin in each case.

	Year
Licences to store explosives in factories and magazines	1875
Licences to import explosives	1875
Licences to manufacture ammonium nitrate fuel oil	1958
Licences to operate a nuclear installation	1960
Licences to import compressed acetylene	1978
Licences to work with asbestos coating	1984
Licences to work with asbestos insulation	1984
Licences to store petroleum spirit at sites*	1985

* Subject to the Notification of Installations Handling Hazardous Substances Regulations 1982.

Earnings

Mr. D. E. Thomas asked the Secretary of State for Employment if he will set out the number of workers in

England and Scotland who now earn less than the Council of Europe's decency thresholds on the same basis as his answer of 13 May, *Official Report*, columns 5-6.

Mr. Peter Bottomley: The new earnings survey indicates that in April 1984 about 25 per cent. of full-time adult employees in England and 30 per cent. of full-time adult employees in Scotland had gross weekly earnings for a full week of less than £108·30; the latter figure corresponding to 68 per cent. of the national average for all full-time adult employees. Although an advisory committee of the Council of Europe has suggested the figure of 68 per cent. of national full-time adult average earnings as significant in considering low pay, the figure has not been accepted or recognised by the United Kingdom or any other European country.

SCOTLAND

Rates

Mr. Craigen asked the Secretary of State for Scotland if he will publish in the *Official Report* the amount of rates collected in Scotland in each year from 1981-82; and if he will express the costs of both *(a)* lands valuation and *(b)* collection of rates as a percentage of the total.

Mr. Ancram: I shall reply to the hon. Member as soon as possible.

Lord James Douglas Hamilton asked the Secretary of State for Scotland (1) what is the average level of rates in 1985-86 for *(a)* owner-occupied properties and *(b)* houses in the public sector in Scotland;

(2) what is the average factor by which valuations have risen in the case of *(a)* owner-occupied property and *(b)* council houses and other houses in the public sector;

(3) what is the average multiplier in Scotland; what are the upper and lower ends of the multiplier factor; and if he will publish a table showing any variations as between regions and districts;

(4) what is the average rates bill in Scotland in 1985-86 of *(a)* owners of domestic properties and *(b)* council house tenants, and other houses in the public sector; and if he will publish a table giving the information, local authority by local authority;

(5) what was the nature and scope of the evidence on rentals paid in the domestic sector on which the recent valuation was based;

(6) if he will make a statement on the reasons for the differential increase in rateable values as between *(a)* small commercial ratepayers and *(b)* large commercial concerns, which have resulted from the recent revaluation;

(7) what is the average increase in the rate poundage in 1985-86 as compared with 1984-85 in each district and region in Scotland for *(a)* domestic ratepayers, *(b)* commercial ratepayers and *(c)* industrial ratepayers; and if he will publish the information in the form of a table.

Mr. Ancram: I shall reply to my hon. Friend as soon as possible.

Licences

Mr. Ashdown asked the Secretary of State for Scotland if he will list in the *Official Report* all the different types of licences operated or granted by his Department and the year in which they first came into operation.

Mr. George Younger: I regret that this information is available only at a disproportionate cost.

Kidney Patients

Mr. McTaggart asked the Secretary of State for Scotland if he will publish in the *Official Report* the numbers on the waiting list for renal dialysis in *(a)* the Greater Glasgow health board area, *(b)* the west of Scotland and *(c)* Scotland.

Mr. John MacKay: All patients referred for treatment for end-stage renal failure who are considered likely to benefit from renal dialysis are receiving appropriate treatment and there are no waiting lists.

Mr. McTaggart asked the Secretary of State for Scotland what has been the total expenditure on hospital-based renal treatment in *(a)* the Greater Glasgow health board area and *(b)* Scotland in each of the last five years for which figures are available.

Mr. John MacKay: This information is not collected centrally. The hon. Member may wish to write to the health boards which provide renal treatment—Greater Glasgow, Lothian, Tayside, Grampian and Highland.

Mr. McTaggart asked the Secretary of State for Scotland if he will publish in the *Official Report* (i) the number of beds and (ii) the number of nurses allocated to renal dialysis units in hospitals in *(a)* the Greater Glasgow health board area, *(b)* the west of Scotland and *(c)* Scotland, in each of the last five years for which figures are available.

Mr. John MacKay: This information is not available centrally. The hon. Member may wish to approach the health boards which provide renal treatment for information on these points.

Mr. McTaggart asked the Secretary of State for Scotland (1) what have been the numbers of renal transplant operations carried out in *(a)* the Greater Glasgow health board area, *(b)* the west of Scotland and *(c)* Scotland in each of the past five years for which figures are available;

(2) if he will publish in the *Official Report* the number of renal patients on *(a)* hospital dialysis, *(b)* home dialysis, and *(c)* peritoneal dialysis in (i) the Greater Glasgow health board area, (ii) the west of Scotland and (iii) Scotland, in each of the last five years for which figures are available;

(3) what has been the annual acceptance rate per million of the total population of new renal patients for treatment in the following areas, in each of the past five years for which figures are available: *(a)* the Greater Glasgow health board area, *(b)* the west of Scotland and *(c)* Scotland.

Mr. John MacKay: The services provided by Greater Glasgow health board for the treatment of end-stage renal failure cover, as well as its own area, the areas of Argyll and Clyde, Ayrshire and Arran, Dumfries and Galloway, Forth Valley (part), Lanarkshire and the Western Isles health board. The relevant statistics for the whole of the West of Scotland, so far as these are available centrally, are included in the figures for Greater Glasgow given in the accompanying table.

		1979	1980	1981	1982	*1983	*1984
Transplant operations	(a) Greater Glasgow	33	47	44	54	65	86
	(b) Scotland	59	90	70	104	132	142
Patients on hospital dialysis	(a) Greater Glasgow	85	80	80	84	124	91
	(b) Scotland	159	152	163	177	212	n.y.a.
Patients on home dialysis	(a) Greater Glasgow	79	72	74	83	96	118
	(b) Scotland	203	194	186	184	179	n.y.a.
Patients on peritoneal dialysis	(a) Greater Glasgow	not	52	56	66	88	154
	(b) Scotland	available	75	99	151	187	n.y.a.
Acceptance rate of new renal patients per million of the population	(a) Greater Glasgow	10·7	21·1	25·3	30·8	36·9	n.y.a.
	(b) Scotland	9·1	22·9	22·8	31·0	41·2	n.y.a.

* Provisional.
n.y.a. = not yet available.

UHT Milk

Mr. D. E. Thomas asked the Secretary of State for Scotland how much UHT milk is currently consumed in Scotland; and how much of this consumption consists of milk produced in *(a)* Britain, *(b)* the European Economic Community and *(c)* the rest of the world.

Mr. John MacKay: The information requested is not available in the form requested. An estimated 6 million litres of UHT milk were sold in Scotland in the year ended 31 March 1984. Approximately 99 per cent. of total UHT milk sold in Great Britain in 1984 was produced in Great Britain with the balance being accounted for by imports from the European Economic Community.

Speech Therapy

Mr. Tom Clarke asked the Secretary of State for Scotland if he is satisfied with the provision of speech therapy facilities in Drumpark and Deanbank schools, Lanarkshire; and if he will make a statement.

Mr. John MacKay: Speech therapy provision is the responsibility of Lanarkshire health board. Whilst the Scottish Home and Health Department is not aware of any difficulties in recruitment of speech therapists their deployment to schools such as Drumpark and Deanbank is a matter for the health board in conjunction with the local education authority.

Defective Houses

Lord James Douglas-Hamilton asked the Secretary of State for Scotland what is his policy with regard to the time scale within which defective houses should be repaired under the Housing Defects Act.

Mr. Ancram: The designation order made under the Housing Defects Act specifies a period of 10 years from 1 December 1984 within which persons may seek assistance under the Act. Now that the warranty scheme for the repair of houses covered by the Act has been approved by the National House-Building Council, designers and builders will shortly be invited to submit systems of repair of PRC houses for approval. I would hope that the first approval of repair systems can be given within the next few months so that a start can be made on repairs to houses before the end of the year.

Birth Statistics

Lord James Douglas-Hamilton asked the Secretary of State for Scotland what percentage of total live births in Scotland for each of the last 20 years was represented by children who were born to unmarried parents.

Mr. John MacKay: The information is as follows:

Illegitimate births: 1965-84

	Total births	Illegitimate births	Percentage
1965	100,660	5,883	5·84
1966	96,536	6,160	6·38
1967	96,221	6,663	6·92
1968	94,786	6,998	7·38
1969	90,290	6,733	7·46
1970	87,335	6,712	7·69
1971	86,728	7,029	8·10
1972	78,550	6,661	8·48
1973	74,392	6,520	8·76
1974	70,093	5,349	9·06
1975	67,943	6,314	9·29
1976	64,895	6,025	9·28
1977	62,342	5,968	9·57
1978	64,295	6,304	9·80
1979	68,366	6,960	10·18
1980	68,892	7,678	11·14
1981	69,054	8,447	12·23
1982	66,196	9,395	14·19
1983	66,078	9,581	14·72
1984*	65,106	10,640	16·34

*Provisional figures.

Written Answers to Questions

Friday 17 May 1985

WALES

School Meals

Mr. Gordon Brown asked the Secretary of State for Wales if he will list the average price of school meals in primary and secondary schools in each local education authority and in Wales as a whole at the latest date for which information is available.

Mr. John Stradling Thomas: At September 1984, average prices of a fixed school meal for pupils in Wales were:

Local Education Authority	*Primary (pence)*	*Secondary (pence)*
Clwyd	55	55
Dyfed	60	60
Gwent	55	55
Gwynedd	55	60
Mid Glamorgan	50	60
Powys	55-70	55-70
South Glamorgan	55	60
West Glamorgan	55	55

The Wales average is about 55p in primary schools and 60p in secondary schools.

OVERSEAS DEVELOPMENT

Ethiopia and Sudan

Sir Patrick Wall asked the Secretary of State for Foreign and Commonwealth Affairs what aid has now reached Eritrean refugees in Ethiopia and in the Sudan.

Mr. Rifkind: Only a very small proportion of the emergency assistance that Britain and other donors are providing for victims of the famine in Ethiopia has been directed specifically to Eritrea. The Ethiopian Government have estimated that 12,500 tonnes of grain are needed in Eritrea each month. We understand that much less than this is being delivered, and we support the efforts of the UN Co-ordinator to improve the distribution of relief supplies to Eritrea. In recent months we have provided about £4 million to victims of the famine in Ethiopia who have sought refuge in east Sudan, including those from Eritrea.

Aid Expenditure

Dr. Cunningham asked the Secretary of State for Foreign and Commonwealth Affairs what is the real value of United Kingdom overseas aid expenditure to recipient countries in each year since 1979-80, after allowing for inflation.

Mr. Rifkind: Since 1979-80 overseas aid expenditure in cash and in constant 1984-85 prices using the index of inflation derived from changes in United Kingdom gross domestic product has been as follows:

Year	*Current Prices*	*Constant 1984-85 prices*
1979-80	834	1,273
1980-81	968	1,245
1981-82	1,016	1,189
1982-83	1,033	1,131
1983-84	1,100	1,152
1984-85*	1,174	1,174

* Gross aid programme allocation: actual expenditure figures for 1984-85 are not yet available.

TRADE AND INDUSTRY

Manufactures (Statistics)

Mr. Gould asked the Secretary for Trade and Industry if he will publish in the *Official Report* a table showing for each year since 1980 and the latest month for which figures are available the United Kingdom export price index for manufactures on local currency terms and similar figures for principal industrial countries, together with such equivalent information as is available to him about *(a)* Norway, *(b)* Sweden, *(c)*Austria, *(d)* Switzerland and *(e)* Finland, respectively.

Mr. Channon: The available information is in the table.

Exports of Manufactures Unit Value Indices (in Local Currency)
1980=100

	1981	*1982*	*1983*	*1984*	*March 1985*
United Kingdom	107·1	114·9	125·5	135·5	146·3
USA	112·4	119·2	120·4	121·4	†
France	111·6	129·0	143·0	159·5	†
Germany (FR)	105·6	112·4	113·9	116·9	†
Italy	119·7	137·1	146·8	159·5	†
Netherlands	113·7	117·8	117·9	126·0	†
Belgium/Luxemburg	108·5	123·4	131·3	138·9	†
Sweden	109·0	122·5	137·5	147·7	†
Switzerland	107·9	114·0	118·6	124·2	†
Canada	108·0	110·1	108·3	109·8	†
Japan	102·9	108·8	101·7	101·6	†
Norway	106·6	109·9	118·1	129·2	†
Austria	105·9	110·5	110·2	114·4	†
Finland*	111·0	120·0	127·0	*133·0	†

* 1984 is based on three quarters average.
† Not available.
Sources: United Kingdom—Department of Trade and Industry
Finland—United Nations
All other countries—International Monetary Fund

AGRICULTURE, FISHERIES AND FOOD

Mr. W. Wakeham (Decommissioning Grant)

Mr. Steen asked the Minister of Agriculture, Fishers and Food if he will now make payment of the decommissioning grant of £28,844 promised to Mr. W. Wakeham of 53 Hill Park Road, Brixham, Devon, and contained in a letter to Mr. Wakeham dated 31 October 1984 reference SW/84/12/D and signed by C. R. George on behalf of his Ministry; and if he will make a statement;

(2)if he will investigate the circumstances in which Mr. W. Wakeham of 53 Hill Park Road, Brixham, Devon, has still not received the decommissioning grant on his ex-fishing vessel Devon Ray, on which a grant of £28,844 is payable.

Mr. MacGregor: I shall reply to my hon. Friend as soon as possible.

HOME DEPARTMENT

Prison Service (Chief Education Officer)

Mr. Greenway asked the Secretary of State for the Home Department why the post of chief education officer for the prison service has been down graded from assistant secretary level to that of senior principal; what changes in duties and responsibilities the downgrading of this post signifies; if the downgrading of this post indicates that prison education is to be given a lower priority; and what implications it has for the management structure of the chief education officer's branch.

Mr. Mellor: The post—which was not previously graded at assistant secretary (grade 5) level but was pitched as a departmental grade in between grade 5 and grade 6—is being brought into the unified grading structure at level 6. The alternative, which would have been to upgrade the post, was not considered appropriate. There will be no change in the duties of the post or in the management structure of the chief education officer' sbranch, nor does this signify any change in the priority given to prison education.

Local Government (Grants)

Ms. Clare Short asked the Secretary of State for the Home Department if he will list the grant paid under section 11 of the Local Government Act 1966 to each local authority in receipt of such funding for each of the last three years.

Mr. Waddington: Grant paid to local authorities up to and including 15 May in respect of the last three financial years for which information is available is shown in the table.

In some cases the sums paid are not final settlements. These will be determined after audit, or further scrutiny by the Home Office, of the claims on which they are based.

Grant under Section 11 of the Local Government Act 1966

	1981-82 £	*1982-83* £	*1983-84* £
Non-met. county councils			
Avon	1,505,453	1,666,117	1,821,851
Bedfordshire	870,174	970,315	982,458
Berkshire	1,139,422	1,211,159	1,346,765
Buckinghamshire	499,102	566,009	576,016
Cambridgeshire	358,044	412,727	451,283
Cleveland	113,115	148,602	171,389
Derbyshire	552,354	645,370	723,937
Essex	Nil	Nil	4,238
Gloucestershire	92,470	105,591	119,021
Hampshire	44,343	41,945	86,598
Hertfordshire	216,667	460,945	570,313
Kent	219,050	208,298	254,066
Lancashire	1,603,334	1,879,765	2,239,616
Leicestershire	1,684,994	1,901,199	2,189,995
Northamptonshire	177,930	229,790	320,195
North Yorkshire	Nil	Nil	1,937
Nottinghamshire	876,408	968,014	1,086,748
Oxfordshire	121,562	164,119	227,532
Shropshire	7,544	11,543	15,776
Staffordshire	96,528	106,871	138,154
Suffolk	21,693	37,538	57,580
Warwickshire	496,229	536,618	582,091
West Sussex	Nil	2,134	6,377
Wiltshire	4,571	22,070	18,066
Met. county councils			
West Midlands	Nil	14,969	28,320
West Yorkshire	Nil	Nil	15,576
Non-met. districts			
Avon			
Bristol City C.	11,215	6,333	7,367
Bedforshire			
Luton Borough C.	3,378	3,815	10,185
North Bedforshire B.C.	9,992	9,605	2,977
Berkshire			
Reading Borough C.	10,495	11,085	12,043
Slough Corp	8,837	8,298	5,209
Buckinghamshire			
Aylesbury Vale D.C.	447	316	281
Derbyshire			
Derby City C.	2,116	8,137	15,938
Wycombe District C.	7,052	5,516	16,767
Hampshire			
Southampton City C.	8,789	16,901	6,301
Hertfordshire			
North Herts D.C.	509	624	683
Humberside			
Scunthorpe B.C.	Nil	Nil	1,814
Lancashire			
Blackburn B.C.	14,668	12,380	16,103
Hyndburn B.C.	Nil	Nil	3,947
Pendle B.C.	10,426	11,264	11,294
Preston B.C.	504	228	285
Leicestershire			
Leicester City C.	30,512	70,284	82,432
North Hampshire			
Northampton B.C.	335	352	373
Wellingborough B.C.	434	101	144
Nottinghamshire			
Nottingham City C.	Nil	1,946	18,684
Oxfordshire			
Oxford City C.	1,997	2,885	8,096
Suffolk			
Ipswich Borough C.	6,999	19,902	30,138
Warwickshire			
Rugby Borough C.	149	80	2,320
Warwick C.	71	165	Nil
Met. districts			
Greater Manchester			
Bolton M.B.C.	372,173	396,436	456,353
Bury M.B.C.	Nil	4,506	57,430
Manchester City C.	1,885,805	2,136,776	2,313,951
Oldham M.B.C.	578,162	725,061	914,543
Rochdale M.B.C.	496,053	644,633	723,492
Tameside M.B.C.	104,521	119,404	140,918
Trafford B.C.	148,753	160,331	225,212
Merseyside			
Liverpool City C.	Nil	2,384	23,255
South Yorkshire			
Rotherham M.B.C.	98,002	108,516	132,632
Sheffield M.D.C.	297,870	563,102	675,452
Tyne and Wear			
Newcastle City C.	Nil	Nil	9,853
Sunderland B.C.	Nil	Nil	29,229
West Midlands			
Birmingham City C.	2,955,077	3,100,890	3,749,926
Coventry City C.	1,418,453	1,612,003	1,756,703
Dudley M.B.C.	522,988	533,196	631,694
Sandwell M.B.C.	2,118,753	2,116,199	2,233,554
Walsall M.B.C.	1,711,344	1,861,642	1,937,798
Wolverhampton M.B.C.	1,831,377	2,024,314	2,219,321
West Yorkshire			
Bradford City M.C.	2,365,986	2,821,937	3,239,021
Calderdale M.B.C.	187,627	322,711	322,846
Kirklees M.C.	958,038	1,068,138	1,165,247

	1981-82 £	1982-83 £	1983-84 £
Leeds City C.	837,499	978,692	1,304,615
Wakefield M.D.C.	Nil	Nil	4,373
London boroughs			
Camden	102,283	268,229	422,135
Greenwich	101,152	74,461	106,593
Hackney	50,727	1,937,360	1,533,243
Hammersmith	31,156	117,172	162,088
I.L.E.A.	11,121,547	12,264,833	13,453,211
Islingtoff	386,228	613,619	1,571,426
Kensington and Chelsea	124,286	140,127	189,490
Lambeth	155,209	214,172	268,520
Lewisham	29,350	23,963	25,623
Southwark	52,318	69,160	167,712
Tower Hamlets	102,989	980,756	1,243,946
Wandsworth	97,850	159,389	252,029
Westminster	13,027	21,587	38,325
Barking	85,016	91,661	98,968
Barnet	355,278	372,608	554,664
Bexley	Nil	Nil	42,833
Brent	2,770,576	3,703,913	4,018,361
Croydon	625,660	700,926	747,206
Ealing	2,235,490	1,986,322	2,968,260
Enfield	221,533	249,519	268,885
Haringey	2,084,974	1,898,034	1,909,465
Harrow	299,764	352,083	402,699
Hillingdon	167,576	186,416	205,952
Hounslow	509,201	635,840	705,515
Merton	154,223	164,117	209,690
Newham	1,189,958	1,402,842	1,260,265
Redbridge	323,636	466,660	517,955
Richmond	26,201	28,611	28,604
Waltham Forest	941,656	1,028,636	1,270,837
G.L.C.	10,731	49,614	110,363
Wales			
South Glam. C.C.	Nil	Nil	57,658

Licences

Mr. Ashdown asked the Secretary of State for the Home Department if he will list in the *Official Report* all the different types of licences operated or granted by his Department and the year in which they first came into operation.

Mr. Brittan: The information requested is as follows:

Type of licence	*Year in which licence came into operation*
To undertake a house to house collection	1939
To remove (exhumane) human remains	1857
To conduct scientific experiments on living animals	1876
To kill or take seals	1970
To import or export a controlled drug	1973
To produce, supply or possess a controlled drug	1973
To administer or supply heroin, cocaine or dipipanone* to drug addicts	†1973
Shotgun certificate	1968
Authority to hold weapons capable of discharging noxious liquids or gases	1920
Authority to hold continuous fire weapons (such as machine guns)	1937
Licence issued under s. 60 of the Criminal Justice Act 1967 to persons serving sentences of imprisonment other than imprisonment for life	1968
Licence issued under s. 60 of the Criminal Justice Act 1967 to persons detained otherwise than for life under s.53 of the Children and Young Persons Act 1933 (young offenders convicted of grave crime)	1968
Licence under s.60 of the Criminal Justice Act 1967 to young offenders serving sentences of youth custody under s.1 of the Criminal Justice Act 1982	1983
Licence under s.61 of the Criminal Justice Act 1967 to persons sentenced to life imprisonment, detention during Her Majesty's Pleasure, and detention or custody for life	‡1968
Broadcasting licences:	
Licence to broadcasting authorities	1923
Induction field licence	1970
Community television relay licence	1981
Special event licence	1984
Broadcast receiving licences:	
Television Licence (Monocrhome) General Form	1946
Television Licence (including colour) General Form	1968
Television Licence (including colour)	1968
Television Licence (Monochrome) Multiple Form	1957
Television Licence (including colour) Demonstration General Form	1968
Television Licence (including colour) Demonstration Multiple Form	1968
Television Licence (including colour)	
Accommodation for Residential Care Composite Form	1984
Television Receiving Licence Hotels Comprehesive Form	1985

* 1984† under current legislation; similar licences operated under earlier legislation.

‡ Similar provisions in existence since 1957.

Prisoners (Police Cells)

Mr. Kilroy-Silk asked the Secretary of State for the Home Department, pursuant to the answer of 8 May, *Official Report*, column *407*, what are the industrial relations problems that make it necessary to detain remand prisoners in police and court cells.

Mr. Mellor: Industrial action by prison staff leading to prisoners being held in police cells has taken place at five establishments during 1985. The issues were as follows:

(a) attempts to reduce operating capacity;

(b) refusal to admit prisoners after a given hour;

(c) refusal to admit prisoners diverted from another establishment;

(d) the reception and management of prisoners possibly suffering from AIDS or hepatitis.

Mr. Kilroy-Silk asked the Secretary of State for the Home Department, pursuant to the answer of 8 May, *Official Report*, column *407*, what are the transport and other logistical problems that make it necessary to detain remand prisoners in police and court cells.

Mr. Mellor: Prisoners from London magistrates' courts pass through a central clearing house from whence they are delivered to the appropriate establishments. This operation can occasionally be disrupted by factors such as the late sitting of a court, traffic delays, vehicle breakdowns or staff sickness with the result that prisoners sometimes cannot be delivered before the prison reception closes for the night.

Board and Lodging Payments (Regulations)

Mr. Knox asked the Secretary of State for the Home Department what assessment he has made of the implications of the new regulations on board and lodging accommodation payments for the electoral registration of supplementary benefit claimants living temporarily in such accommodation.

Mr. Mellor: Generally speaking, someone living at board and lodging accommodation for the periods mentioned in the regulations would be unlikely to qualify to register as an elector for that address, although he could qualify to register as an elector elsewhere. The decision in any individual case would be a matter for the electoral registration officer, who is answerable to the courts.

Shoplifting

Mr. Watts asked the Secretary of State for the Home Department whether he has any plans to change the penalties available to the courts for the offence of shoplifting.

Mr. Mellor: No.

Sunday Trading

Mr. Greenway asked the Secretary of State for the Home Department what information he has as to the number of people currently engaged in Sunday trading; and if he will make a statement.

Mr. Mellor: This information is not collected by the Department on a routine basis.

Unconvicted Male Prisoners

Mr. Kilroy-Silk asked the Secretary of State for the Home Department why, in the light of his statement of 25 January in reply to the hon. Member for Knowsley, North, *Official Report*, columns 533-34, that the problem of unconvicted adult male prisoners being held in police cells had been dealt with, there were 34 unconvicted adult males held in police cells on the night of 25 January.

Mr. Mellor: There was a sudden surge in the population that day which could not be accommodated because of essential maintenance work in B wing at Brixton.

Vietnamese Refugees

Sir Patrick Wall asked the Secretary of State for the Home Department what reply he has made to the request to Her Majesty's Government by the United Nations High Commissioner for Refugees to take in more Vietnamese refugees from closed camps in Hong Kong.

Mr. Waddington: The Government's policy towards Vietnamese refugees in Hong Kong is currently being reviewed in the light of recommendations made by the Home Affairs Committee in its report on refugees and asylum, with special reference to the Vietnamese.

BBC (Peacock Committee)

Mr. Brinton asked the Secretary of State for the Home Department whether he is now in a position to announce the membership of the Peacock committee reviewing the finances of the British Broadcasting Corporation.

Mr. Brittan: I am pleased to announce that the following have accepted my invitation to serve as members of the committee on financing the BBC under the chairmanship of Professor Peacock:

Mr. Samuel Brittan
Miss Judith Chalmers
Mr. Jeremy Hardie
Professor Alastair Hetherington
Lord Quinton
Sir Peter Reynolds

EMPLOYMENT

Work Permits

Mr. Wheeler asked the Secretary of State for Employment how many work permits have been granted to foreign nationals working in Inner London and the rest of the United Kingdom in the last 12 months.

Mr. Alan Clark: Separate statistics of work permit issues for work in the inner London area are not maintained. In the year ending 31 March 1985 approval was given for 11,839 foreign nationals to work in the United Kingdom.

Labour Statistics

Mr. Wheeler asked the Secretary of State for Employment if he will carry out a survey into the number of job vacancies in inner London and the reasons why these are not being filled by United Kingdom residents.

Mr. Alan Clark: There is no evidence that the cost of such a survey would be justified.

Mr. Wheeler asked the Secretary of State for Employment what is his estimate of the number of European Community nationals working in inner London and the rest of the United Kingdom at the present time.

Mr. Alan Clark: The latest available information comes from the 1983 Labour force survey which showed that an estimated 350,000 nationals of member states of the European Community, other than the United Kingdom, were in employment in the United Kingdom. Of these, it is estimated that 130,000 were resident in Greater London and 220,000 elsewhere, but the location of their employment was not identified in the survey.

Skillcentres

Mr. Tom Cox asked the Secretary of State for Employment if he will list the skillcentres covering the Greater London council area at 1 May.

Mr. Peter Morrison: At 1 May there were six skillcentres and one skillcentre annexe covering the Greater London area. They are as follows:

Barking, Deptford, Enfield, Perivale, Twickenham, Waddon and Waddon Annexe in Sydenham.

Additionally, a number of skillcentre classes for adults were running at the young persons training centre in Lambeth.

Mr. Tom Cox asked the Secretary of State for Employment what is the number of *(a)* men and *(b)* women at present taking courses at skillcentres in the Greater London council area.

Mr. Peter Morrison: At 13 May there were 744 men and 64 women undergoing training in skillcentres in the Greater London council area.

Trans Promotions Ltd.

Mr. Sheerman asked the Secretary of State for Employment (1) what information he has on the number of staff employed by Trans Promotions Ltd. in running its youth training schemes in each relevant Manpower Services Commission area; how this information compares with the average figures given in the report to the Manpower Services Commission youth training board of the Manpower Services Commission survey of scheme providers, paper YTB 85/14, annex A, paragraph 1.1; and if he will make a statement;

(2) whether the Manpower Services Commission undertook any financial checks into the standing of the youth training scheme managing agent Trans Promotions Ltd. prior to the signing of a contract between Trans Promotions Ltd. and the Manpower Services Commission; and whether there are any plans to conduct such a check in the future;

(3) what steps he has taken to satisfy himself that the youth training schemes run by Trans Promotions Ltd. meet the minimum criteria of the Manpower Services Commission; and if he will make a statement;

(4) on what dates the large companies unit, the large companies sub group of the youth training board, and the youth training board of the Manpower Services Commission approved a contract to provide youth training scheme places between the Manpower Services Commission and the managing agent Trans Promotions Ltd.; on what dates the renewal of the contract for 1984-85 was approved; on what dates a list of work experience provides for 1984-85 was approved; and what steps he has taken to satisfy himself as to the actions of the above bodies and as to the adequacy and accuracy of the list of work experience providers;

(5) how many places on the youth training scheme are being offered by the managing agent Trans Promotions Ltd. nationally and by Manpower Services Commission area in the current year; how many trainees were in training in these places nationally and by Manpower Services Commission area on the latest available date; and how many trainees have entered such places by Manpower Services Commission area and nationally in the current year.

Mr. Peter Morrison: I shall reply to the hon. Member as soon as possible.

NORTHERN IRELAND

Home Helps

Ms. Harman asked the Secretary of State for Northern Ireland (1) what was the average hourly pay for home helps in each of the years 1974 to 1984 in Northern Ireland;

(2) how the average hourly pay for home helps in Northern Ireland relates to the average hourly pay for *(a)* full-time female manual workers and *(b)* full-time male manual workers in each of the years 1974 to 1984;

(3) what has been the real percentage change in the average hourly rate of pay for home helps in Northern Ireland in each of the years 1974 to 1984 measured against the retail pay index;

(4) if he will make a statement on the recent report of the joint working group on the home help service in Northern Ireland; and if he will make a statement on the future of the service;

(5) what has been the total number of recipients of the home help service in Northern Ireland for each of the years 1974 to 1984;

(6) what has been total expenditure, in real terms, on the home help service in Northern Ireland for each of the years 1974 to 1984;

(7) what has been the real cost of the home help service, in Northern Ireland, per recipient for each of the years 1974 to 1984;

(8) what percentage increase there has been in *(a)* the total number of recipients and *(b)* the total real expenditure on the home help service in Northern Ireland between 1974 and 1984.

Mr. Chris Patten: I shall reply to the hon. Member as soon as possible.

PRIVATISATION

Mr. Fry asked the Chancellor of the Exchequer what has been the cost to public funds, and what extra cost is anticipated, in relation to the pension rights of employees and former employees of *(a)* the National Freight Corporation, *(b)* Sealink and *(c)* industrial training boards.

Mr. Fry asked the Secretary of State for Transport what has been the gross benefit to public funds of the sale of *(a)* the National Freight Corporation and *(b)* Sealink to the private sector: and what was the net benefit after obligations for present and future pensions were taken into consideration.

Mr. Moore: I am also replying, on behalf of the Secretary of State for Transport, to a similar question tabled to him.

Gross proceeds from the sale of the National Freight Corporation were £53·5 million. Deficiencies of some £48·7 million in the National Freight Corporation pension funds were met from the proceeds of sale. After deduction of sale expenses, net sale proceeds were about £4·6 million. In addition, payments are made from public funds to national Freight Company pension funds to cover that part of their annual outgo attributable to the unfunded element of the National Freight Corporation's obligations to its pension funds incurred before 1 April 1975. These historic support payments, which total about £5 million a year, relate to employees who were transferred from British Rail to the National Freight Corporation in 1968, and are unaffected by the privatisation. Proceeds from the sale of Sealink were retained by British Rail and did not accrue to central Government. Payments are made from public funds to British Rail pension funds to cover that part of their annual outgo attributable to the unfunded element of the board's obligations to its pension funds incurred before 1 January 1975. These historic support payments, of which about £1 million a year relate to Sealink former employees, are unaffected by the privatisation. In addition, a once-for-all payment of some £5 million to £6 million will be required in respect of that part of the pension transfer value of British Rail pension fund members employed by Sealink at the date of privatisation which relates to pre-1975 unfunded obligations.

In respect of the industrial training boards the cost of the employer's contributions to the industrial training

boards pension funds required under the pension scheme rules,during the period April 1975 to December 1982 when the operating costs of the boards were met from the Exchequer, was £44 million.

In 1983 the industrial training boards pension funds were divided into an open fund which covers the employees of those boards which continue in existence; and a closed fund covering existing pensioners and the preserved benefits of former employees. Employers' contributions to the open fund are the responsibility of the boards and are met from income from levies on industry. No employers' contributions are made to the closed fund, but, since the industrial training boards operational funding had been the direct responsibility of the Government, they have given an undertaking that the pension entitlements due from the closed fund will be safeguarded should the fund at its actuarial reviews be shown to be deficient to meet its liabilities. So far this undertaking has not led to any cost on public funds and is not expected to do so in the foreseeable future.

EDUCATION AND SCIENCE

Open University (Undergraduate Places)

Mr. Kirkwood asked the Secretary of State for Education and Science what percentage of Open University new undergraduate places are already allocated, by overflow from previous years' applications, for the years 1986 and 1987; and if he will give the percentages for each region in Scotland.

Sir Keith Joseph: The university has not yet completed the admissions process for 1986 but estimates that about 42 per cent. of new undergraduate places will be filled by previous years' applicants. The estimated percentage for Scotland is 67 per cent. Information for 1987, or for the regions in Scotland, is not available.

Discretionary Grant Awards

Mr. Andrew F. Bennett asked the Secretary of State for Education and Science what information he has as to how many applications for discretionary grant awards have been made for each year since 1978-79; and how many have been granted *(a)* in full and *(b)* in part.

Mr. Brooke: Statistics on the number of applications are not collated. The number of new discretionary awards made in each year was as follows:

England and Wales

	1978-79	*1979-80*	*1980-81*	*1981-82*	*1982-83*
Number of students (000's) receiving a full-value discretionary award	31·0	29·3	27·7	28·4	29·6
receiving a lesser value discretionary award	47·3	50·0	47·0	57·9	60·7

Figures for 1983-84 are not yet available.

School Meals

Mr. Freud asked the Secretary of State for Education and Science whether he will list the proposed and actual expenditure on school meals for each year since 1979 in England in real terms.

Mr. Dunn: The actual expenditure on school meals for each year from 1980-81 to 1984-85 and the provision made by Government in the public expenditure White Paper immediately preceding that year are given in the table. The figures have been repriced to 1984-85 real terms using the gross domestic product (market prices) deflator.

	Planned Expenditure (1984-85 prices) £ million	*Actual Expenditure (1984-85 prices) £ million*
1980-81	351	508
1981-82	303	461
1982-83	354	448
1983-84	285	449
1984-85	263	415

Mr. Freud asked the Secretary of State for Education and Science whether he will list, for each year since 1980, the number of local education authorities which provide free school meals *(a)* to the statutory minimum of children only and *(b)* to more than the statutory minimum.

Mr. Dunn: The information requested on provision in England is available in the annual school meals censuses, reports on which are available in the Library.

Mr. Gordon Brown asked the Secretary of State for Education and Science if he will list the average price of school meals in primary and secondary schools in each local eduation authority and in England as a whole at the latest date for which information is available.

Mr. Dunn: English local education authorities, returns of the price of a fixed meal in their primary and secondary schools are in book 2 of the report on the 1984 school meals census, which is available in the Library. The average of the school meal prices reported is 55p.

NATIONAL FINANCE

Tax Allowances

Mr. Deakins asked the Chancellor of the Exchequer (1) by how much the value of income tax personal allowances has increased in real terms since 1979; how this amount has been distributed to each band of income taxpayers, both in total and in amount per taxpayer; and if he will make a statement;

(2) which income tax allowances have been increased by more than the rate of inflation since 1979; what were the real increases in each case; and what estimate he has made of the redistributional effects of these changes.

Mr. Moore: Information is in the following table:

	*Percentage increase in real terms**
Married man's allowance	21
Single person's and wife's earned income allowance	20
Additional personal allowance	22
Married age allowance	10
Single age allowance	11
Blind person's allowance	7

* Compared with movement in the retail prices index (RPI) between 1978-79 and 1985-86, assuming an increase of 5½ per cent. in the RPI between 1984-85 and 1985-86.

Information on the distribution of income tax reductions resulting from increases in allowance levels is shown in the following table. This has been compiled by comparing estimates of tax yields at 1985-86 levels of incomes with estimates of yields on the same incomes if 1978-79 levels of allowances, indexed according to the statutory formula, were to be substituted for the proposed 1985-86 allowances. The 1978-79 indexed allowances are calculated by reference to movements in the RPI between December 1977 and December 1984 reflecting the statutory formula.

Reductions in income tax in 1985-86 compared with 1978-79 indexed tax regime

Range of total income in 1985-86 £	*Reduction in tax due to allowance changes* £m.	*Tax units * million*	*Average reduction per tax unit**	*Reduction as percentage of average income in the range*
Under 5,000	440	3·9	†95	2·6
5,000-10,000	1,150	8·4	135	1·8
10,000-15,000	840	4·6	180	1·5
15,000-20,000	360	1·8	200	1·2
20,000-30,000	230	1·0	240	1·0
30,000-50,000	80	0·3	275	0·7
Over 50,000	30	0·09	330	0·4
Total	3,130	20·1	150	1·5

* Counting married couples as one.

† By reference to the estimated numbers of tax units who would be liable to pay tax under the indexed 1978-79 regime; this number is some 850,000 greater than the numbers paying tax in 1985-86 under the Budget proposals.

Business Expenses

Mr. Austin Mitchell asked the Chancellor of the Exchequer what is his estimate of the current amount of interest deducted from trading profits as a business expense.

Mr. Moore: This figure is not available from tax records. Estimates of interest payments by the company sector and public corporations are derived from alternative sources by the Central Statistical Office and published in tables 5·1 and 6·2 respectively of the national income Blue Book. No corresponding estimates are available in respect of trading by unincorporated bodies.

Mr. Austin Mitchell asked the Chancellor of the Exchequer what is his estimate of the amount expected to be claimed as a business expense for the purchase and operation of cars used for business purposes in the current financial year.

Mr. Moore: I regret that the expenses of operating cars for business purposes are not distinguished from other business expenses in tax records.

Capital allowances arising from the purchase of cars by private business are tentatively estimated at £2 billion in 1980, the latest year for which reliable figures are readily available.

Exchange Rates

Mr. Austin Mitchell asked the Chancellor of the Exchequer what were the changes in the real exchange of the pound sterling against *(a)* the United States dollar, *(b)* the deutschmark and *(c)* the yen from January 1985 to the most recent available date.

Mr. Ian Stewart: The information requested is as follows:

**Real Exchange Rates (percentage changes between January and February 1985)*

	Per cent.
Sterling/Dollar	+2·6
Sterling/Deutschmark	—1·0
Sterling/Yen	+0·2

* Calculated using bilateral exchange rates and relative wholesale export prices. Real exchange rate data are not available beyond February because no more recent relative export price figures have been released.

Building Societies (Directors)

Mr. Cohen asked the Chancellor of the Exchequer if he will introduce legislation to provide a uniform system whereby all building society ordinary investors have an equal opportunity to nominate directors to their building societies; and if he will make a statement.

Mr. Ian Stewart: Paragraph 5.14 of the Green Paper "Building Societies: A New Framework" (Cmnd. 9316), setting out the Government's proposals for building society legislation, suggested provisions to ensure that outside candidates have a fair chance to stand against those of the board. The Government are now considering the representations which they have received on the Green Paper. If the hon. Member wishes to raise particular points, perhaps he would write to me.

Business Expansion Scheme

Mr. Moynihan asked the Chancellor of the Exchequer whether personal tax relief is available under the terms of the business expansion scheme for qualifying individuals investing non-interest bearing loan capital in eligible companies without participation in the share capital of the company.

Mr. Moore: The business scheme provides income tax relief for individuals who invest in new, full risk, ordinary shares or qualifying companies with which they are not connected. Investments of loan capital, whether or not they carry interest, do not come within the scheme.

However, where a loan advanced to a person carrying on a trade, profession or vocation, and used wholly for the purposes of that activity, becomes irrecoverable, the loss may be set against other gains in determining the lender's liability to capital gains tax.

VAT (Hot Take-away Food)

Mr. Dover asked the Chancellor of the Exchequer pursuant to the answer of 12 November 1984 *Official Report*, column 189, when he will be in a position to give information on the estimated revenue received as a result of the value added tax being imposed on hot take-away food.

Mr. Hayhoe: I shall let my hon. Friend have a reply as soon as possible.

Financial Statement and Budget Report

Dr. McDonald asked the Chancellor of the Exchequer if, in the light of the projected privatisation of British Gas, he has made, or intends to make, any adjustment to his calculation of the implied cumulative fiscal adjustment, 1985-89, as outlined in table 2.5, line 13, of the "Financial Statement and Budget Report, 1985-86"; and if he will make a statement.

Mr. Moore: The estimated fiscal adjustment depends on the projections for Government expenditure and receipts and upon the path for public sector borrowing which the Government consider appropriate. These are reconsidered at Budget time in the light of all relevant factors, including the prospective receipts from the sale of British Gas and other asset sales.

Customs and Excise

Mr. Neil Hamilton asked the Chancellor of the Exchequer if he will list the provisions under which Her Majesty's Customs and Excise seek to require a person, in connection with any assigned matter, as defined in the Customs and Excise Managment Act 1979, to produce, furnish or deliver any document, or cause any document to be produced, furnished or delivered, or permit the Commissioners of Customs and Excise, or a person authorised by them, to inspect any document or to make or take extracts from or copies of or remove any document; and *(a)* which of these provisions is not concerned with the assessment, collection and enforcement of value added tax, car tax, customs duties, excise duties, betting and gaming duties or any penalties or interest related thereto and *(b)* which of these provisions Her Majesty's Customs and Excise seeks to apply to third parties.

Mr. Hayhoe: I shall let my hon. Friend have a reply as soon as possible.

Public Expenditure

Mr. Faulds asked the Chancellor of the Exchequer whether he will specify when and how parliamentary sanction was obtained to incur direct public expenditure for the surrendered balances of £1,695,000 in 1980-81, £62,000 in 1981-82 and £1,185,000 in 1983-84 on Votes under the equivalents of the current sub-heads Class V, Vote 10, Subhead C2 and Class VIII, Vote 4, Sub-head B5, by means of identical sums being credited to the non-surrenderable grants-in-aid which had been the subject of a Vote under the then equivalents of subheads C1 and B4; and if he will make a statement.

Mr. Peter Rees: I shall let the hon. Member have a reply as soon as possible.

ENVIRONMENT

Disabled People (Sporting Events)

Mr. Alton asked the Secretary of State for the Environment if, when the Minister with responsibility for sport next meets the chairman of the Sports Council, he will discuss the provision of spectator places for disabled people at major sports events.

Mr. Macfarlane: Decisions on seating arrangements at major sporting events are a matter for the organisers. I am not aware of any general problem in the provision of places for disabled people at such events, but the hon. Member has recently written to me about a specific case and I shall be replying to that letter very shortly.

County Councils (Assets)

Mr. Alan Howarth asked the Secretary of State for the Environment what information he has on the value of the property assets of each county council and the aggregate value of these assets.

Mr. Waldegrave: This information is not held centrally.

Fluoride

Mr. Lawrence asked the Secretary of State for the Environment what information he has as to the sources of imported fluoride used for fluoridating the public water supply; and if he will make a statement.

Mr. Macfarlane: One of the compounds currently used for fluoridation of water supplies, disodium hexafluorosilicate is imported. It is manufactured by a phosphate fertiliser company from mineral rocks containing both phosphate and fluoride.

Mr. Lawrence asked the Secretary of State for the Environment what steps are taken to monitor the fluoride content in the air in the United Kingdom.

Mr. Waldegrave: Monitoring of ambient levels of fluoride is carried out around specific industrial plants which give rise to fluoride emissions. Such plants also monitor stack emissions of fluoride as part of the control requirements laid down by the Industrial Air Pollution Inspectorate. Elsewhere, monitoring is not routinely carried out, because ad hoc studies have indicated that concentrations of fluoride in the atmosphere are generally very low, that is, between 0·5 and 1 microgrammes per cubic metre.

Mr. Lawrence asked the Secretary of State for the Environment what information he has as to the fluoride level in the air breathed by people in the Birmingham conurbation.

Mr. Waldegrave: I am advised that no industrial plants liable to give rise to fluoride emissions are situated in the Birmingham conurbation and, consequently, no monitoring of ambient levels of fluoride is carried out in this area.

Water (Nitrate Pollution)

Mr. Body asked the Secretary of State for the Environment whether he proposes to take any action about the level of nitrates in the water supply in accordance with the polluter pays principle.

Mr. Macfarlane: My Department has established a nitrate co-ordination group in conjunction with the Ministry of Agriculture, Fisheries and Food to look further into this and related questions.

Cormorants

Mr. Kilroy-Silk asked the Secretary of State for the Environment if he will take steps to ensure that section 16(1)*(k)* of the Wildlife and Countryside Act 1981, relating to the issuing of licences for the killing of cormorants, is applied uniformly both in Scotland and in England and Wales.

Mr. Waldegrave: All licensing authorities comply with general guidelines agreed by the Nature Conservancy Council. However, the problems caused by cormorants differ between Scotland and England and Wales. In England and Wales, the problems arise at fish farms and reservoirs, where deterrents to move the birds can be effective. In Scotland the problems affect extensive open water fishery systems where such deterrents are not effective. It is impracticable to adopt a completely uniform approach.

Water Rates

Mr. Gordon Brown asked the Secretary of State for the Environment what is the average water rate levied in each water authority area and in the United Kingdom as a whole; and by how much those rates have increased in real terms since 1979.

Mr. Macfarlane: This information is set out in the table in respect of water authorities in England and Wales. For the rest of the United Kingdom, I will ask the Secretaries of State for Scotland and for Northern Ireland to write to the hon. Member.

Water service charges England and Wales 1979-80 compared to 1985-86
Average household bill for water services

Water authority	*1979-80* £	*1985-86* £	*Percentage increase 1979-80 to 1985-86*
North West	37·90	77·57	105
Northumbrian	33·94	80·38	137
Severn-Trent	40·51	76·16	88
Yorkshire	39·36	82·30	109
Anglian	48·83	105·98	117
Thames	38·62	80·75	109
Southern	43·80	91·72	109
Wessex	57·22	95·35	67
South West	54·57	104·59	92
England (average)	41·47	84·56	104
Welsh	49·08	103·91	112
England and Wales (average)	41·98	85·85	105
RPI (March)	210·6	366·1	74

* Provisional figures.

House Transfers

Mr. Watson asked the Secretary of State for the Environment when he will announce the conclusions of the review of the house transfer system announced by his right hon. and learned Friend the Solicitor-General, *Official Report*, 17 February 1984, column 347; and if he will make a statement.

Mr. Patrick Jenkin: The report of the interdepartmental group on simplifying house buying has been published today. Copies have been placed in the Library. I hope that this report will contribute to simpler and cheaper procedures for buying and selling property in this country. The Government will consider this report along with the second report of the conveyancing committee, chaired by Professor Farrand, in consultation with those affected by their recommendations.

TRANSPORT

Assessment Studies

Mr. Tony Banks asked the Secretary of State for Transport what respective priority he will give to *(a)* local residents and *(b)* through traffic when the problems of local people are identified in the assessment studies.

Mrs. Chalker: It would not be sensible for anyone to anticipate the findings of the consultants' reports. I have already said that we shall seek to achieve a balance between all the conflicting priorities.

Traffic Management Systems (London)

Mr. Tony Banks asked the Secretary of State for Transport if he will detail the circumstances under which he will use his reserve powers to take control of traffic management systems in London.

Mrs. Chalker: I shall answer this question shortly.

Directional Signs (Fencing)

Mr. Steen asked the Secretary of State for Transport what is the current cost of erecting fencing around individual directional signs; and what is the estimated cost of so doing on all directional signs on the A38 between Exeter and Plymouth.

Mrs. Chalker: It is the Department's policy to erect safety fencing to protect large directional signs. Average costs are not available as there is considerable variance according to the size and location of the signs to be protected. The A38 between Exeter and Plymouth has 121 signs which require protection at a cost of £145,000. The sum of £80,000 has already been spent protecting 67 of these signs as part of a continuing programme.

A38 (Safety Fencing)

Mr. Steen asked the Secretary of State for Transport when he expects to publish the results of his review into the criteria relating to the provision of safety fencing on the A38 between Exeter and Plymouth.

Mrs. Chalker: I shall answer this question shortly.

Motorways (Use)

Mr. Peter Bruinvels asked the Secretary of State for Transport (1), pursuant to the answer of 10 may to the hon. Member for Leicester, East, *Official Report*, column *515*, whether his Department asked for or received any payment in return for the use by a film company of an unopened stretch of the Leatherhead interchange section of the M25 on 1 May; and if he will make a statement;

(2) what is his policy with regard to *(a)* the granting of permission to and *(b)* requesting payment from private organisations or individuals for the use of unopened sections of motorways or other public roads for which he has responsibility; and if he will make a statement.

Mrs. Chalker: We consider each request to use unopened sections of trunk road on its merits. Permission is not given where there is a danger of significant nuisance to local residents or the road might be damaged. No charge is made, but the organisation must agree to indemnify the Department against any claims. No charge was therefore made for the use of the Leatherhead interchange on 1 May.

Road Building

Mr. Tony Banks asked the Secretary of State for Transport if he will assess the effect on the opportunities for and ease of major road building in London of the proposed powers contained in the Local Government Bill for trunking roads without inquiry.

Mrs. Chalker: As was made clear to the Commons Committee on the Local Government Bill, of which the hon. Member was a member, the proposed powers are concerned only with transfer of ownership of the roads and can have no effect on established procedures for public consultation and inquiry for any traffic or highway schemes that might be proposed.

Mr. Tony Banks asked the Secretary of State for Transport what changes he envisages to the planning inquiry system currently under review to accelerate the planning process for major road schemes in urban areas.

Mrs. Chalker: My right hon. Friends the Secretaries of State for Transport and for the Environment are considering whether any changes should be made in the light of the Civil Engineering Economic Development Committee's report on pre-construction procedures for motorway and trunk road schemes. They hope to announce their conclusions by the autumn.

Snow Hill Tunnel

Mr. Dobson asked the Secretary of State for Transport when he now expects to decide on British Rail's proposals for the Snow Hill tunnel.

Mr. David Mitchell: Before long.

Irradiated Fuel Leak (Temple Mills)

Mr. Tony Banks asked the Secretary of State for Transport if he will give details of the incident which occurred at Temple Mills in east London on 9 May, involving an irradiated fuel tank belonging to the Central Electricity Generating Board.

Mr. David Mitchell: CEGB experts attended Temple mills goods yard on 9 May after a pool of water was observed under a wagon carrying a CEGB irradiated fuel flask. They confirmed that the water was not contaminated and that there had been no leakage whatever from the flask.

Council of Ministers (Attendances)

Mr. Alexander asked the Secretary of State for Transport how many of the meetings of the EEC Council of Transport Ministers he has attended in person, since his appointment as Secretary of State.

Mr. Ridley: I have attended four of the five full Council meetings and both of the two informal Council meetings of Community Transport Ministers that have been held since my appointment. There was also a special Council meeting held in March 1984 on the French lorry drivers' strike, which I did not attend.

Motorways (Telephones)

Mr. Harrison asked the Secretary of State for Transport how many coin-operated public telephones the lessee operating each motorway service area on the M1 motorway between london and Leeds is required to provide on each side of the motorway under the terms of section 3.27(v) of their lease.

Mr. Ridley: The operators of the motorway service areas on the M1 between London and Leeds area required under their leases to provide the minumum number of public con-operated telephones as follows:

Motorway service area	*Minumum number of telephones*
Scratchwood (single sided site)	12
Toddington	4 on each side
Newport Pagnall	5 on northbound side 6 on southbound side
Rotherthorpe	4 on each side
Watford Gap	5 on each side
Leicester Forest East	7 on each side
Trowell	3 on each side
Woodall	4 on each side
Woolley Edge	3 on each side

The operators are free under the terms of their lease to provide additonal public telephones if they so wish.

Mr. Harrison asked the Secretary of State for Transport what steps he takes to satisfy himself that the terms of section 3.27(v) of the standard motorway service lease, relating to the minimum number of coin-operated public telephones to be provided on each side of the motorway, are complied with at each service area.

Mr. Ridley: My officials inspect each service area annually and check that the minimum number of public telephones required under the lease is provided. The inspectors ensure that telephones are working properly at the time.

National Road Maintenance Condition Survey 1984 (Defects Index)

Mr. Ashdown asked the Secretary of State for Transport if he will publish a list showing, by class of road for each year since 1979, the defects index of table 1, National Road Maintenance Condition Survey 1984; recalculated for 1979 as the base year.

Mrs. Chalker: The following is the information:

National defects indices: England and Wales

Average Value 1979=100

	1979	*1980*	*1981*	*1982*	*1983*	*1984*	*1984 Upper bound*	*1984 Lower bound*
Trunk	100	103·3	108·8	103·2	111·9	111·3	117·0	106·3
Urban:								
Principal	100	91·8	102·0	113·8	110·5	115·5	122·8	108·2
Classified	100	94·4	94·7	96·1	95·9	95·7	101·1	90·3
Unclassified	100	91·9	87·7	85·8	101·1	101·3	108·4	94·4
Rural:								
Principal	100	97·0	98·8	104·0	104·6	112·9	118·3	107·5
Classified	100	99·1	106·3	103·7	102·1	102·3	106·7	97·9
Unclassified	100	94·3	106·0	110·8	95·2	108·4	116·8	100·0
All	100	95·4	99·6	101·3	103·2	106·3	108·8	103·8
All non-trunk	100	94·5	98·5	101·1	102·1	105·6	108·4	102·8

Cars (Mileage)

Mr. Maude asked the Secretary of State for Transport what is his Department's latest estimate of the annual mileage of a domestic car user.

Mrs. Chalker: The average annual mileage of a household car is about 8,500.

Royal Victoria Dock Swingbridge

Mr. Spearing asked the Secretary of State for Transport what investigation is being undertaken on the Royal Victoria dock swingbridge by or after consultation with the London Docklands Development Corporation; under whose authority the adjacent highway was closed; and when it and the swingbridge will be reopened for traffic.

Mrs. Chalker: This is not a matter for my Department. However, I understand that the Connaught road swingbridge has been closed since 10 April by a temporary traffic order made by the local highway authority, the London borough of Newham, under the Road Traffic Regulation Act 1984. The road is expected to be reopened on 1 June.

Midlands Link Motorway

Mr. Rooker asked the Secretary of State for Transport, pursuant to the reply on 28 March, *Official Report*, column *287*, if the holding down bolts of the central reservation barrier of the Oldbury viaduct on the midland links motorway have been checked.

Mrs. Chalker [*pursuant to the reply*, 13 May 1985, c. *64*]: Not as yet.

Performance to date of the central reservation barrier has been satisfactory here and elsewhere on the midland links, but tests will be carried out at the Oldbury viaduct in the current programme of investigation.

FOREIGN AND COMMONWEALTH AFFAIRS

SWAPO (Prison and Refugee Camps)

Sir John Biggs-Davison asked the Secretary of State for Foreign and Commonwealth Affairs if he will request the United Nations High Commissioner for Refugees to make available to Her Majesty's Government the reports he has received of the maltreatment of inmates of prison and refugee camps maintained by the South West Africa People's Organisation; and if he will make a statement.

Mr. Rifkind: We are, of course, concerned at reports of maltreatment of refugees, wherever this may occur. It is for the United Nations High Commissioner for Refugees to consider reports such as the ones referred to by my hon. Friend, and to decide what action, if any, to take in response.

Immigration (Entry Clearance)

Mr. J. Enoch Powell asked the Secretary of State for Foreign and Commonwealth Affairs how many applications by Commonwealth citizens for entry clearance into the United Kingdom were dealt with in 1983 and 1984 by the visa and passport department of Her Britannic Majesty's Consulate in Frankfurt, West Germany.

Mr. Luce: The information is as follows:

	Received	*Issued*	*Refused*
1983	391	270	8
1984	396	239	19

SOCIAL SERVICES

Suffolk Family Practitioner Committee

Mr. Weetch asked the Secretary of State for Social Services in how many cases, during the last 10 years, the Suffolk family practitioner committee has found a

practitioner to have acted in breach of his contract of employment; and in how many of these cases the committee has exercised its power to withhold remuneration.

Mr. Kenneth Clarke: We do not collect detailed local information of this kind centrally. However, the Suffolk family practitioner committee has provided information for the years from 1 April 1982, which is as follows:

	numbers
Dental breaches	1
Medical breaches	2
Pharmaceutical breaches	2
Ophthalmic breaches	1

FPCs have no power to withhold remuneration, though they may recommend to the Secretary of State that a withholding be made in a particular case. A withholding was recommended in three of the six cases.

NHS (Expenditure)

Mr. Deakins asked the Secretary of State for Social Services on what index of prices he calculates real increases in National Health Service expenditure.

Mr. Kenneth Clarke: We are firmly of the view that real increases in National Health Service expenditure as a whole should be measured in economic cost terms, that is, on the basis of general inflation, as measured by the GDP deflator. This approach, which is consistent with the real terms analyses in the public expenditure White Paper, measures changes in the real cost to the economy as a whole of expenditure on the National Health Service.

Private Detectives

Mrs. Beckett asked the Secretary of State for Social Services what is the practice of his Department in relation to the hiring of private detectives to investigate claims for social security and supplementary benefits; how much has been spent on investigations by private detectives; and how much such investigations have taken place in the last five years for which information is available.

Mr. Whitney: The Department does not employ private detectives to investigate claims for social security benefits.

Abortions

Mr. Frank Field asked the Secretary of State for Social Services if he will publish data on the number of abortions for each week over 19 weeks for each of the last five years; and if he will sub-divide the data according to whether the abortion was carried out in a private or a National Health Service hospital, and whether or not the foetus was deformed.

Mr. Kenneth Clarke: I shall let the hon. Member have a reply as soon as possible.

Mental Health Act 1983 (Orders)

Mr. Proctor asked the Secretary of State for Social Services how many orders have been made since October 1983 by the courts under section 37 of the Mental Health Act 1983 placing a convicted person under guardianship of a local social services authority or other approved person; and if he will make a statement.

Mr. Kenneth Clarke: Between 30 September 1983 and 31 March 1984 four new guardianship orders under section 37 of the Mental Health Act 1983 were accepted or approved by local authorities. Later figures are not yet available.

Mr. Proctor asked the Secretary of State for Social Services how many patients have been discharged or transferred from special hospitals on recommendation of the responsible medical officer since October 1983; and if he will make a statement.

Mr. Kenneth Clarke: In the period 1 November 1983 to 30 April 1985, 220 patients were discharged or transferred from special hospitals on their responsible medical officer's recommendation and 19 patients went to complete prison sentences when their responsible medical officer considered they no longer needed treatment. A further 65 patients were discharged by mental health review tribunals—which may or may not have been the course favoured by the responsible medical officer.

Mr. Proctor asked the Secretary of State for Social Services what plans the Government have to remedy the delays to which patients, detained under sections 3, 37 and 41 of the Mental Health Act 1983, are subjected when an application for a mental health review tribunal is made; and if he will make a statement.

Mr. Kenneth Clarke: Delays in convening tribunal hearings are not all within our control. In some cases those representing applicants have required substantial time to prepare their cases. Delays which have occurred have in the main involved restricted patients, where the tribunal president must be a judge. Some additional judge time has been made available for dealing with these applications. There have been increases in the staff servicing tribunals and we have now authorised further increases. Other measures are also being taken to speed up the processing of applications and we will continue to monitor the situation closely. The Mental Health Act 1983 gave rise to a considerable increase in the work of tribunals. In 1984 they dealt with 2,208 cases compared with 911 in 1982. The 1984 figure included some 900 applications by patients detained under section 2 of the Act, which must be heard within seven days of receipt of the application.

NHS (Drugs Bill)

Mr. Meadowcroft asked the Secretary of State for Social Services whether he will state the assumed level of direct purchases and of private prescriptions upon which his current calculations of savings on the National Health Service drugs bill are based.

Mr. Kenneth Clarke: In view of the comprehensive nature of the selected list, we would not expect there to be a significant reduction in NHS prescriptions resulting from patients buying drugs over the counter or on non-NHS prescription.

Social Security (Member's Correspondence)

Mr. John Morris asked the Secretary of State for Social Services when he intends to reply to a letter sent to his Department by the right hon. and learned Member for Aberavon, dated 17 December 1984 and marked "Urgent", regarding the social security case of a constituent.

Mr. Newton: I wrote to the right hon. and learned Member on 15 May, and regret that my reply had been delayed.

Supplementary Benefit

Mr. Gordon Brown asked the Secretary of State for Social Services if he will publish a table showing the numbers of unemployed supplementary benefit claimants in receipt of a payment for mortgage interest according to the amount of mortgage interest payment made in bands of £5.

Mr. Whitney: Estimates of average payments for mortgage interest and ground rent can be produced, but available data are not sufficiently reliable to provide a satisfactory analysis of the type requested.

Mr. Gordon Brown asked the Secretary of State for Social Services what is the average payment made for mortgage interest to *(a)* unemployed supplementary benefit claimants on benefit for less than six months, *(b)* all unemployed supplementary benefit claimants, *(c)* other supplementary benefit claimants and *(d)* all supplementary benefit claimants.

Mr. Whitney: Information is not available in the precise form requested. The estimated average weekly payments of supplementary benefit for mortgage interest and ground rent in 1982, which are the latest figures available, are as follows:

Claimant Group	*Average payment for mortgage interest* £
a. Unemployed supplementary benefit claimants on benefit for less than six months	17·09
b. All unemployed supplementary benefit claimants	16·92
c. Other supplementary benefit claimants	9·34
d. All supplementary benefit claimants	13·87

Source: Annual Statistical Enquiry.

Mr. Gordon Brown asked the Secretary of State for Social Services what is the average payment for *(a)* rates and *(b)* water rates for people in receipt of supplementary benefit; and if he will provide a table showing the numbers receiving payment for (i) rates and (ii) water rates according to the amount received in bands of £2 in each case.

Mr. Whitney: The information is not available in the precise form requested. It is estimated that in May 1983, the latest date for which figures are available, about 2,870,000 supplementary benefit recipients received rate rebates, at an average weekly rate of about £4·30. The estimated distribution by amount of rate rebate was as follows:

Estimated number of recipients Thousands	*Amount of weekly rate rebate*
300	under £2
1,050	£2-£3·99
1,050	£4-£5.99
450	over £6

The latest information for water rates relates to the amount taken into account in calculating supplementary benefit and is contained in table 6.14 of the December 1982 edition of the Supplementary Benefit Annual Statistical Enquiry, a copy of which is in the Library. I regret that this table excludes certain recipients affected by the partial start of housing benefit for whom the information is not available.

"Social Security Statistics"

Mr. Gordon Brown asked the Secretary of State for Social Services if he will update tables 32·36 and 32·40 of the "Social Security Statistics" 1984 to the latest date for which information is available.

Mr. Whitney: I regret that no later information is available for table 32·36. The following is the information for table 32·40 at the end of October 1984, the latest date for which figures are available.

Number of families

Earnings of head of family £	*Age of head of family*				
	Under 21	*21-45*	*26-50*	*Over 50*	*All*
Nil	10	200	3,880	340	4,430
Under 5·00	0	60	730	40	830
5·00—9·99	0	100	620	50	770
10·00-14·99	0	50	1,060	90	1,200
15·00-19·99	0	70	1,090	50	1,210
20·00-24·99	40	150	1,540	130	1,860
25·00-29·99	70	150	3,000	110	3,330
30·00-34·99	230	500	4,800	190	5,720
35·00-39·99	210	450	4,410	200	5,270
40·00-44·99	400	930	8,340	360	10,030
45·00-49·99	340	1,100	9,420	390	11,250
50·00-54·99	540	1,560	10,760	530	13,390
55·00-59·99	760	1,650	9,740	470	12,620
60·00-64·99	690	2,340	11,360	570	14,960
65·00-69·99	820	2,170	11,540	550	15,080
70·00-74·99	950	3,330	13,040	700	18,020
75·00 or more	1,930	11,330	68,360	2,570	84,190
All	6,990	26,140	163,690	7,340	204,160

Mr. Gordon Brown asked the Secretary of State for Social Services (1) if he will update table 34·41 of the "Social Security Statistics" 1984 to December 1983;

(2) if he will update table 34·31 of the "Social Security Statistics" 1984 to December 1983.

Mr. Whitney: I regret that the information to update these tables is not yet available. I will let the hon. Member have a reply when it is.

Mr. Gordon Brown asked the Secretary of State for Social Services how many unemployed supplementary benefit claimants in receipt of an addition for mortgage interest have been on supplementary benefit for less than six months; and what was the total cost of mortgage interest payments to this group.

Mr. Whitney: Information is not available in the precise form requested. The estimated number of unemployed supplementary benefit claimants who were in receipt of an addition for mortgage interest and ground rent and had been on supplementary benefit for less than six months at December 1982, which are the latest figures available, is 74,000. The estimated annual cost of mortgage interest payments to this group is £72 million.

EC Directives

Mr. Foulkes asked the Secretary of State for Social Services if he will list in the *Official Report* the details of each directive relevant to his Department from the EEC since 1979; and what action he has taken in each case.

Mr. John Patten [*pursuant to his reply*, 2 May 1985, c. *237*]: the following directives for which the Department has the primary responsibility have been adopted by the council since 1979.

Number	*Subjects*	*Action taken*
80/154/ EEC	Mutual recognition of diplomas, certificates and other evidence of formal qualifications in midwifery.	Implemented by Orders in Council—No. 1983 884 of 1 July 1983 and No. 1983 921 of 1 July 1983.
80/155/EEC	Co-ordiation of national provisions relating to the taking up and pursuit of the activities of midwives.	Implemented by Orders in Council—No. 1983 884 of 1 July 1983 and No. 1983 921 of 1 July 1983.
80/1273/EEC	Amendment to Directive 80/154/EEC consequent upon the accession of Greece to the European Community	Implemented by Order in Council No. 1983 921 of 1 July 1983.
81/464/EEC	Approximation of national rules relating to the colouring matters which may be added to medicinal products.	Implemented by administrative action.
81/1057/EEC	Amendment to Directives 75/362/EEC, 77/452/EEC, 78/686/EEC and 78/1026/EEC concerning mutual recognition of diplomas, certificates and other evidence of the formal qualifications of doctors, nurses responsible for general care, dental practitioners and veterinary surgeons. This Directive provides for mutual recognition of qualifications awarded after the implementation of the relevant Directives but for which training began prior to implementation.	Implemented by Order in Council No. 1982 1076 of 30 August 1982.
82/76/EEC	Technical amendments to Directives 75/362/EEC, 75/363/EEC on the mutual recognition of qualifications of doctors and freedom to provide services and introduces provisions to regulate part-time training of specialists.	Implemented by administrative action.
83/128/EEC	Introduction of an EC pattern approval procedure into Directive 76/764/EEC, relating to the technical requirements for the approximation of Member States' laws for manufacture and performance of clinical mercury-in-glass maximum-reading thermometers.	Work on implementation in progress.
83/570/EEC	Improvements in the operation of Directives 65/65/EEC, 75/318/EEC and 79/319/EEC, which aim to reduce barriers to trade in medicinal products within the Member States.	Arrangements are in hand for implementation, mainly by administrative action and partly by subordinate legislation.
84/466/EURATOM	Basic measures for the protection from excessive ioninsing radiation of persons undergoing medical examination or treatment.	Work on implementation in progress.
84/539/EEC	Harmonisation of technical specifications for certain items of electro-medical equipment manufactured in Member States, for use in human or veterinary medicine.	Work on implementation in progress.

Drugs

Mr. Hickmet asked the Secretary of State for Social Services, pursuant to his reply of 4 April, *Official Report*, column *768*. what were the names of the drugs in respect of which manufacturers gave the top 10 highest discounts in 1983; what was the cost of prescribing those drugs to the National Health Service per dispensing doctor and per ordinary general practitioner in 1983; and what was the cost in the last year before discounts were introduced.

Mr. Kenneth Clarke [*pursuant to his reply*, 16 May 1985, c. *218*]: We do not have the information requested on the discounts of individual drugs.

Family Practitioner Committees

Mr. Hickmet asked the Secretary of State for Social Services what financial and other assistance is given to general practitioners and family practitioner committees to enable general practitioners to improve their facilities and purchase or construct health centres; in whom the ownership of such health centres is vested; to whom the capital gains of such centres accrue; and if he will make a statement.

Mr. Kenneth Clarke [*pursuant to his reply*, 16 May 1985, c. *221*]: Under the improvement grant scheme doctors may receive a grant of one third of the cost to them of approved work aimed at the significant improvement of existing premises. In November 1983 an enhanced improvement grant scheme of three years duration was introduced in inner cities under which a grant may be given of 60 per cent. of the cost up to a maximum to doctors of the approved work.

General practitioners who purchase practice premises receive the equivalent of current market rent for the use

of their premises. Those who are willing to invest in new purpose-built premises or their equivalent may receive payments under the cost rent scheme which in most cases will cover the interest on the capital borrowed for the project and provide a return on the capital invested. Capital gains accrue to the owner of the premises.

District health authorities also provide practice accommodation for some general practitioners in health centres which the health authorities own and maintain.

Doctors

Mr. Hickmet asked the Secretary of State for Social Services what are the maximum fixed expenses for which general practitioners are eligible under section 63 of the National Health Service Act 1977; and if he will list the same.

Mr. Kenneth Clarke [*pursuant to his reply*, 16 May 1985, c. *215*]: There are no maxima for individuals, but the total is cash limited.

SCOTLAND

Water Rates

Mr. Gordon Brown asked the Secretary of State for Scotland what is the average water rate levied in each water board region and in the United Kingdom as a whole; and by how much those rates have increased in real terms since 1979.

Mr. Ancram: I shall reply to the hon. Member as soon as possible.

School Meals

Mr. Gordon Brown asked the Secretary of State for Scotland if he will list the average price of school meals in primary and secondary schools in each local education authority and in Scotland as a whole at the latest date for which information is available.

Mr. Allan Stewart: The amounts charged for fixed price set meals at the time of the school meals census in January 1984 are shown in the table. A number of schools also provide cafeteria-style self-service meals, the cost of the meal varying according to choice of items. Education authorities' estimates of the average amount spent per pupil on such meals range from 25p to 64p.

Education Authority	*Fixed Price Meal Pence*
Borders	44
Central	45
Dumfries and Galloway	50
Fife	48
Grampian*	55
Highland	50
Lothian	45
Strathclyde	53
Tayside*	50
Orkney	50
Shetland	45
Western Isles	60

The average of the figures in the column above is 49·6p.

*Pupils in primary classes in Grampian and Tayside were charged 45p and Grampian region pupils at special schools were charged 23p for set meals.

Rates

Mr. Teddy Taylor asked the Secretary of State for Scotland what is the current average rate poundage for industrial and commercial premises in Scotland.

Mr. Ancram: The estimated average rate poundage in 1985-86 for industrial and commercial properties in Scotland is 65·5.

Lord James Douglas-Hamilton asked the Secretary of State for Scotland (1) what is the average increase in the rate poundage in 1985-86 as compared with 1984-85 in each district and region in Scotland for *(a)* domestic ratepayers, *(b)* commercial ratepayers and *(c)* industrial ratepayers; and if he will publish the information in the form of a table;

(2) what is the average factor by which valuations have risen in the case of *(a)* owner-occupied property and *(b)* council houses and other houses in the public sector;

(3) what is the average rates bill in Scotland in 1985-86 of *(a)* owners of domestic properties and *(b)* council house tenants, and other houses in the public sector; and if he will publish a table giving the information, local authority by local authority;

(4) what is the average level of rates in 1985-86 for *(a)* owner-occupied properties and *(b)* houses in the public sector in Scotland.

Mr. Ancram [*pursuant to his answer*, 16 May 1985, c. 229]: I shall make this information available as soon as possible.

Lord James Douglas-Hamilton asked the Secretary of State for Scotland what was the nature and scope of the evidence on rentals paid in the domestic sector on which the recent valuation was based.

Mr. Ancram [*pursuant to his answer*, 16 May 1985, c. *229*]: This is a matter for the individual local assessors, upon whom the task of assembling such evidence is laid by statute, and who have to defend their valuations on appeal by reference to it.

Lord James Douglas-Hamilton asked the Secretary of State for Scotland if he will make a statement on the reasons for the differential increase in rateable values as between *(a)* small commercial ratepayers and *(b)* large commercial concerns, which have resulted from the recent revaluation.

Mr. Ancram [*pursuant to his answer*, 16 May 1985, c. *229*]: I do not have any basis for trying to comment comprehensively on the differing trends which may have affected different sub-classes of ratepayers in the recent revaluation.

Lord James Douglas-Hamilton asked the Secretary of State for Scotland what is the average multiplier in Scotland; what are the upper and lower ends of the multiplier factor; and if he will publish a table showing any variations as between regions and districts.

Mr. Ancram [*pursuant to his answer*, 16 May 1985, c. *229*]: Over all property in Scotland, the 1985 revaluation has led to an average multiplier of 2·3. There will, however, be a very wide range of multipliers applying to individual properties. In theory these could range from zero where a property has dropped out of valuation altogether to infinity where a previously exempt property has become rateable. Information on multipliers

on the detailed local basis requested is not held centrally, but my hon. Friend may wish to write to the individual regional assessors to see what figures they can provide.

DEFENCE

Royal Marines Detachment

Sir John Biggs-Davison asked the Secretary of State for Defence which of Her Majesty's ships now carry a Royal Marines detachment.

Mr. Lee: Royal Marines detachments are normally carried in the royal yacht Britannia, HMS Endurance, the assault ships Fearless and Intrepid, the Falkland Islands patrol vessels and some frigates. They are also deployed in other vessels from time to time to meet specific operational tasks.

United States Aircraft

Mr. Ashdown asked the Secretary of State for Defence whether figures 9 and 10 of annex A to the "Statement on the Defence Estimates 1985", Cmnd. 9430-I, include United States aircraft assigned to co-locating operating bases in Europe; and how many aircraft are so assigned.

Mr. Lee: Figures 9 and 10 show in-place equipment only. Some 1,750 fixed wing combat aircraft presently based in the United States and Canada are allocated to the reinforcement of Europe, although not necessarily just to the areas covered in figures 9 and 10.

Reserve Forces

Mr. Ashdown asked the Secretary of State for Defence what assumptions were made concerning available reserves for the West German, the Netherlands, Belgian and British armies and category 2 and 3 divisions of Warsaw Pact nations when drawing up figures 9 and 10 of annex A in the "Statement on the Defence Estimates 1985", Cmnd. 9430-I.

Mr. Lee: The manpower statistics given in figure 9 contain no reserves for either NATO or Warsaw pact armies. Figure 10 shows divisions which would be augmented by reserves on mobilisation. This applies to most of the NATO and Warsaw pact divisions, including those of the Warsaw pact deemed as category 2 or 3.

Spain (Military Aircraft)

Mr. Ashdown asked the Secretary of State for Defence what information he has as to the number of fixed wing military aircraft possessed by Spain.

Mr. Lee: It is not our practice to comment on the detailed military capabilities of our allies.

NATO (Aircraft)

Mr. Ashdown asked the Secretary of State for Defence what information he has as to the total number of *(a)* North Atlantic Treaty Organisation and *(b)* Warsaw pact land-based and maritime aircraft based in the North Atlantic Treaty Organisation area.

Mr. Lee: The total number of fixed wing combat aircraft both land and sea based in or facing NATO Europe or the NATO sea areas is as follows:

	Number
NATO	4,900
Warsaw pact	8,100

Additionally, there are some 1,750 NATO combat aircraft presently based in the United States and Canada.

NATO-Warsaw Pact Forces

Mr. Ashdown asked the Secretary of State for Defence why the standard graphic representation used to depict the balance of North Atlantic Treaty Organisation-Warsaw pact forces in figure 11 of annex A of the "Statement on the Defence Estimates 1985", Cmnd. 9430-I, was not used also when representing the forces of France and Spain.

Mr. Lee: In figure 11 of the "Statement on the Defence Estimates 1985", French and Spanish naval forces are depicted in numerical, rather than representational, form primarily because of limitations of space; but also in order to distinguish France and Spain from other NATO countries since they do not participate in NATO's integrated military structure.

US Forces and Facilities

Mrs. Clwyd asked the Secretary of State for Defence if he will now publish a comprehensive list of those United States forces and facilities in the United Kingdom and on United Kingdom territories overseas which are not formerly committed to a NATO command.

Mr. Lee: With minor exceptions, such as light transport and search and rescue units, all United States forces in the United Kingdom are here in support of NATO. Facilities as such are not normally committed to NATO. On United Kingdom territories overseas, only those United States facilities on Bermuda are regularly used by US forces in their NATO role.

NATO (Ministerial Meetings)

Mrs. Clwyd asked the Secretary of State for Defence if he will in future make it his practice to make a statement to the House on his return from ministerial level meetings on the North Atlantic Treaty Organisation.

Mr. Lee: No. Details of the discussions which take place at ministerial level meetings of the North Atlantic Treaty Organisation are contained in the communiqués issued after each meeting, copies of which will be placed in the Library.

Military Personnel

Mrs. Clwyd asked the Secretary of State for Defence how many military personnel, by service, have been removed from nuclear-related tasks because of their psychological problems, or alcohol-related problems, or their use of non-prescribed drugs, in the most recent year for which figures are available.

Mr. Lee: Statistics on the number of service personnel removed from nuclear related tasks, for whatever reasons, are not centrally recorded and could not be provided without disproportionate effort.

There are, of course, comprehensive physical and procedural safeguards to prevent any form of unauthorised action by an individual in relation to nuclear weapons for whatever reason.

European Fighter Aircraft

Sir Patrick Wall asked the Secretary of State for Defence what progress was made over the development of the European fighter aircraft during his talks on 15 May with his European colleagues.

Mr. Lee: My right hon. Friend attended the meeting in Rome yesterday evening and will reply shortly.

RN Ships (Plastic Armour)

Sir Patrick Wall asked the Secretary of State for Defence what steps he is taking to fit plastic armour over vital spaces in Her Majesty's ships.

Mr. Lee: Means of protecting Her Majesty's ships from projectiles, including the possible use of ceramic ("plastic") armour, are kept under continuous review.

Strengthened steel is used in certain cases to give protection to vital spaces but currently there are no plans to fit ceramic armour.

RAF Molesworth

Mr. Strang asked the Secretary of State for Defence what is his latest estimate of the cost per week of the security operation at Molesworth cruise missile base.

Mr. Lee: This task, which varies from week to week according to the level of demonstrator activity, is carried out as part of the Ministry of Defence's continuing role in respect of the security and administration of defence installations, and is not costed separately. Thus, the information required could be extracted only at disproportionate cost.

Chemical Weapons

Mr. Strang asked the Secretary of State for Defence what information he has as to the countries which have a chemical warfare capacity.

Mr. Lee: The technology involved in producing most chemical weapons is not very advanced and any industrialised nation could probably develop such weapons if it so desired.

Mr. Strang asked the Secretary of State for Defence by what method his Department estimates the Russian chemical stockpile to include over 300,000 tonnes of nerve gas.

Mr. Lee: Careful assessment of all information available.

Trident Missile

Mr. Strang asked the Secretary of State for Defence to what extent the efficiency and operational effectiveness of the Trident II system will be influenced by the arrangements for through-life logistic support to be provided by the United States of America.

Mr. Lee: The United States of America will provide the United Kingdom Trident II force with continuing spares, supply and maintenance support on a similar basis to that which applies to our current Polaris force. Furthermore, as a result of the Kings Bay decision, the United Kingdom will be able to make substantial savings in capital and running costs by processing its missiles in the United States of America. Our access to the United States own large-scale logistics support system, with all the associated benefits which arise from the very high priority accorded by the United States to its strategic nuclear systems, will allow us to take advantage of developments based on the United States experience of operating its own much larger Trident II force, and will contribute to the efficiency and operational effectiveness of our Trident II force.

Soviet Defence Expenditure

Mr. Strang asked the Secretary of State for Defence what is Her Majesty's Government's latest estimate of Soviet defence expenditure; and what proportion of this it estimates is spent on *(a)* defensive and *(b)* offensive systems.

Mr. Lee: Our most recent estimate for Soviet defence expenditure is 96 billion to 103 billion roubles in 1983 at current prices. Since many systems may be used in a defensive or offensive role, subdivision of the estimates on this basis would not be meaningful.

Animals (Experiments)

Mr. Strang asked the Secretary of State for Defence how many animal experiments were carried out at the Porton Down chemical defence establishment in 1980, 1981, 1982, 1983 and 1984.

Mr. Lee: The number of experiments subject to the Cruelty to Animals Act 1876 in each year is as follows:

	Number
1980	17,800
1981	17,200
1982	13,400
1983	9,500
1984	10,900

The increase from 9,500 experiments in 1983 to 10,900 experiments in 1984 reflects the need to ensure that effective protection and treatment remain available to our forces to meet continuing developments in the threat posed by the Soviet Union's chemical warfare capability.

Exercise Brave Defender

Mr. Strang asked the Secretary of State for Defence, how many United States service men will be involved in the Brave Defender exercise.

Mr. Lee: It is currently planned that about 1,000 United States service men will take part in the exercise.

Non-proliferation Treaty

Mr. Strang asked the Secretary of State for Defence what contributions were made by the British delegation to the preparatory committee meeting held in April for the non-proliferation treaty third review conference; and if he will make a statement on the outcome of this meeting.

Mr. Luce: I have been asked to reply.

At the recent meeting of the preparatory commitee for the non-proliferation treaty review conference, the British delegation played a constructive role in contributing to the conclusion described in my reply to the hon. Member for Meironydd Nant Conwy (Mr. Thomas) on 8 May, at column *429*.

Infant Mortality (BAOR)

Mr. Freud asked the Secretary of State for Defence whether he will list the infant mortality rate for families of men serving with the British Army of the Rhine.

Mr. John Lee [*pursuant to his reply*, 2 May 1985, c. *231-232*]: The figures should be shown as per thousand and not per cent. as stated.

Written Answers to Questions

Monday 20 May 1985

ATTORNEY-GENERAL

Land Registration and Law of Property Bill

Mr. Evennett asked the Attorney-General whether Her Majesty's Government intend to introduce a further Bill in place of the Land Registration and Law of Property Bill 1984-85; and if he will make a statement.

The Attorney-General: The Government are awaiting the report of the Law Commission on overriding interests, rectification and indemnity before introducing further legislation.

HOME DEPARTMENT

Entry Clearance

Ms. Clare Short asked the Secretary of State for the Home Department what was the total number of decisions to allow or refuse entry under the primary purpose rule for each quarter since the rules were changed in 1983.

Mr. Waddington: Information is available only for the Indian subcontinent and is given in the table.

Applications from husbands and fiances for entry clearance for leave to enter the United kingdom decided under the 1983 immigration rules.*

	Indian subcontinent	*Number of persons*
1983		
	1st quarter	410
	2nd quarter	380
	3rd quarter	500
	4th quarter	680
1984		
	1st quarter	680
	2nd quarter	610
	3rd quarter	630
	4th quarter	540

*Applications granted initially or on appeal or refused initially.

Ms. Clare Short asked the Secretary of State for the Home Department (1) what percentage of all the decisions to allow or refuse entry clearance were based, either wholly or partly, on the primary purpose rule, in the second, third and fourth quarters of 1984;

(2) what percentage of all the refusals of entry clearance were based, either wholly or partly, on the primary purpose rule in the second, third and fourth quarters of 1984.

Mr. Waddington: The information requested is available only for the Indian subcontinent. Applications for entry clearance from husbands and fiances refused solely or partly because of the primary purpose rule accounted for about 40 per cent. of all applications decided, and about 80 to 90 per cent. of all applications refused in each of the last three-quarters of 1984.

Public Events (Policing)

Mr. Soley asked the Secretary of State for the Home Department if he will call for a report from the Commissioner of Police of the Metropolis as to the numbers of police estimated to have been in attendance at, and the number of arrests made in connection with, each of the public events listed in *(a)* appendix 10 to the report of the Commissioner of Police of the Metropolis for 1982, *(b)* appendix 3(ii) of the Commissioner's report for 1983 and *(c)* appendix 11 to the Commissioner's report for 1981.

Mr. Giles Shaw: Information regarding the number of police officers deployed at each of these events is given in the appendices referred to. I understand from the commissioner that information regarding arrests in 1981 and 1982 is not readily available and can only be obtained at disproportionate cost. The information in respect of 1983 is as follows:

Date	*Subject*	*Arrests*
22 January	Demonstrations on 'G' district following the incident involving Colin Roach	22
22 March	State visit of the President of Zambia	Nil
17 April	London marathon	Nil
24 April	Demonstration by the British Union for the Abolition of Vivisection	26
7 May	Youth CND march	28
28 May	Trooping the colour—1st rehearsal	Nil
4 June	Trooping the colour—2nd rehearsal	Nil
5 June	Peoples' march for jobs	Nil
11 June	Trooping the colour	Nil
22 June	State opening of Parliament	Nil
25 June	Demonstration by the Society for the Protection of the Unborn Child	Nil
23 July	Animal Aid march	Nil
30 July	Meetings 'Y' district—in connection with the "Albert Mariner public inquiry campaign"	9
29-30 August	Notting Hill carnival	84
22 October	CND march and rally	Nil
12 November	Demonstration by the British Union for Abolition of Vivisection	24
31 December	New Year's eve festivities	32

Mr. Soley asked the Secretary of State for the Home Department if he will call for a report from the Commissioner of Police of the Metropolis as to (i) the public events which took place between 1 January 1984 and 25 February 1985 in the Metropolitan police district which required the attendance of more than 1,000 officers and (ii) the number of officers in attendance; the number of members of the public estimated by the police to have been in attendance; and the number of arrests made by the police in connection with each event, respectively.

Mr. Giles Shaw: I understand from the commissioner that the public order events requiring the attendance of more than 1,000 officers in the period specified were as follows

Date	Subject	Number of police	Number of participants (where appropriate)	Arrests
29 March 1984	NALGO—TUC Democracy day	1,485	9,000	34
21 April 1984	Libyan Peoples Bureau siege			
	Day 5	1,056		nil
	Day 6	1,017		nil
	Day 7	1,424		nil
	Day 8	1,424		nil
	Day 9	1,484		nil
	Day 10	1,583		nil
	Day 11	1,469		nil
12 May 1984	BUAV march to protest against proposals to replace Cruelty to Animals Act 1876	1,172	3,500	nil
13 May 1984	London marathon	1,744		nil
2 June 1984	Anti-apartheid march (reference visit of P. W. Botha)	1,536	13,500	28
7 June 1984	NUM march and lobby of Parliament	1,350	7,500	120
7 June 1984	Economic summit conference	1,726		nil
8 June 1984	Economic summit conference	1,283		nil
9 June 1984	Economic summit conference	1,085		13
9 June 1984	CND march and Economic summit events	5,764	51,000	201
9 June 1984	Trooping the colour (second rehearsal)	1,225		nil
10 June 1984	Sikh march	3,555	35,000	6
16 June 1984	Trooping the colour ceremony	1,410		nil
27 June 1984	NUM day of action	1,409	11,500	nil
27 August 1984	Notting Hill carnival	7,718	150,000	30
28 August 1984	Notting Hill carnival		200,000	81
23 October 1984	State visit of President Mitterand	2,128		5
6 November 1984	State opening of Parliament	1,592		nil
7 November 1984	Democracy for London campaign march and rally	1,382	400	nil
11 November 1984	Remembrance day morning ceremony	1,088		nil
18 November 1984	Policing the Ban on Marches in the Metropolitan police district	1,390		nil
31 December 1984	New Year's eve celebrations	1,305	50,000	82
25 February 1985	NUM defence committee march	1,615	13,000	121

Animals (Research)

Mr. Coombs asked the Secretary of State for the Home Department whether he is yet in a position to publish the result of his consultations on his White Paper on the use of animals in research; and if he will make a statement.

Mr. Mellor: I would refer my hon. Friend to the answer given to a question from my hon. Friend the Member for Thanet, North (Mr. Gale) on 15 May at column *126*.

Local Government Reform

Mr. Tony Banks asked the Secretary of State for the Home Department how many civil servants in his Department and at what grades are currently engaged on work associated with the abolition of the Greater London council and the metropolitan county councils; and what is the total cost.

Mr. Brittan: At present one full-time principal, and the time of other staff, amounting to about eight posts in all. On the basis of the Treasury's "Ready Reckoner of Staff Costs" the total annual rate would be about £270,000.

Computerised Data Processing

Mr. Phillip Oppenheim asked the Secretary of State for the Home Department what is his Department's annual budget for computerised data processing, including hardware, software, and out of house services; and how many people in his Department are employed in carrying out computerised data processing work.

Mr. Brittan: The information requested is not immediately available. I will write to my hon. Friend as soon as possible.

Member's Correspondence

Mr. Kaufman asked the Secretary of State for the Home Department when he expects to reply to the letter sent to him on 5 March by the right hon. Member for Manchester, Gorton, with regard to restrictions on access to Downing Street.

Mr. Brittan: I did so today.

Exercise Brave Defender

Mr. D. E. Thomas asked the Secretary of State for the Home Department if he will now list those police forces which have indicated that they will participate in Exercise Brave Defender.

Mr. Giles Shaw: So far, chief officers of the following police forces in England and Wales have indicated an intention to participate in Exercise Brave Defender:

Bedfordshire police
Cambridgeshire constabulary
City of London police
Cleveland constabulary
Derbyshire constabulary
Essex police
Hampshire constabulary
Hertfordshire constabulary
Humberside police
Leicestershire constabulary
Metropolitan police
Norfolk constabulary
Northamptonshire police
Northumbria police
North Yorkshire police
Nottinghamshire constabulary
South Yorkshire police
Staffordshire police
Suffolk constabulary
Surrey constabulary
Sussex police
Warwickshire constabulary

West Mercia constabulary
West Midlands police
West Yorkshire Metropolitan police

It is expected that most of the remaining police forces will also participate, although final decisions have not yet been taken.

Tamil Community

Mr. Maples asked the Secretary of State for the Home Department what is his policy towards the return of Sri Lankan Tamils from the United Kingdom to Sri Lanka; and if he will make a statement.

Mr. Brittan: Since the outbreak of widespread communal violence in Sri Lanka in July 1983, we have kept the situation there under close review in considering applications for leave to enter or remain in this country from Sri Lankan Tamils who have expressed a fear of return to Sri Lanka. Since April 1984 no Sri Lankan Tamil who has expressed such a fear has been removed or deported to Sri Lanka against his will. As a result there are now some 900 Sri Lankan Tamils in this country who do not qualify to remain here but whose departure has not been enforced.

While the situation in Sri Lanka continues to cause concern, there is no reason to believe that Tamils returning to Sri Lanka face persecution, and few Sri Lankan Tamils are likely to qualify for refugee status in this country. A large proportion of the Tamil community in Sri Lanka has been relatively unaffected by inter-communal violence, and I do not consider that the situation is such as to justify a general policy of granting leave to enter or remain on an exceptional basis to all Tamils who express a fear to return there.

I have therefore decided that any case in which a Sri Lankan Tamil fails to qualify for leave to enter or remain under the immigration rules but expresses a fear of returning to Sri Lanka should be considered on its merits, in the light of all the circumstances of the case. Such a person will be granted leave to remain on an exceptional basis (for 12 months in the first instance) only if there is reason to believe that he would suffer severe hardship if he returned to Sri Lanka. If he is unable to satisfy this test, he will be returned to Sri Lanka. This policy will be applied immediately to new and recent arrivals.

Those Sri Lankan Tamils who have been here for more than a month without leave to enter or remain, but whose departure has not been enforced will be granted leave to remain exceptionally for six months. Their cases will then be reviewed on the basis outlined above. Normal appeal rights will apply.

The Government will continue to urge on all concerned the need for a political settlement of the difficulties between the communities in Sri Lanka.

PRIME MINISTER

Hospital Management

Mr. Dobson asked the Prime Minister if she will make a statement on the discussions which have taken place between Her Majesty's Government and representatives of an American corporation concerning the possibility of setting up a pilot scheme whereby the management of a National Health Service hospital would be contracted out.

The Prime Minister: The Government favour greater collaboration between the National Health Service and the independent health sector, and many discussions have taken place on the topic, at both ministerial and official levels with private sector companies. We have no plans at present for a centrally promoted scheme of the type described, but if any health authority is satisfied that such an arrangement is in the interests of its NHS patients, the Government will look sympathetically at the proposals.

Nurses (Pay Review)

Mr. Meacher asked the Prime Minister when she now expects to publish the report of the pay review body for nurses, midwives, health visitors and professions allied to medicine.

The Prime Minister: In due course.

Public Expenditure

Lord James Douglas-Hamilton asked the Prime Minister if she will give an up-to-date statement of the expenditure per head for each person in Scotland, in England, and Wales; what is the per capita expenditure for each person resident in Scotland for every £100 spent on each person resident in England; and if she will publish a table giving the figures for each level of public spending.

The Prime Minister: In response to a question from my hon. Friend, the Member for Aberdeen, South (Mr. Malone) a full analysis of identifiable public expenditure in England, Scotland, Wales and Northern Ireland was published in the *Official Report* on 22 February 1985 at columns *608-18*. This included per capita comparisons and details of spending programmes. The latest available figures relate to 1983-84, and indicate that per capita expenditure in Scotland was £126 for every £100 in England.

Voluntary Organisations (Grants)

Mr. D. E. Thomas asked the Prime Minister if she will list the total amounts given by Government Departments in grants to voluntary organisations during the financial year 1984-85.

The Prime Minister: I refer the hon. Member to the reply that I gave on 4 April to my hon. Friends the Members for Rugby and Kenilworth (Mr. Pawsey) and Ruislip-Northwood (Mr. Wilkinson) at columns *715-16*. I regret that the figures for 1984-85 will not be available for some months.

Bradford Fire (Appeal Fund)

Mr. Lawler asked the Prime Minister how the Government contribution to the Lord Mayor of Bradford's appeal fund will be financed.

The Prime Minister: A supplementary estimate on the Central Environmental Services Vote (class VIII, vote 2) will be presented in due course to cover the urgent expenditure on this new service. Pending parliamentary approval of this supplementary estimate, the Government's contribution of £¼ million to the Lord Mayor of Bradford's appeal fund will be met by a repayable advance from the Contingencies Fund. The cash limit is being increased by £250,000 from £143,025,000

to £143,275,000; this sum will be charged to the Reserve and therefore does not add to the planning total of public expenditure.

TRADE AND INDUSTRY

Ford Motor Company Ltd. (Report)

Mr. Park asked the Secretary of State for Trade and Industry if he has yet received a report from the Director of Fair Trading arising from the findings of the Monopolies and Mergers Commission report on the Ford Motor Company Limited; and if he will make a statement.

Mr. Fletcher: I shall make a statement on the position when discussions with Ford are concluded.

Child Buggy Pushchairs

Mr. Murphy asked the Secretary of State for Trade and Industry, further to his answer to the hon. Member for Welwyn Hatfield, *Official Report*, 15 April, column 19, if he will give details of the European Economic Community Commission's request for the introduction of new regulations on the safety of child buggy pushchairs to be suspended; and if he will make a statement.

Mr. Fletcher: The Commission of the European Communities notified the Government in a letter dated 20 March 1985 that it considered the proposed Pushchairs (Safety) Regulations would hamper the free movement of goods between member states in breach of article 30 of the Treaty of Rome. The Government have responded to the Commission that the proposed regulations are needed on grounds of public health and safety, and are thus fully warranted under article 36 of the treaty. The Commission has been asked to reconsider its position.

There is a further issue. The Commission had earlier notified member states of its intention to propose a directive relating to the control of chemical substances, dangerous to health, where these substances are present in objects manifestly intended for children. The Commission considers that pushchairs will be covered by the proposal and that article 9 of Directive 83/189/EEC suspends our proposed regulations until 30 October 1985.

As the Government believe the proposal is only marginal to the subject of pushchairs, and as any agreed directive may turn out to be compatible with the chemical hazards part of the new pushchairs regulations, the Commission has been asked to reflect again on its position.

South Africa

Mr. Caborn asked the Secretary of State for Trade and Industry what was the total cost of *(a)* direct and *(b)* indirect investment in (i) South Africa and (ii) Namibia by Britain in each year from 1979; and what was the rate of return on British investment in each of those years for (1) South Africa, (2) Namibia and (3) the rest of the world.

Mr. Channon: The value of United Kingdom outward direct investment in South Africa from 1979 to 1983 was published today in *British business*.

Information relating to indirect investment in South Africa and Namibia and rates of return on British investment in South Africa, Namibia and the rest of the world are not available.

Manufacturing Industry

Mr. Fisher asked the Secretary of State for Trade and Industry (1) how many *(a)* USA, *(b)* EEC, and *(c)* other foreign private sector enterprises were involved in manufacturing in the United Kingdom in (i) 1984, (ii) 1974 and (iii) 1964, respectively;

(2) what information he has as to the gross output of *(a)* United States, *(b)* European Economic Community and *(c)* other foreign private sector manufacturing companies in the United Kingdom in (i) 1964, (ii) 1974 and (iii) 1984, respectively;

(3) what information he has as to the capital expenditure by *(a)* the United States, *(b)* the European Economic Community and *(c)* other foreign and private sector manufacturing enterprises in the United Kingdom in (i) 1964, (ii) 1974 and (iii) 1984, respectively;

(4) how many people were employed by *(a)* United States, *(b)* European Economic Community and *(c)* other foreign and private sector manufacturing enterprises in the United Kingdom in (i) 1964, (ii) 1974 and (iii) 1984, respectively.

Mr. Butcher: The information sought is not available for the years specified. Available figures are shown in the following table:

Activity in the United Kingdom in 1963, 1973, 1981 of foreign private sector enterprises classified to manufacturing

EC	*USA*	*Rest of World*	
Number of enterprises			
1963	47	369	86
1973	173	760	161
1981	340	827	355
Gross output (£ million, current prices)			
1973	945	7,506	1,238
1981	4,565	21,798	5,546
Employment (thousands)			
1963	45	406	88
1973	107	624	91
1981	127	568	163
Net capital expenditure (£ million, current prices)			
1963	8	105	16
1973	49	265	46
1981	211	917	274

Estimates of gross output are not available for 1963.
Source: Census of production.

South Africa (EC Code of Conduct)

Mr. Frank Field asked the Secretary of State for Trade and Industry how many of the companies submitting full reports for the period ending June 1984 on the European Economic Community code of conduct, for companies with dealings with South Africa used, in responding to section 3 of the code, the supplementary living level figures rather than the minimum living level plus 50 per cent.; and if Her Majesty's Government ask any further questions of such companies.

Mr. Channon: I will reply to the hon. Member as soon as possible.

Mr. Frank Field asked the Secretary of State for Trade and Industry how many of the companies submitting full reports for the period ending June 1984 used, in responding to section 3 of the code, the supplementary living level or minimum living level plus 50 per cent. for

families of size five in areas where the average family size is shown in the supplementary living level minimum living level studies to be higher; and if Her Majesty's Government ask any further questions of such companies.

Mr. Channon: I will reply to the hon. Member as soon as possible.

Mr. Frank Field asked the Secretary of State for Trade and Industry how many of the companies submitting full reports for the period ending June 1984, in responding to section 3 of the code, compare their minimum wage levels with poverty levels other than the household subsistence level/household effective level or supplementary living level/minimum living level for families of five or six people; and if Her Majesty's Government ask any further questions of such companies.

Mr. Channon: I will reply to the hon. Member as soon as possible.

Mr. Frank Field asked the Secretary of State for Trade and Industry how many companies submitting full reports for the period ending June 1984 on the European code of conduct for companies with dealings with South Africa quote, in responding to section 3 of the code, separate levels for men and women and compare the two with different poverty levels; and if Her Majesty's Government ask any further questions of such companies.

Mr. Channon: I will reply to the hon. Member as soon as possible.

Mr. Frank Field asked the Secretary of State for Trade and Industry how many of the companies submitting full reports for the period ending June 1984 do not give figures for their total work force of all races as called for in the reporting format; and if Her Majesty's Government ask any further questions of such companies.

Mr. Channon: I will reply to the hon. Member as soon as possible.

Mr. Frank Field asked the Secretary of State for Trade and Industry how many of the companies submitting full reports for the period ending June 1984 make clear in the annual reports that their response to the code is available from the company; and what procedure is followed with those that do not.

Mr. Channon: I will reply to the hon. Member as soon as possible.

Pirate Radio Stations

Mr. Teddy Taylor asked the Secretary of State for Trade and Industry if he will introduce legislation to make it an offence to advertise the existence of a pirate radio station; and if he will make a statement.

Mr. Butcher: Section 5(3)*(f)* of the Marine & Broadcasting Offences Act 1967 already makes it an offence to publish details or promote the activities of unauthorised broadcasting stations operating on the high seas. I therefore assume that my hon. Friend refers to unlicensed broadcasting stations operating in the United Kingdom.

As a general principle it is preferable where possible, both on ground of clarity in establishing the nature of an offence and of fairness, to have enforce-powers against prime movers in the commission of an offence rather than those who give indirect assistance. Under the Wireless Telegraphy Act 1940 we have powers to take action against the unlicensed use of radio. These powers were significantly strengthened in the Telecommunications Act 1984, particularly with the introduction of the power to seize and detain, for the purpose of legal proceedings, the apparatus used by the unlicensed stations. Using these powers, we have considerably improved the effectiveness of our action aimed at removing this nuisance. I do not therefore propose to seek further powers at the moment.

Mr. Teddy Taylor asked the Secretary of State for Trade and Industry how many letters he has received from the general public complaining about pirate radio broadcasting; and what is the nature of the replies which he has sent.

Mr. Butcher: I have received numerous letters in the past, though the number has greatly diminished recently as the improved enforcement powers, which we took in the Telecommunications Act 1984, have proved themselves. Some have been written by people complaining that the transmissions of unlicensed broadcasting stations were interfering with their reception of programmes on authorised stations. Some have complained that unlicensed broadcasting stations offer unfair competition to authorised stations and do not pay fees for broadcast of records and news programmes.

I have replied that I am determined to take effective action to stop the unauthorised use of radio which causes interference, annoyance and sometimes danger, to authorised radio users. To illustrate this determination I have pointed to our record of activity. Since the start of 1985 the Department's Radio Investigation Service has taken action on 75 occasions against 41 unlicensed broadcasting stations. In the same period, 37 people have been prosecuted and convicted for their involvement in the operation of unlicenced stations.

Manufacturing Trade (Deficits)

Mr. Teddy Taylor asked the Secretary of State for Trade and Industry what were the deficits in manufacturing trade with Germany and Japan, respectively, at the most recent annual period for which figures are available; and what were the comparable deficits or surpluses in the same period five and 10 years previously.

Mr. Channon: Trade with individual countries is available only on the Overseas Trade Statistics basis with imports, but not exports, valued inclusive of insurance and freight charges. The crude balance calculated on this basis are in the table.

*United Kingdom Crude Balance of Trade in Manufactures**
£ Million Overseas Trade Statistics Basis

12 Months ending:	*F R Germany*	*Japan*
March 1975	−889	−286
March 1980	−2,612	−999
March 1985	−5,2,27	−2978

* Standard International Trade Classification, sections 5 to 8.

Bosporus Bridge

Mr. Teddy Taylor asked the Secretary of State for Trade and Industry what reply he has received from the Japanese Government about the complaints on unfair subsidising of the Turkish bridge project.

Mr. Channon: I will reply to my hon. Friend as soon as possible.

Japan (Trade Restrictions)

Mr. Teddy Taylor asked the Secretary of State for Trade and Industry what is the level or range of tariffs imposed on British exports to Japan and on Japanese exports to the United Kingdom.

Mr. Channon: When the Tokyo Round tariff reductions are completed (in 1986-87), the weighted average of tariff rates on imports into the European Community of industrial products will be 4·7 per cent. The comparable figure for Japan will be 2·8 per cent.

Mr. Teddy Taylor asked the Secretary of State for Trade and Industry what quota or voluntary restraint restrictions are placed by the United Kingdom through the European Economic Community on Japanese exports to the United Kingdom; and what comparable restrictions are placed on United Kingdom exports to Japan.

Mr. Channon: Japan has agreed with the European Commission to restrain her exports of video tape recorders and certain other industrial products. There is no voluntary restraint on United Kingdom or EC exports to Japan: we are striving to increase these. Japan has global quotas in several sectors, including for example, quotas on footwear and leather, which affect United Kingdom industry.

Mr. Teddy Taylor asked the Secretary of State for Trade and Industry what evidence he has of tariff, non-tariff or other restrictions imposed by the Japanese authorites on the export of British goods to Japan; and if he will make a statement.

Mr. Channon: I will reply to my hon. Friend as soon as possible.

TRANSPORT

Licences

Mr. Ashdown asked the Secretary of State for Transport if he will list in the *Official Report* all the different types of licences operated or granted by his Department and the year in which they first came into operation.

Mr. Ridley: My Department operates or grants the following licences, permits and certificates to enable individuals or businesses to undertake particular activities. Road service licensing is to be abolished under the Transport Bill, against which the hon. Gentleman voted.

Licence etc	*First Year of Operation (or date of current legislation)*
ROAD TRANSPORT	
Road Freight	
Goods vehicles operators licences	1968
Heavy goods vehicle drivers licence	1970
International road freight permits	1967
Passenger Transport	
Public service vehicles operators licences	1980
Road service licences (to be abolished under the Transport Bill)	1930
Public service vehicle drivers licence	1930
EEC international regular and special regular service authorisations	1973
EEC international shuttle service authorisations	1973
Minibus permits	1977
International passenger transport authorisations	1980
Other Vehicle and Drivers' licences	
Driving licence	1903
Driving test pass certificate	1935
International driving permit	1930
Vehicle excise duty licences and exemption certificates	1920
Driving Instructors	
Approved driving instructor certificates	1964
Trainee driving instructor licence	1970
Other	
Authorisation to carry out MOT tests	1960
Tachograph centre approval	1976
RAILWAYS	
Light railway orders	1896
SHIPPING AND MARINE	
Seafarers	
Certificates of competency for masters, deck officers, marine engineer officers	1852
Certificates for skippers and second hands serving on fishing vessels	1894
Boatmen's licences	1968
Certificates for lifeboatmen	1932
Dispensation and exemption certificates	1906
Safe manning certificates	1983
Medical fitness certificates	1983
Licences for seamen's employment agencies	1894
Hovercraft	
Operating permits for commercial operations	1972
Operating crew licences	1985
Miscellaneous	
Consents to work in tidal waters that may have adverse effects on the safety of navigation	1949
Licences for wreck exploration	1973
Licences to print and sell marine forms	1894

In addition, the Department operates for safety reasons a number of systems for approving equipment and works.

The Civil Aviation Authority has statutory responsibility under the Civil Aviation Act 1982 for a wide range of licences in connection with aviation matters.

Roads (Reconstruction)

Mr. Waller asked the Secretary of State for Transport if he will publish the location and classification of the lengths of road which make up the 220 mile backlog of all-purpose trunk roads in need of reconstruction, where such lengths exceed half a mile.

Mrs. Chalker: The information is as follows:

Road Number	Location	County/London borough
A64	Malton	North Yorkshire
A19	Crathorne diversion	North Yorkshire
A63	Elloughton	Humberside
A646	Hebden	West Yorkshire
A6	Irthlingborough	Northants
A38	Ripley	Derbyshire
A1	Tuxford	Nottinghamshire
A1	Balderton	Nottinghamshire
A1	Gonerby	Lincolnshire
A1	Great Ponton	Lincolnshire
A1	Colsterworth	Lincolnshire
A1	Wittering	Cambridgeshire
A1	Waternewton	Cambridgeshire
A13	Tilbury	Essex
A10	Hoddesdon	Hertfordshire
A45	Stowmarket	Suffolk
A45	Rougham	Suffolk
A41	Barnet	London Borough of Barnet
A19	Sunderland	Tyne & Wear
A1	Newcastle	Tyne & Wear
A1	Morpeth	Northumberland
A19	Teesside diversion	Cleveland
A580	Leigh	G.M.C.
A74	North of J44/M6	Cumbria
A34	Stafford	Staffordshire
A38	Burton	Staffordshire
A34	Tittensor	Staffordshire
A449	Ross-on-Wye	Hereford & Worcester
A446	Coleshill	Warwickshire
A46	Stratford-on-Avon	Warwickshire
A5	Witherley	Warwickshire
A27	Havant	Hampshire
A2	Swanscombe	Kent
A2	Lydden	Kent
A21	Castle hill	Kent
A43	Oxford	Oxfordshire
A30	Indian Queen	Cornwall
A30	Camborne	Cornwall
A30	Gossmoor	Cornwall
A438	Aston Cross	Gloucestershire

Trunk Roads (Review)

Mr. Waller asked the Secretary of State for Transport when the results of his review of the trunk road programme will be published.

Mrs. Chalker: I hope to announce the outcome of the review shortly.

Vehicle Excise Duty

Mr. Maude asked the Secretary of State for Transport what is the total cost of collecting and administering vehicle excise duty.

Mr. Michael Spicer: The collection of vehicle excise duty and the registration of vehicles are operated as a single integrated system and the costs of each are not easily identified. The cost of vehicle excise duty collection and vehicle registration in the United Kingdom was £88 million in the financial year 1984-85.

Mr. Maude asked the Secretary of State for Transport how many civil servants are employed in the collection and administration of vehicle excise duty.

Mr. Michael Spicer: The collection of vehicle excise duty and the registration of vehicles are operated as a single integrated system and an assignment of staff to each system cannot easily be made. The number of civil servants employed in excise duty collection and vehicle registration in the United Kingdom was 4,180 in the financial year 1984-85.

Shipping Industry

Mr. Loyden asked the Secretary of State for Transport what was the fall in deadweight tonnes of the United Kingdom-owned and registered merchant fleet between May 1979 and the end of 1984.

Mr. David Mitchell: The United Kingdom-owned and registered fleet of merchant vessels of 500 gross tons and over fell by 20·5 million deadweight tonnes between May 1979 and the end of 1984.

Mr. Loyden asked the Secretary of State for Transport what recent representations he has received from *(a)* the General Council of British Shipping and *(b)* the National Union of Seamen about the future of the British maritime industry.

Mr. David Mitchell: I have had a number of meetings and exchanges of correspondence with the General Council of British Shipping and the National Union of Seamen, most of which have in one way or another borne on the future of the United Kingdom shipping industry.

Mr. Loyden asked the Secretary of State for Transport what policy initiative he plans in order to promote an expansion of the share of the United Kingdom's coastal trade taken by merchant ships registered in the United Kingdom.

Mr. David Mitchell: The Government plan no such policy initiative. Our efficient coastal fleet is quite capable of defending its substantial share of this trade without intervention by the Government. Where we can—and will—help this fleet is by securing access to the closed coastal trades of our Community partners.

Engineering Works (Rayleigh Weir)

Sir Bernard Braine asked the Secretary of State for Transport whether in view of the continuing traffic congestion and its projected increase at the A127 and A129 road junction at Rayleigh Weir, Essex, he will consider advancing the start of the proposed engineering works before 1988.

Mrs. Chalker: After the current public consultations the full statutory procedures will follow. Much detailed design work will also be necessary. This makes a start of work before 1988 difficult. I am however conscious of increasing traffic congestion at the junction, and if it proves possible to advance the programme of work, this will be done.

Trunk Roads

Mr. Roy Hughes asked the Secretary of State for Transport what additional schemes he expects to include in the trunk road programmes which have not hitherto been justified by traffic forecasts, following his present review and his Department's revised traffic forecasts.

Mrs. Chalker: The review is not yet complete. The effect of the recently revised traffic forecasts, however, is not the only factor taken into account in deciding which schemes should be included in the national programme.

Mr. W. Rawlinson (Member's Correspondence)

Mr. Heddle asked the Secretary of State for Transport when he proposes to reply to the hon. Member for Mid-Staffordshire in respect of the points raised by his constituent, Mr. W. Rawlinson of 5 Tilling Drive, Walton, Stone, Staffordshire, in his letter of 1 April 1985, in particular with regard to the pension rights of employees of the National Bus Company and its subsidiaries.

Mr. David Mitchell: Shortly.

Seat Belts

Mr. Dormand asked the Secretary of State for Transport whether he will include in the independent study of seat belt wearing, its implications for accidents involving pedal cyclists; and if he will make a statement.

Mrs. Chalker: I invited Professors Durbin and Harvey to carry out an independent assessment of all the available statistical evidence on the effects of compulsory seat belt wearing. It will include the possible effects on casualty trends for all road users including cyclists and pedestrians.

Parking Restrictions

Mr. Rooker asked the Secretary of State for Transport, pursuant to the answer of 13 May, *Official Report*, column *63*, what are the specific difficulties in implementing section 7 of the Road Traffic Act 1974.

Mrs. Chalker: The need to avoid new demands on public sector resources.

Local Government Reform

Mr. Tony Banks asked the Secretary of State for Transport how many civil servants in his Department and at what grades are currently engaged on work associated with the abolition of the Greater London council and the metropolitan county councils; and what is the total cost.

Mrs. Chalker: I shall reply to this question shortly.

London Regional Transport

Mr. Tony Banks asked the Secretary of State for Transport if, pursuant to the reply of the hon. Member for Wallasey on 18 March *Official Report*, column 618, he will publish the basis on which the marginal estimated benefits and costs of Greater London council planned subsidy levels were computed.

Mrs. Chalker: The figures are contained in table 7A of the 3-year plan produced by the former London transport executive and approved by the Greater London council on 26 June 1984. This showed that, at the higher level of subsidy planned by the GLC, a marginal increase of £10 million in financial support would have produced £1·4 million in additional external benefits.

Traffic Management Systems (London)

Mr. Tony Banks asked the Secretary of State for Transport if he will detail the circumstances under which he will use his reserve powers to take control of traffic management systems in London.

Mrs. Chalker [*pursuant to the reply*, 16 May 1985, c. *250*]: The absence of satisfactory arrangements by boroughs.

A38 (Safety Fencing)

Mr. Steen asked the Secretary of State for Transport when he expects to publish the results of his review into the criteria relating to the provision of safety fencing on the A38 between Exeter and Plymouth.

Mrs. Chalker [*pursuant to the reply*, 16 May 1985, c. *251*]: The review is a national one and I shall make the results publicly available as soon as possible after its completion in about one year's time. However, the Department hopes to publish interim guidance updating existing criteria shortly.

Cars (Lead-free Petrol)

Mr. Meadowcroft asked the Secretary of State for Transport what recent representations he has received about the timetable for equipping new cars with the capacity to run on lead-free petrol.

Mrs. Chalker [*pursuant to the reply*, 13 May 1985, c. *62*.]: The views of many interested organisations have been taken into account in determining the line the UK delegation should take in Community discussions about vehicle emissions and lead in petrol.

ENERGY

Oil and Gas (Enterprise) Act 1982

Mr. Watts asked the Secretary of State for Energy what has been the volume and value of gas supplied by gas producers to customers by making use of the common carrier provisions of the Oil and Gas (Enterprise) Act 1982 in each year since the Act came into force.

Mr. Buchanan-Smith: To date no directions have been issued under the relevant sections of the Oil and Gas (Enterprise) Act 1982. Arrangements for carriage of third party gas in BGC pipelines, achieved through commercial negotiations, are a matter for the BGC and the party concerned.

Non-proliferation Treaty

Mr. D. E. Thomas asked the Secretary of State for Energy what publications, and in what numbers, the United Kingdom Atomic Energy Authority has produced for educational distribution on the non-proliferation treaty in preparation for the non-proliferation treaty third review conference in September of the current year.

Mr. Goodlad: The United Kingdom Atomic Energy Authority has produced no such publications.

Atomic Energy Authority Constabulary

Mr. D. E. Thomas asked the Secretary of State for Energy how many special constables were employed by the United Kingdom Atomic Energy Authority in each year since 1976.

Mr. Goodlad: The strength of the AEA constabulary for each year since 1976 is as follows:

	Numbers
1976	435
1977	469
1978	512
1979	516
1980	589
1981	591
1982	513
1983	635
1984	646
1985	*654

* at 1 April 1985

People's Republic of China

Mr. D. E. Thomas asked the Secretary of State for Energy if he will give information as to the trade in nuclear materials and technology between the People's Republic of China and agencies responsible to or sponsored by his Department since 1979.

Mr. Goodlad: The United Kingdom Atomic Energy Authority and the radiochemical centre (up to 1982) are the only organisations sponsored by my Department which have traded with the People's Republic of China since 1979. The trade has comprised the supply of very small quantities of radioisotopes used in industrial analysis and academic research.

Namibia

Mr. D. E. Thomas asked the Secretary of State for Energy whether any nuclear material deriving from Namibia or South Africa has been reprocessed on the Magnox reprocessing line at Sellafield.

Mr. Goodlad: Some of the spent Magnox nuclear fuel reprocessed at Sellafield was produced from Namibian origin uranium.

Combined Heat and Power

Mr. D. E. Thomas asked the Secretary of State for Energy what research his Department has conducted into combined heat and power technology.

Mr. David Hunt: The Government have been examining the feasibility and economic case for combined heat and power and district heating in the United Kingdom and has published the following reports.

Energy Paper No. 20 — District heating combined with electricity generation in the United Kingdom—1977

Energy Paper No. 35—Combined Heat and electrical power generation in the United Kingdom—1979

Energy Paper No. 53—Combined Heat and Power District Heating Feasibility Programme: Stage 1—1984

On 5 April 1984 my right hon. Friend announced that the Government were ready to encourage the formation of local consortia. As my right hon. Friend announced on 25 January 1985, the Government are prepared to offer grant assistance of up to £250,000 each to Belfast, Edinburgh and Leicester consortia to undertake further studies into CHP provided that the major participation in the development of such schemes comes from the private sector.

WALES

CEGB (Chairman)

2. **Mr. Best** asked the Secretary of State for Wales when he next expects to meet the chairman of the Central Electricity Generating Board.

Mr. Nicholas Edwards: I have no immediate plans for a meeting.

Labour Statistics

10. **Mr. Ron Davies** asked the Secretary of State for Wales what is the total number of unemployed in the Rhymney valley, Mid-Glamorgan and Wales at the latest available date for which information is available.

Mr. Nicholas Edwards: On 11 April 1985, the numbers of unemployed claimants were 7,681, 35,560 and 180,031 respectively.

Rhondda Valley

15. **Mr. Rogers** asked the Secretary of State for Wales what plans he has to reduce unemployment in the Rhondda Valley.

Mr. Nicholas Edwards: The Government's economic strategy is designed to attack the underlying causes of unemployment in the economy as a whole and therefore in the Rhondda Valley, as elsewhere in Wales.

Licences

Mr. Ashdown asked the Secretary of State for Wales if he will list in the *Official Report* all the different types of licences operated or granted by his Department and the year in which they first came into operation.

Mr. Nicholas Edwards: This information could only be provided at disproportionate cost.

Welsh Language Act

Mr. Wigley asked the Secretary of State for Wales if he will clarify the objectives of the discussion his Department agreed to hold with the ad hoc committee working on a new Welsh Language Act; and if it remains his policy to consider the possibility of introducing legislation relating to the Welsh language.

Mr. Wyn Roberts: I met representatives of the working party in April to discuss their demands for a new Welsh Language Act. I was not convinced that a valid case had been made for legislation but undertook to consider further any proposal which in my view would benefit the Welsh language.

All-Wales Strategy for Mentally Handicapped People

Mr. Wigley asked the Secretary of State for Wales whether any proposals relating to the implementation of the all-Wales strategy for mentally handicapped people have been frozen by his Department; and if he will make a statement.

Mr. Wyn Roberts: No. In the main, proposals under the strategy are considered in the context of the comprehensive plans prepared in each of the counties and the vanguard districts. These plans are in various stages of preparation or implementation. Those for South Glamorgan, West Glamorgan and Clwyd were approved last June and that for Gwent was approved last week. Plans for the Gwynedd (non-vanguard area) and Rhondda (vanguard district) are under consideration within the Welsh Office and the remaining four plans have yet to be formally submitted to me by the relevant planning groups.

School Meals

Mr. Gordon Brown asked the Secretary of State for Wales if he will list those local education authorities providing free school meals to children other than those covered by the statutory requirements; and what proportion of all local education authorities in Wales these represent.

Mr. John Stradling Thomas: Three-quarters or six of the eight local education authorities in Wales make such provision. They are:

Clwyd
Gwent
Gwynedd
Mid Glamorgan
South Glamorgan
West Glamorgan

Labour Statistics

Mr. Rowlands asked the Secretary of State for Wales how many people there are in employment in Wales *(a)* in full-time employment, *(b)* in part-time employment and *(c)* in self-employment; and how these figures compare with the position in May 1979.

Mr. Nicholas Edwards: Comprehensive and comparable information is available only for June each year since, although most of the information is produced on a quarterly basis, in Wales that on self employment is an annual series for June. Separate information is not collected about male part-time employment.

Total employment (excluding HM Forces)

	Employees in employment 000s			*Self employed 000s*
	Male	*All*	*Female part-time*	
June 1979	618	415	165	100
June 1984	504	397	173	142

Non-Government Bodies (Payments)

Mr. D. E. Thomas asked the Secretary of State for Wales if he will list the payments made to those appointed to the various nominated bodies and non-departmental public bodies by him or any other Ministers in his Department *(a)* in recognition of their services and *(b)* towards their costs.

Mr. Nicholas Edwards: Details of remuneration, where appropriate, of those people appointed by me to executive bodies, advisory bodies, tribunals and health authorities in Wales and the Welsh water authority are included in "Public Bodies 1984" published by HMSO (December 1984). Information on expenses paid to appointees is not held centrally.

Tourism

Mr. D. E. Thomas asked the Secretary of State for Wales what financial assistance has been provided to support the development of tourism in Wales in each financial year since 1979; and what were the sources of such assistance.

Mr. John Stradling Thomas: Support for the tourism industry comes from many sources. The Wales tourist board has spent the following amounts since 1979-80. The figures in brackets are the amounts spent on assisting specific projects under section 4 of the Development of Tourism Act 1969:

	£000s	*(£000s)*
1979-80	3,652	(1,696)
1980-81	4,316	(1,696)
1981-82	5,077	(1,911)
1982-83	5,562	(1,515)
1983-84	5,032	(1,209)
1984-85	6,365	(1,800)

For 1985-86 the board has been allocated £7·196 million of which £2 million is for section 4 support. Many projects that are supported by urban development grant while not specifically for tourism have incidental tourism benefits. It is not possible readily to identify the proportions of the total assistance that relates to tourism. Some local authorities have received support for their tourism schemes under the urban programme. The following commitments on such schemes have been given since 1979-80:

	£000s
1979-80	138
1980-81	144
1981-82	62
1982-83	465
1983-84	412
1984-85	63

Tourism and recreational projects can also receive assistance from the European regional development fund. Since 1979-80, the following amounts have been committed for such projects:

	£000s
1979-80	1,835
1980-81	1,075
1981-82	2,927
1982-83	1,067
1983-84	2,998
1984-85	1,774

Both the Welsh Development Agency and the Development Board for Rural Wales contribute to the development of tourism but it is not possible to identify within their budgets the amounts involved.

Details of local authority spend on tourism can be found in Summary Table 'B' of the CIPFA Leisure and Recreation Statistics for the period 1979-80 to 1984-85; copies of which are in the Library.

Departmental Grants

Mr. D. E. Thomas asked the Secretary of State for Wales what grants were made by his Department and who

were the recipient organisations under each of the following Acts in 1984-85: the Development of Rural Wales Act 1976, the Education Act 1944, the Health Services and Public Health Act 1968, the Historic Buildings and Ancient Monuments Act 1983, the Housing Act 1977, the National Health Services Act 1977, the Road Traffic Act 1972 and the Town and Country Planning Act 1972.

Mr. Nicholas Edwards: I will write to the hon. Gentleman shortly, and place a copy of my reply in the Library.

Computerised Data Processing

Mr. Phillip Oppenheim asked the Secretary of State for Wales what is his Department's annual budget for computerised data processing, including hardware, software and out of house services; and how many staff of his Department are employed in carrying out computerised data processing work.

Mr. Nicholas Edwards: £1,316,000 is included in the 1985-86 Supply Estimates for current and capital computer expenditure. A total of 17 staff are assigned full-time to computing work within my Department. In addition, some 200 staff use computing equipment from time to time in the course of their duties.

Legionnaire's Disease

Mr. Dobson asked the Secretary of State for Wales how many people in Wales are known by his Department or the communicable diseases surveillance centre to have died from legionnaire's disease in the last year.

Mr. Wyn Roberts: There was one death registered in Wales during 1984 for which the underlying cause of death was legionnaire's disease.

Water Rates

Mr. Gordon Brown asked the Secretary of State for Wales what is the average water rate levied in (i) the Welsh water authority area and, (ii) Wales as a whole; and by how much those rates have increased in real terms since 1979.

Mr. Wyn Roberts: I refer the hon. Gentleman to the answer provided by my hon. Friend the Parliamentary Under-Secretary of State for the Environment, the Member for Sutton and Cheam (Mr. Macfarlane) on 17 May 1985 at columns *249-50*. The information provided there was in respect of the Welsh water authority's areas, but information for Wales as a whole is not readily available.

Mr. Gordon Brown asked the Secretary of State for Wales what was the increase in average water rates in the area of the Welsh water authority in 1985-86 over 1984-85.

Mr. Wyn Roberts: The increase in the average household water bill in the area of the Welsh water authority in 1985-86 over 1984-85 is £11·14.

A5 (Bypasses)

Mr. Best asked the Secretary of State for Wales when he expects to receive the final report of consulting engineers into routes for bypasses around the five villages on the A5 on Anglesey; if any route has yet been finalised; if it is proposed to finalise some routes earlier than others; and if he will make a statement.

Mr. John Stradling Thomas: As my hon. Friend knows, we expect to receive by the end of the year the consultants' formal report on the extent of the need for bypasses of the five villages. This will include an assessment of environmental benefits as well as the likely cost effectiveness of the proposals. Final decisions on routes and decisions on priorities must await this report.

Company Headquarters

Mr. D. E. Thomas asked the Secretary of State for Wales what proportion of the leading 1,000 companies in the United Kingdom had their headquarters in Wales from 1974 to 1984.

Mr. Nicholas Edwards: The hon. Gentleman is presumably referring to the companies listed in the publication entitled "The Times 1,000". The addresses of the headquarters of these companies are listed in this publication which is published annually and copies of which are in the Library.

Infant Mortality

Mr. D. E. Thomas asked the Secretary of State for Wales what is the latest estimate of the rates of infant mortality in Wales.

Mr. Wyn Roberts: The infant mortality rate in Wales in 1984 was 8·8 per 1,000 live births.

Bankruptcies

Mr. D. E. Thomas asked the Secretary of State for Wales how many bankruptcies in Wales his Department has been notified of in each year since 1979.

Mr. Butcher: I have been asked to reply.

Bankruptcy cases handled by courts in Wales from 1979 to 1984 are as follows:

	Number
1979	203
1980	231
1981	306
1982	334
1983	419
1984	547

These figures are published annually in the Digest of Welsh Statistics.

SCOTLAND

Glenochil Centre

Mr. Dalyell asked the Secretary of State for Scotland if he will make a statement on his inquiries into visiting conditions at Glenochil centre.

Mr. Ancram: As I explained to the House on 2 May at column 486, visiting entitlements were improved in most penal establishments last year. This included both Glenochil young offenders institution and Glenochil detention centre where the existing minimum scales for visits for all inmates are one 30-minute visit on reception

and two 30-minute visits every month thereafter. Both institutions operate a grade structure by which inmates can progress to two 1 hour visits per month. Extra visits are granted on request at the Governor's discretion. All visits are open.

School Meals

Mr. Gordon Brown asked the Secretary of State for Scotland if he will list those local education authorities providing free school meals to children other than those covered by the statutory requirements; and what proportion of all local education authorities in Scotland these represent.

Mr. Allan Stewart: I assume that the question refers to school meals provided under education authorities' discretionary power in section 53(3)*(b)* of the Education (Scotland) Act 1980. At the time of the 1984 school meals census ten out of the 12 education authorities were providing free school meals under section 53(3)*(b)*:

Borders
Central
Dumfries and Galloway
Fife
Grampian
Strathclyde
Tayside
Orkney
Shetland
Western Isles

Rates

Lord James Douglas-Hamilton asked the Secretary of State for Scotland how many *(a)* domestic ratepayers and *(b)* commercial ratepayers would be in a position to benefit from the scheme announced on Tuesday 14 May; and if he will publish a table giving figures for each category, region-by-region and district-by-district.

Mr. Ancram: I refer my hon. Friend to the figures my right hon. Friend gave the House at column 219 following the statement on 14 May. These are very approximate estimates which I would hope to revise when information is available from assessors as to the number of rateable subjects with valuation multipliers greater than 3. I can make no estimate by region or district.

Lord James Douglas-Hamilton asked the Secretary of State for Scotland if Edinburgh district council will receive further funds from Her Majesty's Government if they bring their rate fund contribution down to the Secretary of State's limit.

Mr. Ancram: If Edinburgh district council revises its budget such as to bring its estimated rate fund contribution for 1985-86 down to the figure in the Housing Revenue Account Rate Fund Contribution Limits (Scotland) Order 1985, the council's gross HRA capital allocation for 1985-86 will be increased from £12·362 million to £18 million.

Mr. Craigen asked the Secretary of State for Scotland if he will publish in the *Official Report* the amount of rates collected in Scotland in each year from 1981-82; and if he will express the costs of both *(a)* lands valuation and *(b)* collection of rates as a percentage of the total.

Mr. Ancram [*pursuant to his reply*, 16 May 1985, c. *229*]: The information is given in the table.

	Cash amount of rates collected in Scotland after rebates and reliefs	*Cost of (a) lands valuation and (b) collection of rates as a percentage of rates collected*	
	£ million	*(a) per cent.*	*(b) per cent.*
1981-82	1,205	0·7	1·0
1982-83	1,373	0·6	1·0
1983-84	1,308	0·7	0·9
1984-85	*1,445	0·7	1·0
1985-86	*1,611	0·6	1·0

* Estimate.

The percentages are based on the figures used in the answer to the hon. Member's question on 26 April 1985 at column *219*.

Housing Associations

Lord James Douglas-Hamilton asked the Secretary of State for Scotland what allocations have been made available to housing associations for each of the years from 1979 to date.

Mr. Ancram: Finance for housing association projects is provided through lending by the Housing Corporation and through a smaller programme of lending by local authorities. The gross provision for the housing association movement in Scotland as a whole for each financial year since 1979-80 is set out in the following table.

Financial year	*£ million*
1979-80	53·9
1980-81	70·3
1981-82	92·0
1982-83	119·8
1983-84	119·7
1984-85	111·4
1985-86	109·9

Lord James Douglas-Hamilton asked the Secretary of State for Scotland what is the total stock of housing association houses in Scotland; and how many housing association houses have been built in each of the years of from 1979 to date.

Mr. Ancram: It is estimated that the total stock of housing association houses in Scotland at the end of 1983 numbered 35,000. The table (drawn from returns by local authorities) shows the number of newly built dwellings completed by housing associations in each year since 1979.

Year	*Completions*
1979	544
1980	881
1981	1,928
1982	1,167
1983	1,271
1984	2,032

Education Expenditure

Mr. McQuarrie asked the Secretary of State for Scotland how Scotland's spending on education, expressed as a percentage of gross domestic product, compares with Western European countries; and if he will make a statement.

Mr. Allan Stewart: I shall reply to my hon. Friend as soon as possible.

NHS (Expenditure)

Lord James Douglas-Hamilton asked the Secretary of State for Scotland what has been the increase in spending on the National Health Service in Scotland in *(a)* funds and *(b)* the percentage terms for 1985-86 in comparison to 1984-85, giving figures for (i) Scotland and (ii) the Lothian Health Board, respectively.

Mr. John MacKay: The latest estimate of gross expenditure on the National Health Service in Scotland in 1984-85 is £1,901 million; the gross provision made for 1985-86 is £1,998 million, an increase of 5·1 per cent.

Estimated gross recurrent expenditure by health boards in 1984-85 is £1,282 million; the financial allocation to boards for recurrent expenditure 1985-86 is £1,353 million; an increase of 5·5 per cent.

Health Boards

Lord James Douglas-Hamilton asked the Secretary of State for Scotland what are the allocations for individual health boards for 1985-86, and if he will submit a table indicating the increase in real terms for each health board over 1984-85 as well as the average for the whole of Scotland in both percentage and actual terms.

Mr. John MacKay: Gross recurrent expenditure allocations to boards for the hospital and community health services in 1985-86 amounted to £1,353 million. The net cash limited allocations to individual boards for recurrent expenditure, after expected income is taken into account, are shown in column *(a)* following. The average increase of 5·5 per cent. in resources shown at columns *(b)* and *(c)* is intended to cover inflation costs and to meet new demands for health care.

Health Boards	*(a)* *1985-86 Recurrent Expenditure Allocation (Net)* *£,000*	*(b)* *†Increase over 1984-85 Allocations* *Cash* *£,000*	*(c)* *Per cent.*
Argyll and Clyde	97,737	4,897	5·27
Ayrshire and Arran	69,569	5,112	7·93
Borders	19,825	1,169	6·27
Dumfries and Galloway	35,034	2,003	6·06
Fife	65,372	4,045	6·60
Forth Valley	63,432	3,602	6·02
Grampian	119,417	7,113	6·33
Greater Glasgow	359,240	16,340	4·77
Highland	50,238	2,764	5·82
Lanarkshire	110,778	6,471	6·20
Lothian	216,977	10,507	5·09
Orkney	3,631	228	6·70
Shetland	4,542	276	6·47
Tayside	126,237	5,386	4·46
Western Isles	6,931	500	7·77
TOTAL	*1,348,960	70,413	
Average			5·51

* Includes £12·8 million allocated for specific commitments.

† As adjusted for changes in the course of the year.

In addition, £36·5 million has been allocated to boards for their ordinary capital programmes in 1985-86 and a further £25 million specifically for expenditure on upgrading the NHS estate.

Political Conferences (Policing Costs)

Mr. Ewing asked the Secretary of State for Scotland if he will call for reports from the chief constables of the relevant regions concerning the costs of policing *(a)* the Liberal party conference at Inverness, *(b)* the Scottish Trades Union Congress at Inverness, *(c)* the Labour party conference at Perth, *(d)* the Conservative party conference at Perth, all held in 1985, and *(e)* the Scottish National party conference at Inverness in September 1984.

Mr. Ancram: I understand that it is not the practice of the forces concerned to maintain separate records of the costs of policing such events. The information requested is not therefore readily available and could be obtained from the forces concerned only at disproportionate cost, because it would be a time-consuming exercise to extract it from financial records.

Legionnaire's Disease

Mr. Dobson asked the Secretary of State for Scotland how many people in Scotland are known by his Department or the communicable diseases surveillance centre to have died of legionnaire's disease in the last year.

Mr. John MacKay: The provisional number of deaths in Scotland for 1984, reported to the Registrar General, in which the underlying cause of death is Legionnaire's disease, is four. A further two deaths have been attributed to this cause by the communicable diseases (Scotland) unit, Ruchill hospital, as a result of tests carried out after the death certificates were written.

Water Rates

Mr. Gordon Brown asked the Secretary of State for Scotland what was the increase in average water rates in each authority area in Scotland in 1985-86 over the preceding financial year.

Mr. Ancram: Since domestic water rate poundages all decreased between 1984-85 and 1985-86 because of revaluation, I assume the hon. Member is seeking information about average domestic water rate bills. This is as follows:

Average household domestic water rate bills

Authority	*1984-85* *£*	*1985-86* *£*	*Difference* *£*	*Difference per cent.*
Borders	25·81	22·57	−3·24	−12·56
Central	16·88	18·88	2·00	11·85
Dumfries and Galloway	24·80	24·57	−0·23	−0·93
Fife	20·14	25·07	4·93	24·48
Grampian	31·19	34·13	2·94	9·43
Highland	25·96	26·01	0·05	0·20
Lothian	24·65	26·31	1·66	6·74
Strathclyde	24·81	26·27	1·46	5·89
Tayside	20·26	24·49	4·23	20·88
Orkney	28·67	29·63	0·96	3·35
Shetland	7·74	12·03	4·29	55·43
Western Isles	24·25	24·11	−0·14	−0·58
Scotland	24·32	26·24	1·92	7·90

Mr. Gordon Brown asked the Secretary of State for Scotland what is the average water rate levied in each water board region and in the United Kingdom as a whole; and by how much those rates have increased in real terms since 1979.

Mr. Ancram [*pursuant to his reply*, 17 May 1985, c. *261*]: Average domestic water charges in England and Wales are to be found in "The Water Industry" and domestic water rates in Scotland in "Rating Review", both published by the Chartered Institute of Public Finance and Accountancy and available in the Library. The figures north and south of the border are not however directly comparable.

In England and Wales water charges pay for sewerage, sewage treatment and disposal, land drainage and certain environmental services as well as water supply. In Scotland, after taking account of direct charges to industrial and commercial consumers about two-thirds of the net expenditure on water supply is met from domestic water rates; the remaining one-third plus the expenditure corresponding to the expenditure on sewerage etc. contained in water charges in England and Wales is met from regional rates (general rates in the islands) assisted by rate support grant. The one-third of net water expenditure met from regional and general rates in Scotland is, broadly, for the use of water by public services, for example, the fire service, street cleansing and the like.

In Northern Ireland water expenditure is included in the calculation of the regional rate for local government services collected by the Department of the Environment.

Education (Expenditure)

Mr. McQuarrie asked the Secretary of State for Scotland if he will list in the *Official Report* the money spent by Her Majesty's Government on Scottish education in the years 1979 to 1984 and the latest available figures for 1985-86.

Mr. Allan Stewart: Information on expenditure on education in Scotland is contained in table 15·8 of the "Commentary on the Scottish Programme" which was published in February 1985. More detailed figures for central Government expenditure on education in 1985-86 are contained in Supply Estimates, class XV.

Teachers

Mr. McQuarrie asked the Secretary of State for Scotland what sums Her Majesty's Government has allocated for in-service training in the teaching profession for the years 1979 to 1984; and what are the latest available figures for 1985-86.

Mr. Allan Stewart: Provision for the in-service training of teachers in Scotland is included in local authorities' rate support grant relevant expenditure, but is not separately identified. In addition, my right hon. Friend has recently introduced two schemes of assistance towards the expense of teachers attending approved in-service training; specific grants available under these schemes for the financial years 1984-85 and 1985-86 amounted to £720,000 and £763,000 respectively.

Mr. McQuarrie asked the Secretary of State for Scotland if he has any plans to introduce job sharing in the teaching profession; and if he will make a statement.

Mr. Allan Stewart: This is a matter for education authorities, as employers.

Schools (Behaviour Problems)

Mr. McQuarrie asked the Secretary of State for Scotland what investigations have been made into pupils' emotional and behavioural problems at school; and what has been the result of these investigations.

Mr. Allan Stewart: Recent work in this field has included the 1977 Pack report on truancy and indiscipline, the 1981 report by the Convention of Scottish Local Authorities on discipline in Scottish schools and various detailed research projects commissioned by the Scottish Education Department. It is for education authorities to take account of such investigations in determining school policies and organisation.

Defective Houses

Lord James Douglas-Hamilton asked the Secretary of State for Scotland whether the booklet giving guidance to owners of defective houses purchased from local authorities will be made available to Edinburgh district council and other local authorities in Scotland very shortly; and whether a satisfactory agreement has been arrived at involving the National Housebuilding Council and the Building Societies' Association.

Mr. Ancram: I hope that the booklet of guidance will be ready for issue to all local authorities around the end of this month. On the question of agreement between the National House-Building Council and the Building Societies' Association, the warranty scheme approved by the NHBC, to which I referred in the reply which I gave my hon. Friend on 16 May, has been agreed with the BSA.

Infant Mortality

Mr. D. E. Thomas asked the Secretary of State for Scotland what is the latest estimate of the rate of infant mortality in Scotland.

Mr. John MacKay: Provisional figures for 1984 show a rate of 10·3 per 1,000 live births.

Shipbuilding Industry

Dr. Godman asked the Secretary of State for Scotland how many jobs in the shipbuilding industry have been lost since June 1979 in *(a)* Scotland, *(b)* Strathclyde region and, *(c)* Greenock travel-to-work area.

Mr. Allan Stewart, [*pursuant to his reply*, 13 May 1985, c. *56*]: The estimated net decreases in employment in the shipbuilding and marine engineering industry in manufacturing units with 11 or more employees between 1979 and 1984 were 12,000 in Scotland and 9,000 in Strathclyde region; estimates for the Greenock travel-to-work area are subject to disclosure restriction. The estimates are based on the regional data system.

EMPLOYMENT

Earnings

Mr. Deakins asked the Secretary of State for Employment what have been the real increases in earnings in the public sector in each of the past three years.

Mr. Peter Bottomley: Estimates of the percentage increase in average gross earnings of full-time employees in the public sector, deflated by the increase in the retail prices index, are as follows.

Changes in real average gross weekly earnings of full-time adult employees working a full week

	Percentage
April 1981 to April 1982	*−1·0
April 1982 to April 1983	†+3·8
April 1983 to April 1984	+0·6

Source: New Earnings Survey.
* Based on males aged 21 and over and females aged 18 and over.
† Based on those on adult rates of pay.

Changes in average earnings in April of successive years may reflect changes in the timing of pay settlements. Also, changes in average earnings may reflect changes in the structure of employment and do not necessarily correspond to equivalent changes in rates of pay for comparable jobs.

Swindon

Mr. Coombs asked the Secretary of State for Employment what were the 15 largest categories of employment in the Swindon constituency in 1971, 1976, 1981 and in the latest available year; how many were employed in each category; and what percentage of the total work force these represent.

Mr. Alan Clark: The available information is for the Swindon jobcentre area and is as follows.

Numbers and percentage of employees in employment in the 15 Industry Groups with the largest numbers of employees

Orders of the Standard Industrial Classification 1968	*June 1971*		*June 1976*		*September 1981 (latest available)*	
	Number (000s)	*Per cent.*	*Number (000s)*	*Per cent.*	*Number (000s)*	*Per cent.*
Agriculture, forestry and fishing	1·6	2·3	1·5	2·0	1·4	1·7
Food drink and tobacco	1·9	2·7	1·5	2·0	1·2	1·6
Chemicals and allied industries	—	—	—	—	1·5	1·9
Metal manufacture	*	*	—	—	—	—
Mechanical engineering	3·5	5·0	3·4	4·6	3·0	3·8
Electrical engineering	9·0	12·6	6·8	9·1	3·9	4·9
Vehicles	10·4	14·6	8·4	11·3	6·4	8·2
Metal goods not elsewhere specified	1·1	1·5	1·2	1·7	1·2	1·5
Timber, furniture etc	1·4	2·0	1·5	2·0	—	—
Construction	3·6	5·0	3·6	4·9	4·5	5·8
Gas, electricity and water	—	—	1·1	1·4	1·0	1·3
Transport and communication	3·1	4·3	3·9	5·2	5·3	6·7
Distributive trades	9·4	13·2	12·2	16·4	14·3	18·3
Insurance, banking, finance and business services	1·1	1·6	3·0	4·1	5·8	7·5
Professional and scientific services	9·2	13·0	9·6	13·0	12·9	16·5
Miscellaneous services	5·9	8·3	7·7	10·4	8·8	11·2
Public administration and defence	4·0	5·6	4·2	5·7	2·9	3·7

* Figures suppressed to avoid disclosure of information concerning an individual firm.

Unemployment Statistics

Mr. Winnick asked the Secretary of State for Employment (1) what is the latest number of those under 21 years in *(a)* the United Kingdom, *(b)* the west midlands and *(c)* the black country area of the west midlands who have been unemployed for 12 months and more; what was the percentage increase in each case since the changes in recording these figures; and what was the date on which the change took effect;

(2) what is the latest number of those aged 45 years and over in *(a)* the United Kingdom, *(b)* the west midlands and *(c)* the black country area of the west midlands who have been unemployed for 12 months and more; and what has been the percentage increase in each case since the change in recording these figures;

(3) what is the total amount in *(a)* the United Kingdom, *(b)* the west midlands and *(c)* the black country area of the west midlands, who have been unemployed for 12 months and more; and what has been the percentage increase since the change in recording these figures.

Mr. Alan Clark: The following information is in the Library. Percentage increases are shown since 14 October 1982, when the unemployment count was first based on the numbers of claimants to benefit at unemployment benefit offices.

Claimants unemployed for over one year—11 April 1985

	Aged under 20 years†		*Aged 45 years and over*		*Total all ages*	
	April 1985	*Increase since October 1982‡ per cent.*	*April 1985*	*Increase since October 1982‡ per cent.*	*April 1985*	*Increase since October 1982 per cent.*
United Kingdom	110,233	24·4	432,552	11·6	1,334,161	34·9
West Midlands	13,082	14·9	55,058	7·5	164,180	26·6
Black country area*	4,084	23·7	17,456	10·3	51,458	30·0

* Figures relate to the former Dudly and Sandwell, Wolverhampton and Walsall travel-to-work areas, as defined in 1978. Figures for the new travel-to-work areas will be available shortly.
† Figures are not available for those aged under 21.
‡ Comparisons since October 1982 are affected by the 1983 Budget measures which mean that certain older men, mainly over 60, no longer need to sign on at an unemployment benefit office in order to receive supplementary allowance or national insurance credits.

Mr. Winnick asked the Secretary of State for Employment (1) if he will list the latest unemployment figures and percentages in each region and the percentage of those in each region who have been unemployed for 12 months and more;

(2) if he will set out the unemployment figures and percentage in each region in May 1979, May 1982 and May 1984 and, in each case, the percentage of those who have been unemployed for 12 months and more.

Mr. Alan Clark: I shall reply to the hon. Member as soon as possible.

Job Creation

Mr. Gordon Brown asked the Secretary of State for Employment if he will publish a table showing the numbers of additional jobs for *(a)* employees and *(b)* self-employed that were created in (i) Scotland, (ii) England and (iii) Wales in the calendar years 1983 and 1984; and if he will publish similar tables for the number of part-time and full-time jobs created; and for men and women, respectively.

Mr. Alan Clark: I shall reply to the hon. Member as soon as possible.

Personal Disposable Income

Mr. D. E. Thomas asked the Secretary of State for Employment what is his latest estimate of personal disposable income, as a percentage of the United Kingdom average, in Wales and the regions of England.

Mr. Peter Bottomley: Available information relating to normal weekly disposable household income per head from the 1982 and 1983 family expenditure surveys show the following percentages:

	Per cent.
North	92
Yorkshire and Humberside	90
North West	95
East Midlands	95
West Midlands	95
East Anglia	100
Greater London	124
Remainder of South East	113
South West	102
Wales	89
United Kingdom	100

Trans Promotions Ltd.

Mr. Barry Sheerman asked the Secretary of State for Employment (1) what information he has on the number of staff employed by Trans Promotions Ltd. in running its youth training schemes in each relevant Manpower Services Commission area; how this information compares with the average figures given in the report to the Manpower Services Commission youth training board of the Manpower Services Commission's survey of scheme providers, paper YTB 85/14, annex A, paragraph 1.1; and if he will make a statement;

(2) whether the Manpower Services Commission undertook any financial checks into the standing of the youth training scheme managing agent Trans Promotions Ltd. prior to the signing of a contract between Trans Promotions Ltd. and the Manpower Services Commission; and whether there are any plans to conduct such a check in the future;

(3) what steps he has taken to satisfy himself that the youth training schemes run by Trans Promotions Ltd. meet the minimum criteria of the Manpower Services Commission; and if he will make a statement;

(4) on what dates the large companies unit, the large companies sub-group of the youth training board and the youth training board of the Manpower Services Commission approved a contract to provide youth training scheme places between the Manpower Services Commission and the managing agent Trans Promotions Ltd.; on what dates the renewal of the contract for 1984-85 was approved; on what dates a list of work experience provider for 1984-85 was approved; and what steps he has taken to satisfy himself as to the actions of the above bodies and as to the adequacy and accuracy of the list of work experience providers;

(5) how many places on the youth training scheme are being offered by the managing agent Trans Promotions Ltd. nationally and by Manpower Services Commission area in the current year; how many trainees were in training in these places nationally and by Manpower Services Commission area on the latest available date; and how many trainees have entered such places by Manpower Services Commission area and nationally in the current year.

Mr. Peter Morrison [*pursuant to his reply*, 17 May 1985, c. *241*]: The first agreement between Trans Promotions Ltd. and the large companies unit of the Manpower Services Commission was exchanged on 9 May 1983. Scheme approval was given by officials of the large companies unit using authority delegated by the youth training board large companies unit sub-group. A renewal agreement for 1984-85 was exchanged on 29 June 1984 under the same procedure.

Prior to the signing of agreements, the bulk of individual work experience placements were approved by officials of the large companies unit following consultation with officials of Manpower Services Commission training division area offices. As in all schemes, adjustments were made subseuently in the light of operational experience.

Action by officials and agreements were endorsed by the youth training board large companies unit sub-group on 15 June 1983 in respect of 1983-84 and on 31 July 1984 in respect of 1984-85.

The youth training board large companies unit sub group reports directly to the youth training board who are in turn responsible to the Commission.

Contracts for 1985-86 have not yet been signed. The 1984-85 agreement covered 323 places nationally. A total of 100 trainees were in training on 25 March 1985; 220 trainees had entered the 1984-85 scheme by that date. It

is not possible to provide an analysis of these figures by Manpower Services Commission training division area offices other than at disproportionate cost.

The large companies unit applies national standards with regard to quality and financial status to the schemes that it negotiates. Routine checks were made to establish the company status of Trans Promotions Ltd. but a detailed investigation into its financial affairs was not made. Such an investigation would only be undertaken in the event of serious concern or doubt and there are no plans to make such an investigation in this case.

All youth training schemes are regularly monitored by Manpower Services Commission officials to establish whether they meet current requirements for content and design laid down by the Commission. The large companies unit's current assessment of the Trans Promotion Ltd. scheme is that it is meeting current requirements.

The report, presented to the Manpower Services Commission youth training board on 14 March 1985, showed that on average, the equivalent of eight full-time staff were employed by managing agents to manage, administer and provide training for each 100 trainees. However, the number of staff employed by individual managing agents varied depending on the extent to which elements of the programme were sub-contracted or offered in-house. Trans Promotions Ltd. has provided details of staffing in confidence and the large companies unit is satisfied that they are adequate.

NORTHERN IRELAND

Black Report

Mr. Kilroy-Silk asked the Secretary of State for Northern Ireland if it is still intended to implement the Black report's recommendation that custodial and residential sentences for juveniles should be replaced by a single determinate residential order as announced by the then Minister of State to the Northern Ireland Committee on 5 November. 1980.

Mr. Scott: The Treatment of Offenders (Northern Ireland) Order 1980 replaced semi-determinate borstal training orders by provision for determinate sentences for young persons aged over 16 years convicted of imprisonable offences. Further legislation relating to the Black report recommendations on the sentencing of those aged 16 and under is still being considered.

European Social Fund

Mr. John David Taylor asked the Secretary of State for Northern Ireland what changes have been decided by the European Commission in the criteria for allocations from the European social fund; what are the implications for future allocations from the fund to Northern Ireland; and if he will make a statement.

Dr. Boyson: The review of the European social fund completed in late 1983 resulted in entirely new regulations and guidelines governing the funds's operations which remained unchanged in 1984 and 1985. New guidelines for the Management of the fund in 1986 have just been adopted by the Commission, but it is too early to say what effect they may gave on allocations to Northern Ireland in that year. The distribution of fund assistance is influenced by many factors including, notably, the overall pressure of demand on its resources. I would expect that Northern Ireland's status as an area of absolute priority will mean that it will continue to receive high levels of support from the fund.

Birds (Licences to Kill)

Mr. Kilroy-Silk asked the Secretary of State for Northern Ireland how many licences he issued in *(a)* 1983 and *(b)* 1984 and so far in 1985 to kill birds under section 16 of the Wildlife and Countryside Act 1981; and if he will indicate in each case the species of bird involved, the number allowed to be killed, the location and the reason.

Mr. Chris Patten: None. The Wildlife and Countryside Act 1981 does not apply to Northern Ireland.

Legionnaire's Disease

Mr. Dobson asked the Secretary of State for Northern Ireland how many people in Northern Ireland are known by his Department or the communicable diseases surveillance centre to have died from legionnaire's disease in the last year.

Mr. Chris Patten: In the year ending 31 December 1984 no death was registered.

Security

Mr. William Ross asked the Secretary of State for Northern Ireland what is the design capacity by modern standards for each prison in Northern Ireland, including the new prison; and what are the actual numbers in each prison at the present time.

Mr. Scott [*pursuant to his reply*, 13 May 1985 c. *3*]: The following is the normal capacity of each penal establishment and the present population:

Establishment	*Capacity*	*Population*
Armagh	114	56
Belfast	600	589
Maze (Compound)	—	197
Maze (Cellular)	800	720
Malligan	300	328
Maghaberry (Male)	450	—
Maghaberry (Female)	56	—
Hydebank	300	207

There is no established capacity to the Maze (compound)

Mr. William Ross asked the Secretary of State for Northern Ireland if he will publish in the *Official Report* a table to show the following information, for each year since 1 January 1982 *(a)* the value of goods produced by each prison workshop in each Northern Ireland prison, *(b)* the value of goods produced on a per capita basis in each case, *(c)* the average number of hours worked by each prisoner in each prison per week and the average for the United Kingdom as a whole, *(d)* the number of prisoners who did not work in each year in each prison in Northern Ireland and *(e)* the average number of prisoners who are in each prison in Northern Ireland.

Mr. Scott [*pursuant to his reply*, 13 May 1985, c. *3*]: The available information is as follows:

Establishment and Industry	Value of goods produced by inmates — Financial year			*Value of goods produced per capita — Financial year			Average number of hours worked each week by each inmate allocated to a prison industry — Financial year			Average daily population — Financial year		
	1982-83 £	1983-84 £	1984-85 £	1982-83 £	1983-84 £	1984-85 £	1982-83	1983-84	1984-85	1982	1983	1984
HM Prison Armagh												
Laundry	5,286	4,489	4,850		998	1,310				54	51	43
Garment manufacture	53,477	30,698	30,902	‡	1,806	2,809	‡	21·4	21·3	+¶10	+¶11	+¶9
HM Prison Belfast‖												
Joinery	8,530	Nil	Nil		Nil	Nil		Nil	Nil			
Laundry	25,589	Nil	Nil		Nil	Nil		Nil	Nil			
Horticulture	2,488	Nil	Nil		Nil	Nil		Nil	Nil	262	228	215
Firewood	736	Nil	Nil		Nil	Nil		Nil	Nil	+¶263	+¶405	+¶388
Garment manufacture	16,295	Nil	Nil		Nil	Nil		Nil	Nil			
HM Prison Maze (Compound)	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	316	267	234
HM Prison Maze (Cellular)												
Joinery	74,696	26,153	Nil		1,561	Nil						
Metal fabrication	50,797	19,198	Nil		2,954	Nil						
Cement production	726	1,965	Nil	‡	393	Nil	‡	5·4	6·6	†817	843	791
Garment manufacture	63,735	36,528	1,622		3,479	943				+¶209		
Laundry	68,112	74,059	74,734		5,486	6,366						
HM Prison Magilligan												
Garment manufacture	12,856	23,424	20,385		1,952	1,363						
Shoe manufacture	46,990	34,430	22,072		4,748	2,759						
Metal fabrication	Nil	8,722	15,021		2,181	1,966		4·3	3·1	414	437	377
Firewood	1,007	1,081	1,252		131	172						
Horticulture	1,105	1,180	Nil		152	Nil						
HM Young Offenders Centre, Hydebank												
Horticulture	1,305	1,474	1,274		295	290		13·7	12·2	234	218	202
										+¶12	+¶12	+¶11

* The number of inmates available for work varied from day-to-day and the figure quoted is based on goods produced by the average number of prisoners working assuming a working year of 50 weeks.

† This figure is only for the first six months of 1982 thereafter all remand and untried prisoners were moved to Her Majesty's prison, Belfast.

‡ The information necessary to calculate these figures for the financial year 1982-83 is no longer available.

‖ As Her Majesty's prison, Belfast has become mainly a remand prison, prison industries ceased to operate there in November 1982. Some inmates continue to be employed in the laundry and the garden but these activities are not run on a commercial basis.

¶ Remand/Untried.

To obtain the information requested on the number of prisoners who did not work in each year would involve the examination of each individual's prison record, since there are forms of work other than in a prison industry. This could only be done at disproportionate cost.

Questions about the number of hours worked by prisoners in other parts of the United Kingdom are matters for my right hon. and learned Friend the Secretary of State for the Home Department and my right hon. Friend the Secretary of State for Scotland.

Mr. William Ross asked the Secretary of State for Northern Ireland what have been the average hours worked in each week in each prison in Northern Ireland by civilian teachers and instructors in each of the years or financial years 1982 to date.

Mr. Scott [*pursuant to his reply*, 13 May 1985, c. *3*]: The weekly conditioned hours of full-time teachers in the Northern Ireland prison service consist of 18 to 22 hours class contact, depending on grade, but additional time is spent on preparatory work. The conditioned hours for civilian instructors are 42 a week. Since the escape from Her Majesty's prison Maze (cellular) in September 1983, however, it has not been possible to utilise fully these instructors.

Details of the hours actually worked by civilian instructors are not readily available and could be obtained only at disproportionate cost.

Home Helps

Ms. Harman asked the Secretary of State for Northern Ireland what was the average hourly pay for home helps in each of the years 1974 to 1984 in Northern Ireland.

Mr. Chris Patten [*pursuant to his reply*, 17 May 1985, c. *241-242*]: The figures are as follows:

Year	Hourly rate (at November) Pence
1974	75·93
1975	95·88
1976	102·12
1977	112·38
1978	121·13
1979	145·83
1980	165·63
1981	177·13
1982	190·77
1983	199·48
1984	209·74

Ms. Harman asked the Secretary of State for Northern Ireland how the average hourly pay for home helps in Northern Ireland relates to the average hourly pay for *(a)* full-time female manual workers and *(b)* full-time male manual workers in each of the years 1974 to 1984.

Mr. Chris Patten [*pursuant to his reply*, 17 May 1985, c. *241-242*]: The figures are as follows:

	Average hourly earnings		
	Home helps pay	*Full-time women manual workers on adult pay rates*	*Full-time men manual workers on adult pay rates*
	Pence	*Pence*	*Pence*
1974	75·93	52·4	80·7
1975	95·88	75·7	107·7
1976	102·12	97·8	130·8
1977	112·38	105·9	142·7
1978	121·13	120·1	159·3
1979	145·83	129·6	179·9
1980	165·63	159·7	220·8
1981	177·13	184·3	246·7
1982	190·77	195·3	264·0
1983	199·48	206·3	280·9
1984	209·74	221·4	294·6

Ms. Harman asked the Secretary of State for Northern Ireland what has been the real percentage change in the average hourly rate of pay for home helps in Northern Ireland in each of the years 1974 to 1984 measured against the retail pay index.

Mr. Chris Patten [*pursuant to his reply*, 17 May 1985, c. *241-242*]: On the assumption that the hon. Member is referring to the retail price index, the figures are as follows:

	Per cent.
1974	—
1975	+0·86
1976	−7·38
1977	−2·61
1978	−0·29
1979	+2·55
1980	−1·49
1981	−4·51
1982	+1·31
1983	−0·22
1984	+0·23

Ms. Harman asked the Secretary of State for Northern Ireland if he will make a statement on the recent report of the joint working group on the home help service in Northern Ireland; and if he will make a statement on the future of the service.

Mr. Chris Patten [*pursuant to his reply*, 17 May 1985, c. *242*]: The joint working group on the home help service in Northern Ireland recently presented its report to the Department of Health and Social Services. The group has identified the difficulties which have arisen in administering the service within the resources available and have considered alternative methods of providing help.

Their main recommendation is that a grant-based scheme should be introduced for new clients and that it should operate alongside the current model scheme for existing clients. In view of the importance of the service to so many people it was considered essential to consult a wide range of interested bodies before reaching any conclusion on the analysis contained in the report or on its recommendations.

In initiating this consultative process on 12 March 1985, the Department indicated that it was anxious to widen the debate and apart from listing a number of options, not all of which were drawn from the report, also invited interested organisations to suggest their own possible alternatives.

Ms. Harman asked the Secretary of State for Northern Ireland what has been the total number of recipients of the home help service in Northern Ireland for each of the years 1974 to 1984.

Mr. Chris Patten [*pursuant to his reply*, 17 May 1985, c. *242*]: The information requested is as follows:

Year	*Number of recipients*
1974	*10,897
1975	*13,104
1976	18,865
1977	19,982
1978	*20,827
1979	23,308
1980	22,476
1981	26,184
1982	28,234
1983	28,023
1984	N/A

* The figures for these years are incomplete.

Ms. Harman asked the Secretary of State for Northern Ireland what has been the total expenditure, in real terms, on the home help service in Northern Ireland for each of the years 1974 to 1984.

Mr. Chris Patten [*pursuant to his reply*, 17 May 1985, c. *242*]: Information covering all the costs of the home help service is not available. The information following represents expenditure on home help salaries and incidental expenses and does not include similar information on professional and clerical staff involved in the provision of the service.

Year ending 31 March	*Expenditure on the home help service £ million*
1975	4·63
1976	5·52
1977	4·50
1978	4·89
1979	4·85
1980	5·10
1981	5·32
1982	5·74
1983	5·88
1984	5·88

Notes:
1. Information for 1974 is not available.
2. Expenditure on the service is expressed in constant terms by reference to the retail price index (1975=100).

Ms. Harman asked the Secretary of State for Northern Ireland what has been the real cost of the home help service, in Northern Ireland, per recipient for each of the years 1974 to 1984.

Mr. Chris Patten [*pursuant to his reply*, 17 May 1985, c. *242*]: As figures for the total number of recipients of the home help service in 1974 and 1975 are incomplete, it is not possible to give this information for these years. However, between 1976 and 1983 (the last year for which figures are available), the information is as follows:

Year	*Cost per recipient £*
1976	292·36
1977	225·24

Year	Cost per recipient £
1978	234·59
1979	207·93
1980	226·94
1981	203·24
1982	203·51
1983	209·78

Note:
The cost per recipient is expressed in constant terms by reference to the retail price index (1975=100).

Ms. Harman asked the Secretary of State for Northern Ireland what percentage increase there has been in *(a)* the total number of recipients and *(b)* the total real expenditure on the home help service in Northern Ireland between 1974 and 1984.

Mr. Chris Patten [*pursuant to his reply*, 17 May 1985, c. *242*]:

(a) As the figures for the total number of recipients of the home help service in 1974 and 1975 are incomplete, it is not possible to state an accurate percentage increase for the years requested. However, between 1976 and 1983 (the last year for which figures are available) there has been a 49 per cent. increase in the number of recipients of the service.

(b) Information on expenditure in 1974 is not available. Between 1975 and 1984 there has been a 27 per cent. increase in expenditure expressed in constant terms by reference to the retail price index (1975=100).

EDUCATION AND SCIENCE

O-Level Pupils

Mr. Andrew F. Bennett asked the Secretary of State for Education and Science what percentage of the pupils with five or more O-levels or O-level equivalents remain in full-time education for one or more years in each local authority in England.

Mr. Dunn: Information is not available in the form requested. The proportions of school leavers with five or more higher grade O level/CSE passes who had either stayed-on at school for sixth form study or who had left at the minimum school leaving age, intending to continue full-time education elsewhere are shown below.

Averages over the Academic Years 1980-81 to 1982-83

	Per cent.
Barking	84·4
Barnet	94·9
Bexley	89·8
Brent	91·8
Bromley	88·0
Croydon	90·4
Ealing	92·2
Enfield	92·0
Haringey	92·4
Harrow	93·2
Havering	84·7
Hillingdon	91·5
Hounslow	91·7
Kingston-upon-Thames	94·9
Merton	88·0
Newham	88·6
Redbridge	89·5
Richmond-upon-Thames	90·0
Sutton	93·8
Waltham Forest	92·7
ILEA	92·9
Birmingham	85·5
Coventry	86·5
Dudley	83·0
Sandwell	79·9
Solihull	87·9
Walsall	85·0
Wolverhampton	82·0
Knowsley	86·3
Liverpool	88·0
St. Helens	80·9
Sefton	90·2
Wirral	88·2
Bolton	80·7
Bury	83·0
Manchester	85·3
Oldham	83·9
Rochdale	84·9
Salford	85·6
Stockport	86·6
Tameside	76·0
Trafford	84·7
Wigan	80·8
Barnsley	81·7
Doncaster	86·2
Rotherham	77·0
Sheffield	84·8
Bradford	91·6
Calderdale	89·5
Kirklees	90·9
Leeds	89·1
Wakefield	87·3
Gateshead	84·7
Newcastle-upon-Tyne	92·4
North Tyneside	89·7
South Tyneside	81·6
Sunderland	79·9
Avon	88·8
Bedfordshire	85·7
Berkshire	89·9
Buckinghamshire	91·9
Cambridgeshire	87·7
Cheshire	87·0
Cleveland	81·7
Cornwall	92·7
Cumbria	85·7
Derbyshire	83·6
Devon	88·5
Dorset	88·3
Durham	81·8
East Sussex	90·0
Essex	86·8
Gloucestershire	87·7
Hampshire	89·0
Hereford and Worcester	88·7
Hertfordshire	91·6
Humberside	85·2
Isle of Wight	94·5
Kent	92·1
Lancashire	83·8
Leicestershire	89·6
Lincolnshire	89·1
Norfolk	85·3
North Yorkshire	89·1
Northamptonshire	85·4
Northumberland	86·6
Nottinghamshire	85·6

	Per cent.
Oxfordshire	89·1
Shropshire	91·8
Somerset	85·1
Staffordshire	83·2
Suffolk	84·6
Surrey	93·9
Warwickshire	86·6
West Sussex	92·4
Wiltshire	87·5
TOTAL	87·9

Source: School leavers sample survey. Proportions are subject to sampling error.

Student Grants

Mr. Andrew F. Bennett asked the Secretary of State for Education and Science if he will estimate the additional cost of awarding all students in higher education a full maintenance grant in each of the categories *(a)* 18 years plus, *(b)* 19 years plus, *(c)* 20 years plus and *(d)* 21 years plus.

Mr. Brooke: The relevant information on which to base an estimate is not readily available. I shall reply to the hon. Member as soon as possible.

Teachers (Pay)

Mr. Pike asked the Secretary of State for Education and Science if he will make a statement regarding the latest position in the teachers pay dispute.

Sir Keith Joseph: The Burnham committee met on 15 May, when constructive informal exchanges took place between the leaders of the two sides. The independent chairman noted that neither side had committed itself to a particular line or figure. Discussion is to be resumed on 23 May.

School Meals

Mr. Gareth Wardell asked the Secretary of State for Education and Science if he will publish in the *Official Report* the percentage of school meals which have been provided free of charge to pupils in each education authority in England for each year from 1979 to the latest available date.

Mr. Dunn: The percentage of pupils taking free school meals in primary and secondary schools in October 1984 are given in the following table. I would also refer the hon. Member to the reply I gave to the hon. Member for Denton and Reddish (Mr. Bennett) on 20 March at columns *485-492* for figures for the earlier years.

Number of free pupil meals as a percentage of pupils present

Authority	Primary Schools 1984 per cent.	Secondary Schools 1984 per cent.
Barking	17·4	10·9
Barnet	10·7	8·8
Bexley	9·5	6·6
Brent	20·4	13·9
Bromley	8·2	6·3
Croydon	10·0	7·6
Ealing	17·4	17·3
Enfield	9·9	8·7
Haringey	22·5	21·2
Harrow	8·1	6·4
Havering	8·4	5·6
Hillingdon	10·3	7·2
Hounslow	12·5	12·7
Kingston-upon-Thames	7·9	6·0
Merton	6·0	6·8
Newham	18·5	13·5
Redbridge	7·2	5·8
Richmond-upon-Thames	7·6	11·1
Sutton	6·9	4·1
Waltham Forest	20·2	14·0
Inner London	37·8	27·4
Birmingham	35·5	27·5
Coventry	30·0	22·6
Dudley	18·2	12·0
Sandwell	29·6	20·9
Solihull	18·2	8·8
Walsall	29·2	19·8
Wolverhampton	23·9	21·4
Knowsley	46·8	41·8
Liverpool	38·0	31·8
St. Helens	22·8	19·6
Sefton	20·8	15·2
Wirral	27·3	22·4
Bolton	25·6	19·4
Bury	17·4	12·2
Manchester	48·4	39·7
Oldham	33·5	24·5
Rochdale	30·5	25·4
Salford	36·4	24·9
Stockport	18·3	13·4
Tameside	27·5	19·6
Trafford	16·5	12·7
Wigan	23·4	17·2
Barnsley	38·7	32·8
Doncaster	39·9	25·9
Rotherham	31·4	22·0
Sheffield	25·1	18·1
Bradford	34·5	29·3
Calderdale	25·1	19·4
Kirklees	22·0	19·5
Leeds	25·8	17·1
Wakefield	31·8	27·6
Gateshead	30·8	20·4
Newcastle upon Tyne	41·3	28·4
North Tyneside	25·2	19·6
South Tyneside	33·2	23·4
Sunderland	39·2	27·2
Isles of Scilly	—	—
Avon	17·6	13·8
Bedfordshire	14·2	9·5
Berkshire	6·4	6·4
Buckinghamshire	10·3	6·8
Cambridgeshire	13·1	10·3
Cheshire	19·4	12·0
Cleveland	32·6	24·6
Cornwall	17·1	13·8
Cumbria	13·5	9·3
Derbyshire	20·6	18·1
Devon	15·1	11·0
Dorset	5·8	7·8
Durham	32·3	22·2
East Sussex	13·8	9·5
Essex	10·5	7·8
Gloucestershire	11·3	7·4
Hampshire	11·0	7·5

Authority	Primary Schools 1984 per cent.	Secondary Schools 1984 per cent.
Hereford and Worcester	10·2	11·6
Hertfordshire	7·8	5·8
Humberside	28·3	11·3
Isle of Wight	15·6	11·8
Kent	11·9	8·0
Lancashire	24·3	18·6
Leicestershire	16·7	12·5
Lincolnshire	7·1	7·7
Norfolk	12·7	9·8
North Yorkshire	13·3	10·1
Northamptonshire	13·9	11·9
Northumberland	19·3	15·5
Nottinghamshire	23·6	16·7
Oxfordshire	8·8	6·9
Salop	18·0	14·1
Somerset	12·6	11·3
Staffordshire	15·1	10·0
Suffolk	10·4	7·8
Surrey	6·0	3·6
Warwickshire	12·0	7·9
West Sussex	7·4	5·2
Wiltshire	10·6	9·1
England	14·8	10·9

Mr. Gordon Brown asked the Secretary of State for Education and Science how many children in receipt of free school meals *(a)* are in families receiving family income supplement and *(b)* are in families in receipt of neither family income supplement nor supplementary benefit at the latest date for which information is available.

Mr. Dunn: It is possible to estimate only the broad orders of magnitude, as there are fluctuations from year to year within the year in the number of pupils entitled to a free school meal and the proportion who take up the entitlement. At the time of the October 1984 school meals census in England an estimated breakdown of the main categories of entitlement would have been as follows (to the nearest 10,000):

	Numbers
(a) Pupils whose parents were in receipt of supplementary benefit	680,000
(b) Pupils whose parents were in receipt of family income supplement	170,000
(c) Other pupils	300,000
	1,150,000

Mr. Gordon Brown asked the Secretary of State for Education and Science if he will list those local education authorities providing free school meals to children other than those covered by the statutory requirements; and what proportion of all local education authorities in England these represent.

Mr. Dunn: The information requested on provision in England is available in book 2 of the report on the 1984 school meals census, a copy of which is in the Library.

Infant Classes

Mr. Andrew F. Bennett asked the Secretary of State for Education and Science at what age each local authority admits children into full-time education in infant classes.

Mr. Dunn: The information requested is not collected centrally.

Schools (Building Work)

Mr. Andrew F. Bennett asked the Secretary of State for Education and Science if he will update table 9 in his Department's study of school buildings 1977, to reflect building work which needs to be carried out at present.

Mr. Dunn: The information is not available in the Department to update the table which was drawn up in the circumstances of the time and based on sample surveys of the school building stock in 1975 and 1976.

THE ARTS

Sponsorship

23. **Mr. Dafydd Wigley** asked the Parliamentary Under-Secretary of State answering in respect of the Arts how many representations the Minister for the Arts has received during this past six months concerning the sponsorship of the arts by tobacco companies.

Mr. Waldegrave: One.

Licences

Mr. Ashdown asked the Parliamentary Under-Secretary of State answering in respect of the Arts if he will list in the *Official Report* all the different types of licences operated or granted by the Office of Arts and Libraries and the year in which they first came into operation.

Mr. Waldegrave: None. However, licences for the export of works of art are issued by my hon. Friend the Secretary of State for Trade and Industry on the advice of my noble Friend the Minister for the Arts.

HOUSE OF COMMONS

"Official Report" (Delivery)

Mr. Allen Adams asked the Lord Privy Seal if he has any plans to extend the scope of delivery of the *Official Report* to the homes of hon. and right hon. Members who live outside London.

Mr. Biffen: No, but hon. and right hon. Members living outside London can have the *Official Report* delivered to them on a daily basis by first class post.

Parliamentary Questions (Costs)

Mr. Peter Bruinvels asked the Lord Privy Seal what would be the advisory figure at which Ministers might consider whether the expense of a full reply to a parliamentary question was justified if it was increased to retain in real terms the level set in 1982; and if Her Majesty's Government will make it policy to increase the advisory limit to this level.

Mr. Biffen: The advisory figure would need to be revised to around £225 to reflect in real terms the figure of £200 set in 1982. As the costings involved are necessarily approximate, and replies costing more than £200 are in no way automatically debarred, it is not considered necessary to revise the figure at this time.

Mr. Peter Bruinvels asked the Lord Privy Seal if he will list the costs including overhead costs, taken into

account by Ministers when assessing the cost of providing a full reply to a parliamentary question; and if he will make a statement.

Mr. Biffen: The average cost of parliamentary questions is based on the estimated time spent on this work by the various grades of staff involved. The cost is calculated on the basis of average salary costs plus an allowance for overheads such as stationery, telephones and typing.

Statutory Instruments

Mr. Andrew F. Bennett asked the Lord Privy Seal how many statutory instruments required affirmative approval as a requirement for coming into, or remaining in effect; how many were subject to the negative procedure; and how many statutory instruments subject to no parliamentary procedure were laid before either or both Houses of Parliament, in each of the last 30 years.

Mr. Biffen [*pursuant to his reply*, 14 May 1985, c. *90*]: The information requested is only readily available for the last 13 years; these figures are listed below and are on a sessional basis. Information for earlier sessions could only be obtained at disproportionate cost.

	Instruments requiring Affirmative approval	*Instruments requiring Negative procedure*	*Instruments: No parliamentary procedure*
1983-84	180	947	56
1982-83	99	493	32
1981-82	121	721	63
1980-81	130	793	56
1979-80	235	1,095	88
1978-79	89	517	45
1977-78	141	757	48
1976-77	127	669	37
1975-76	158	906	66
1974-75	147	1,039	90
1974	75	433	25
1973-74	40	396	29
1972-73	94	368	22

Source: This information is taken from the Delegated Legislation Return, which lists those instruments considered by the Joint Committee and the Select Committee on Statutory Instruments.

Visitors

Mr. McQuarrie asked the Lord Privy Seal what guidance is issued to the police and security officers on the number of people permitted to accompany hon. Members, or official guides, on the line of route either at Norman Porch or St. Stephen's entrance; and if he will make a statement.

Mr. Biffen: Parties of six or fewer, personally accompanied by a Member may tour the line of route any time when it is open. On sitting Mondays to Thursdays during the months March to July inclusive, parties of not more than 16 who are in possession of a Member's special permit may tour the line of route when it is open. On sitting Fridays and on non-sitting weekdays other arrangements apply.

I draw my hon. Friend's attention to the booklets, "Regulations for Visitors" and "Line of Route on Non-Sitting Days" which are widely available.

Mr. McQuarrie asked the Lord Privy Seal how many official guides have been issued with permits to accompany organised parties on the line of route; what is the maximum number of persons who are permitted to form a group; and if he will make a statement.

Mr. Biffen: The London Visitor and Convention Bureau has licensed guides to accompany organised parties on the line of route. In addition, Members make arrangements with some staff of the House to accompany parties while off duty. The maximum number of persons to form any one party is 16.

SOCIAL SERVICES

Housing Benefits

Mr. Beith asked the Secretary of State for Social Services (1) when he expects his hon. Friend the Minister for Social Security to be in a position to reply to the letter sent by the hon. Member for Berwick-upon-Tweed on 27 February about housing benefits for striking miners;

(2) why he has not answered the question from the hon. Member for Berwick-upon-Tweed tabled for answer on 22 April concerning his letter of 27 February about housing benefit for striking miners.

Mr. Newton: I regret the delay in considering the points raised by the hon. Member, and have written to him today.

Mr. Lionel Clarke

Mr. Ottaway asked the Secretary of State for Social Services if he will make a statement about the circumstances surrounding the release from custody of Mr. Lionel Clarke on 8 May.

Mr. Kenneth Clarke: On 8 May at Nottingham magistrates' court Mr. Clarke was found guilty of damage to property and assault, and sentenced to 28 days' imprisonment. In view of the time he had already spent on remand he was not required to be returned to prison, but was released into the community. Since then it has been found necessary to detain Mr. Clarke in hospital for treatment under the provisions of the Mental Health Act 1983. Following admission to Mapperley hospital our Department agreed to make a place available for him at Rampton hospital.

Waltham Forest District Health Authority

Mr. Deakins asked the Secretary of State for Social Services what is the annual expenditure by the Waltham Forest district health authority on services undertaken by private contractors.

Mr. Kenneth Clarke: The annual accounts for Waltham Forest for 1983-84, the latest available, show a total expenditure of £1,456,285 for services undertaken by private contractors.

General Practitioners (Terms of Service)

Mr. Hickmet asked the Secretary of State for Social Services if, in preparing his Green Paper on general practitioners' terms of service, he will consider the report of Professor Marinker published by the Office of Health Economics, a copy of which has been sent to him; and if he will make a statement.

Mr. Kenneth Clarke: We are aware of Professor Marinker's published views and have taken them into account in considering the preparation of the Green Paper on primary health care.

Cervical Screening

Mr. Dobson asked the Secretary of State for Social Services when he last received advice from the Committee on Gynaecological Cytology on the age and frequency of screening; and what the advice was.

Mr. Kenneth Clarke: We received advice from the Committee on Gynaecological Cytology on the age and frequency of screening in April 1984. This advice is as set out in Health Circular HC(84)17 a copy of which is in the Library. The CGC reaffirmed this advice on 25 April 1985.

Glaucoma

Mr. Loyden asked the Secretary of State for Social Services if he will make a statement on recent developments in the treatment of glaucoma.

Mr. John Patten: There have been continuing improvements in the medical and surgical techniques employed in the treatment of glaucoma. These have been reported in the journals and will be taken into account by clinicians in deciding the care appropriate for each particular case.

Voluntary Repatriations

Mr. Rooker asked the Secretary of State for Social Services if he will update his answer to the hon. Member for Birmingham, Erdington (Mr. Corbett) of 1 December 1983, *Official Report*, columns 623-26, regarding the numbers of voluntary repatriations assisted under the Supplementary Benefits Act 1976.

Mr. Whitney: The table shows the number of people who have been assisted with voluntary repatriation, from 1 December 1983 to date, under the Supplementary Benefits Act 1976. Since August 1984, only British citizens born overseas or European nationals returning to Europe may be assisted under the DHSS scheme. Other people are now helped through a scheme run by the International Social Service of Great Britain on behalf of the Home Office.

1 December 1983 to date

Country	*Families*		*Single Persons*	*Total*
	Number of Families	*Persons*		
India	—	—	1	1
Pakistan	1	2	1	3
Bangladesh	—	—	1	1
Jamaica	1	2	12	14
St. Vincent	1	2	2	4
Trinidad	1	3	—	3
St. Lucia	1	2	1	3
Dominica	—	—	1	1
Barbados	—	—	1	1
Antigua	—	—	1	1
Monserrat	—	—	1	1
Grenada	—	—	1	1
Somalia	—	—	1	1
Cyprus	—	—	1	1
Australia	—	—	1	1
Unknown (Europe)	1	3	—	3

Legionnaire's Disease

Mr. Meadowcroft asked the Secretary of State for Social Services on what basis details of the treatment for water supplies, Hatacide LP5, were excluded from his Department's guidelines to control legionnaire's disease circulated to area health authorities; and if he will make a statement.

Mr. Kenneth Clarke: Biocides have not been excluded from our Department's guidelines on the control of legionnaire's disease as they can play an important role in water treatment. However, where our guidance states that chlorine should be used, we do not consider that biocides are a suitable alternative. In our opinion, sufficient statistical evidence has not been published to support the claims of the manufacturers and to justify the substitution of the biocide Hatacide LP5, for chlorine in the six monthly disinfection of cooling towers and evaporative condensers. The best information available indicates that none of the reported outbreaks of legionnaire's disease has been associated with a water cooling system that has received regular conventional treatment. Comparisons of the conventional treatment of water in evaporative condensers and cooling towers with treatment using the large range of biocides available commercially would entail lengthy control tests in-situ.

Mr. Dobson asked the Secretary of State for Social Services how many people are known by his Department or the communicable disease surveillance centre to have died of legionnaire's disease in the last year.

Mr. Kenneth Clarke: There have been 29 deaths from confirmed cases of legionnaire's disease where the onset of illness incurred in the last 12 months.

Mr. Dobson asked the Secretary of State for Social Services if he is now in a position to make a statement on the source of legionnaire's disease in Stafford.

Mr. Kenneth Clarke: I shall be making an announcement very shortly about the inquiry into the outbreak of legionnaire's disease. The source of the outbreak is something which the inquiry will want to consider.

Mr. Dobson asked the Secretary of State for Social Services, further to the Minister of State's answer of 14 May, *Official Report*, column *118*, what was the source of infection in the cases of legionnaire's disease in Portsmouth, Bristol, Birmingham, Leicester, Sheffield and London, respectively.

Mr. Kenneth Clarke: The source of infection in these cases has not been confirmed and may never be confirmed. The history of this disease, since it was first identified, has always included a number of sporadic and sometimes isolated cases where the source of infection remains undetermined.

Mr. Dobson asked the Secretary of State for Social Services, further to the Minister of State's Answer of 14 May, *Official Report*, column *118*, whether he will instruct the communicable disease surveillance centre to notify him of all cases of legionnaire's disease for the time being.

Mr. Kenneth Clarke: Arrangements have already been made for the communicable disease surveillance centre to advise us of all confirmed cases for the time being.

Mr. Dobson asked the Secretary of State for Social Services, further to the Minister of State's Answer of 14 May, *Official Report*, column *118*, whether any more people have died of legionnaire's disease in Stafford.

Mr. Kenneth Clarke: By 10 am on 20 May, a total of 37 people showing the symptoms of acute respiratory illness had died since the beginning of the outbreak of legionnaire's disease in Stafford. Of these, 14 were confirmed cases of legionnaire's disease.

Hospital Beds

Mr. Meacher asked the Secretary of State for Social Services if he will list the hospitals closed since 3 May 1979, the number of beds closed in each, and give the national totals.

Mr. Kenneth Clarke: From the information we have centrally, the number of whole hospitals approved for closure and their total number of beds, is as follows:

	Hospitals	*Beds*
May-December 1979	18	1,255
January-December 1980	41	2,500
January-December 1981	32	2,017
January-December 1982	17	895
January-December 1983	52	3,638
January-December 1984	57	4,037
January-March 1985	4	179
Total May 1979-March 1985	221	14,521

Details of the individual hospitals are listed in the tables.

(i) Hospitals approved for complete closure May 1979 to December 1979

Region and Area/District	*Hospital*	*Number of beds*	*Date approved*
Northern			
Durham	Darlington Memorial Hospital, Hunden's Unit	125	July 1979
Yorkshire			
Humberside	Townend Maternity Hospital	17	August 1979
Trent			
Derbyside	Nightingale Maternity Home	34	July 1979
Sheffield	Wales Court Hospital, Sheffield	79	December 1979
North West Thames			
Barnet	St. Elizabeth's Hospital, Barnet	40	June 1979
Barnet	Orme Lodge, Barnet	22	December 1979
Barnet	Stanmore Cottage Hospital	14	December 1979
North East Thames			
Camden and Islington	Garrett Anderson Maternity Home	32	September 1979
South East Thames			
West Lambeth	Holmhurst Hospital	24	December 1979
South West Thames			
Mid Surrey	Schiff Hospital, Surrey	84	December 1979
Wessex			
Dorset	Capesthorne Children's Unit, Dorset	22	May 1979
Oxford			
Berkshire	Peppard Hospital, Berkshire	136	November 1979
Oxfordshire	Cowley Road Hospital	172	November 1979
Mersey			
Chester	Barrowmore Hospital, Chester	118	June 1979

Region and Area/District	Hospital	Number of beds	Date approved
Chester	Davenham Hospital, Northwich	32	October 1979
Wirral	St. James Hospital	75	July 1979
Wirral	Thingwall Hospital	48	July 1979
Wirral	Birkenhead General Hospital	181	July 1979

(ii) Hospitals approved for complete closure 1980

Region and Area/District	Hospital	Number of beds	Date approved
Northern			
Cleveland	Overdene Maternity Home, Cleveland	22	February 1980
Yorkshire			
Leeds	Haigh Hospital, Leeds	34	May 1980
Trent			
Nottinghamshire	Adbolton Hall, Nottingham	26	August 1980
East Anglian			
Cambridgeshire	Grange Maternity Unit, Cambridge	10	March 1980
Norfolk	Stow Hall Hospital, Norfolk	40	November 1980
North West Thames			
Bedfordshire	Luton and Dunstable Hospital, Children's Annexe	61	July 1980
Hertfordshire	Tolmers Park Hospital, Herts	67	January 1980
Kensington, Chelsea, Westminster	St. Columba's Hospital	27	August 1980
North East Thames			
Camden and Islington	Thomas Barlow Home	24	July 1980
Camden and Islington	Cromwell Lodge	29	November 1980
City and East London	London Jewish Hospital	128	February 1980
Enfield and Haringey	Bearsted Memorial Hospital	38	December 1980
Essex	Waltham Abbey War Memorial Hospital	21	December 1980
South East Thames			
Canterbury and Thanet	Princess Mary's Hospital, Margate	146	February 1980
Hastings	Bexhill Convalescent Home	78	October 1980
South East Kent	Dover Eye Unit	34	December 1980
South West Thames			
East Surrey	Caterham Main Hospital	23	September 1980
East Surrey	Clerks Croft Hospital, Surrey	90	September 1980
East Surrey	East Surrey Hospital	78	September 1980
East Surrey	Horley Hospital	16	September 1980
East Surrey	Smallfield Hospital	190	September 1980
Mid Surrey	Cuddington Hospital	136	September 1980
Mid Surrey	Queen Elizabeth House	32	May 1980
Wandsworth	St. Benedict's Hospital	213	September 1980
Wessex			
Dorset	Firs Maternity Home, Dorset	14	July 1980
Dorset	Hahneman Convalescent Home, Dorset	32	September 1980
South Western			
Cheltenham	Holm Hospital	66	March 1980
Plymouth	Devonport Hospital	132	October 1980
West Midlands			
Hereford and Worcester	Holme Lacy Hospital	84	November 1980
Hereford and Worcester	Stretton Sugwas Hospital	44	July 1980
Staffordshire	Groundslow Hospital	118	June 1980
Staffordshire	Standon Hall Hospital	79	June 1980
Mersey			
Liverpool	Liverpool Psychiatric Day Hospital	30	September 1980
Wirral	Highfield Maternity Hospital	47	February 1980
Wirral	Wallasey Hospital for Women	31	May 1980
North Western			
Bolton	Wilkinson Hospital	52	March 1980
Lancashire	Deepdale Hospital	100	November 1980
Lancashire	The Willows, Preston	23	November 1980
Lancashire	Lostock Hall Continuation Hospital	41	December 1980
Oldham	Strinesdale Hospital	44	August 1980
Wigan	Pemberton Day Hospital	—	October 1980

(iii) Hospitals approved for complete closure 1981

Region and Area/District	*Hospital*	*Number of beds*	*Date approved*
Northern			
North Tyneside	Willington Quay Maternity Hospital	14	November 1981
Yorkshire			
North Yorkshire	Fulford Maternity Hospital	87	January 1981
Wakefield	Carr Gate Hospital	35	November 1981
Wakefield	Headlands Hospital, Pontefract	125	November 1981
Wakefield	Newton Lodge Annexe	35	November 1981
Trent			
Derbyshire	Smedley Memorial Hospital	27	February 1981
Derbyshire	Parwich Hospital	47	May 1981
Lincolnshire	Tuxford Hostel, Nottingham	16	August 1981
Nottinghamshire	Firs Maternity Hospital	40	May 1981
Nottingham	Nottinghamshire Women's Hospital	132	May 1981
Sheffield	Thornbury Hospital	58	April 1981
Sheffield	St. Joseph's Hospital, Sheffield	90	September 1981
Sheffield	Hallwood Isolation Hospital	18	November 1981
East Anglian			
Cambridgeshire	March Maternity Home	10	April 1981
North West Thames			
Bedfordshire	Daneswood Convalescent Home	44	March 1981
Ealing, Hammersmith and Hounslow	Temple Hill House	18	March 1981
North East Thames			
Barking and Haringey	St. Faith's Hospital	293	October 1981
City and East London	Aldersbrook Hospital	55	October 1981
City and East London	Queen Mary's Hospital, Newham	112	October 1981
City and East London	St. Mary's Hospital, Newham	64	October 1981
South West Thames			
Merton and Sutton	Wimbledon Hospital	57	October 1981
Wessex			
Hampshire	Winchfield Hospital	55	January 1981
Wiltshire	St. Martin's Hospital	165	April 1981
Oxford			
Oxfordshire	St. Mary's Hospital	30	July 1981
West Midlands			
Warwickshire	St. Mary's Hospital, Harborough Magna	42	October 1981
Wolverhampton	Queen Victoria Nursing Institute	20	May 1981
Mersey			
Chester	Tadley Hostel	17	December 1981
Crewe	Wrenbury Hostel	17	December 1981
Sefton	Fleetwood Road Hospital	54	October 1981
Wirral	Leasowe Hospital	123	January 1981
Wirral	Victoria Central Hospital, Surgical Unit	95	January 1981
North Western			
Trafford	Urmston Cottage Hospital	22	July 1981

(iv) Hospitals approved for complete closure 1982

Region and Area/District	*Hospital*	*Number of beds*	*Date approved*
Northern			
Durham	Langley Park Smallpox Hospital	24	September 1982
Trent			
Leicestershire	Markfield Hospital	119	May 1982
North Derbyshire	Chesterfield and North Derbyshire Royal Hospital	275	October 1982
North Lincolnshire	Alexandra Hospital, Woodhall Spa	28	January 1982
North Lincolnshire	Foxby Hill Hospital, Gainsborough	20	July 1982
North East Thames			
Camden and Islington	City of London Maternity Hospital	86	April 1982
Camden and Islington	Whittington Home	26	April 1982
Enfield	Enfield War Memorial Hospital	44	October 1982

Region and Area/District	Hospital	Number of beds	Date approved
South East Thames			
Dartford and Gravesham	Joyce Green Hospital	22	May 1982
Tunbridge Wells	Maswell House, Tunbridge Wells	26	December 1982
South Western			
Cornwall and Isles of Scilly	Perranporth Hospital	31	September 1982
West Midlands			
Shropshire	Ludlow and District Hospital	21	September 1982
Worcester and District	South Bank Nursing Home	23	April 1982
Mersey			
Macclesfield	Collar House, Prestbury	42	December 1982
North Western			
Bolton	Havercroft Free Discharge Unit, Bolton	14	February 1982
Stockport	Marple Dale Hospital, Stockport	94	January 1982
Thameside and Glossop	Apsland Maternity Home, Salford	—	June 1982

(v) Hospitals approved for complete closure 1983

Region and Area/District	Hospital	Number of beds	Date approved
Northern			
South Cumbria	Kendal Green	79	August 1983
South Cumbria	Meathop	45	August 1983
South Cumbria	Westmoreland County	101	August 1983
Yorkshire			
Dewsbury	Batley General	80	July 1983
Dewsbury	Dewsbury General	133	July 1983
Dewsbury	Mirfields Memorial	22	July 1983
Harrogate	Carlton Lodge Maternity	13	December 1983
Harrogage	Thistle Hill	43	September 1983
Leeds Western	Leeds Maternity	123	February 1983
Leeds Western	Leeds Hospital for Women	86	February 1983
Trent			
Leicester	Zachary Merton Recovery Home	92	June 1983
North Derbyshire	Ashgate Maternity Home	22	January 1983
North Derbyshire	Ashgate Annex E	43	June 1983
North Derbyshire	Morton	42	April 1983
South Derbyshire	Blakeley	30	March 1983
South Derbyshire	Draycott	37	March 1983
South Lincolnshire	Boston General	58	March 1983
East Anglicn			
Cambridge	Mill Road Maternity	117	February 1983
East Suffolk	St. Helens	61	September 1983
Huntingdon	Huntingdon County	57	September 1983
Norwich	Home Place Convalescent Home	32	December 1983
Norwich	Longacre Maternity Home	12	December 1983
Peterborough	Butterfield	12	March 1983
North West Thames			
Brent	Leamington Park	95	August 1983
Barnet	West Hendon	134	September 1983
North Hertfordshire	North Hertfordshire Maternity Hospital	85	November 1983
Victoria	All Saints Hospital	45	December 1983
Victoria	Vincent Square Day Hospital	18	December 1983
North East Thames			
Bloomsbury	Royal National Orthopaedic	96	October 1983
Haringey	Prince of Wales	115	November 1983
North East Essex	Clacton Maternity	18	February 1983
North East Essex	Essex Hall	154	July 1983
South East Thames			
Brighton	Newhaven Valley	24	June 1983
Camberwell	St. Giles	150	August 1983
Lewisham and Southwark	St. John's	36	June 1983
Tunbridge Wells	Hawkenbury	30	July 1983

Region and Area/District	Hospital	Number of beds	Date approved
South West Thames			
Croydon	Waddon Hospital	80	October 1983
Wandsworth	South London Hospital for Women	172	November 1983
Wessex			
Portsmouth and South East Hampshire	Sandy Point	57	November 1983
Salisbury	Fordingbridge Cottage	22	September 1983
Oxford			
East Berkshire	Farnham Park Rehabilitation Centre	55	November 1983
Oxfordshire	Neithrop and Pines	64	December 1983
West Berkshire	Henley War Memorial	25	December 1983
South Western			
Frenchay	Leigh Court	133	June 1983
Frenchay	Wendover Maternity	16	August 1983
Plymouth	Alexander Maternity Home	21	March 1983
Plymouth	Greenbank	220	March 1983
West Midlands			
Dudley	The Limes	30	December 1983
Dudley	Prestwood	135	December 1983
Mersey			
Wirral	Cleaver	132	June 1983
North Western			
North Manchester	Memorial Jewish	94	December 1983
Board of Governors			
(Queen Charlotte's)	St. Leonard-on-Sea Convalescent Home	42	November 1983

(vi) Hospitals approved for complete closure January 1984 to December 1984

Region and Area/District	Hospital	Number of beds	Date approved
Northern			
Northumberland	Stannington Children's Hospital	40	February 1984
South Tees	Belmont	24	November 1984
Yorkshire			
Bradford	Thornton View	82	April 1984
Grimsby	Springfield Hospital	100	March 1984
Wakefield	Snapethorpe Hospital	24	March 1984
East Yorkshire	Woodgates Maternity Home	30	November 1984
Harrogate	Thistle Hill Hospital	43	October 1984
Trent			
Central Nottinghamshire	Debdale Hall Recovery Home	37	February 1984
North Lincolnshire	Lawn Hospital	125	February 1984
Doncaster	Swallownest	50	July 1984
North Derbyshire	Darley Hall Maternity	13	September 1984
	Corbor Hall Maternity Home	16	October 1984
Nottingham	Coppice Hospital	100	December 1984
Rotherham	Aughton Court Hospital	62	September 1984
Sheffield	Scott Road and Commonside Hostels	36	October 1984
Southern Derbyshire	Derwent Hospital	108	October 1984
East Anglian			
Norwich	The Vale	99	May 1984
	Blofield Hall	21	September 1984
North West Thames			
Paddington and North Kensington	Chepstow Lodge	47	June 1984
	Hereford Lodge	43	July 1984
Hounslow and Spelthorne	St. John's Hospital	33	October 1984
Hillingdon	St. John's Hospital	102	October 1984
North East Thames			
City and Hackney	The Mothers	81	June 1984
	The German	93	June 1984
	St. Matthews	164	June 1984
Tower Hamlets	Mildmay Mission Hospital	62	March 1984
Waltham Forest	Harts Hospital	78	May 1984
	Lugano Nursing Home	26	May 1984

Region and Area/District	Hospital	Number of beds	Date approved
South West Thames			
Merton and Sutton	Cheam Hospital	68	April 1984
North West Surrey	Murray House, Ottershaw	91	April 1984
East Surrey	Bletchingley Hospital	43	July 1984
Mid-Downs	Raffey Park	35	October 1984
Wandsworth	Royal Dental Hospital	—	September 1984
Wessex			
Winchester	Tichbourne Down House Hospital	40	April 1984
Bath	Winsley Centre	40	November 1984
Oxford			
Milton Keynes	Westbury Maternity Home	16	January 1984
Oxfordshire	Longworth	37	March 1984
Northampton	Upton Lawn Day Hospital	30	October 1984
East Berkshire	Canadian Red Cross Memorial Hospital	155	November 1984
South Western			
Somerset	Wellington Maternity Home	10	March 1984
Gloucester	Cotswold Hospital	27	November 1984
West Midlands			
Bromsgrove and Redditch	Blackwell Recovery Hospital	46	March 1984
Herefordshire	Tupsley Hospital	31	February 1984
Mid-Staffordshire	Yarnfield Hospital	36	April 1984
North-Staffordshire	Biddulph Grange Orthopaedic Hospital	84	February 1984
	Leek Memorial Hospital	21	February 1984
	Lymewood Hospital	36	February 1984
	Westcliff Hospital	146	February 1984
South Birmingham	Birmingham Accident Hospital	149	May 1984
Worcester and District	St. Wulstan's Hospital	260	June 1984
Wolverhampton	Parkfields Hospital	47	November 1984
Mersey			
Liverpool	Newsham General Hospital	480	March 1984
	Princes Park Hospital	100	March 1984
	Heswall Hospital	84	November 1984
Wirral	Priory Day Hospital	50	October 1984
North Western			
Wigan	Aston Hospital	32	February 1984
South Manchester	Duchess of York Hospital	104	March 1984

(vii) Hospitals approved for complete closure January 1985-March 1985

Region and Area/District	Hospital	Number of beds	Date approved
Northern			
Gateshead	Whickham Cottage Hospital	30	February 1985
North West Thames			
North Bedfordshire	Park Hospital	38	February 1985
North East Thames			
Bloomsbury	Royal Throat, Nose and Ear Hospital	64	January 1985
North Western			
Preston	Fullwood Continuation Hospital	47	March 1985

Mr. Meacher asked the Secretary of State for Social Services if he will list the hospitals opened since May 1979, the number of beds brought into use in each, and give the national totals.

Mr. Kenneth Clarke: Thirty-eight major hospital schemes providing 12,035 beds have been completed since May 1979. They are:

	No. of beds
Northern	
North Tyneside Phase 1	334
Furness (Barrow) DGH Phase 1	382
Royal Victoria Infirmary	—
South Cleveland General Phase 1	—
Yorkshire	
Grimsby DGH Phase 1	472
Leeds General Infirmary	291
Trent	
Queens Medical Centre Phase 2	1,003
Chesterfield DGH Phase 1	448
Glenfield DGH Phase 2	200
Rotherham DGH Phase 2	178
Lincoln County Phase 1	112

	No. of beds
E Anglian	
Hichinbrooke Hospital Phase 3	227
Ipswich Phase 1 (Heath Road) Nucleus	308
Kings Lynn DGH Phase 2	481
Great Yarmouth DGH Phase 1	248
N W Thames	
Watford Shrodells Wing Phase 3	368
N E Thames	
Broomfield Phase 5	—
Colchester DGH Phase 2	286
London Hospital, Clinical Buildings	—
Newham Hospital Phase 1 Nucleus	293
S E Thames	
Maidstone DGH Phase 1 Nucleus	262
Orpington DGH Phase 1	308
S W Thames	
Croydon (Mayday) DGH	330
Redhill DGH (Nucleus)	224
Wessex	
Southampton General Phase 5 (Maternity)	218
Southampton General Phase 5	521
Oxford	
Milton Keynes DGH Phase 1	265
S Western	
Derriford DGH Phase 1	355
W Midlands	
Stafford DGH Phase 4	297
Dudley DGH (Russells Hall (Phase 3a))	414
Mersey	
Macclesfield (Nucleus) Development	208
Halton DGH (Nucleus) Phase 2	232
Arrowe Park New DGH	1,007
West Cheshire (Nucleus) Phase 1	160
Royal Liverpool Hospital Phase 2/3	820
N Western	
Preston New Hospital Phase 1	—
Preston New Hospital Phase 2	700
Hope Hospital (Salford) Phase 1	83

State Earnings-related Pension

Mr. Meacher asked the Secretary of State for Social Services (1) what will be the level for persons retiring in each of the next 15 years on male manual average earnings, of the additional earnings-related component they will receive if they are contracted in to the state earnings-related pension scheme; and if he will estimate the cost each year of crediting in existing pensioners at this level or by some comparable criterion;

(2) how many persons are currently receiving an additional component under the state earnings-related pension scheme; what is the average amount of these pensions; how many of these pensioners are receiving an additional component of less than £1, £1 to £2, £2 to £3, £3 to £4, £4 to £5, £5 to £6, £6 to £7, £7 to £8, £8 to £10, £10 to £15 and over £15; and if he will estimate the equivalent figures for 1990, 1995 and 2000, respectively.

Mr. Whitney: I shall let the hon. Member have replies as soon as possible.

Irradiated and Novel Foods

Mr. Frank Cook asked the Secretary of State for Social Services on what date he expects to receive the report of the advisory committee on irradiated and novel foods.

Mr. John Patten: I understand that the preparation of the advisory committee's report is well advanced but that a date cannot yet be given for its completion.

Parliamentary Questions

Mr. Ralph Howell asked the Secretary of State for Social Services when he expects to reply to the questions from the hon. Member for Norfolk, North about social security payments and tax rates, tabled on 26 April for answer on 30 April.

Mr. Whitney: I replied to my hon. Friend on 15 May at columns *154-156*.

Pensions

Mr. D. E. Thomas asked the Secretary of State for Social Services how many pensioners in Wales drew an additional pension of some kind under the 1975 scheme in September 1984.

Mr. Whitney: I shall let the hon. Member have a reply as soon as possible.

Computerised Data Processing

Mr. Phillip Oppenheim asked the Secretary of State for Social Services what is his Department's annual budget for computerised data processing, including hardware, software and out of house services; and how many staff of his Department are employed in carrying out computerised data processing work.

Mr. Whitney: The Department's annual budget for 1985-86 for computerised data prosessing is £45 million for hardware and software and £3 million for out of house services. A total of 3,030 staff of the Department are employed in carrying out computerised data processing work.

Blood Donors

Mr. Dobson asked the Secretary of State for Social Services whether he will consider introducing to all blood transfusion centres a form of consent, to be signed by all blood donors, which will allow them to indicate clearly if they wish their blood to be used for National Health Service or private patients; and if he will make a statement.

Mr. Kenneth Clarke: No. The National Blood Transfusion Service is based on the principle that blood is given by voluntary donors for use where it is needed by doctors for patients. The use of the blood is determined by clinical need and availability. Any suggestion that donors should impose conditions on the use of their own blood would be tasteless and impracticable.

Hatacide LP5

Mr. Ashley asked the Secretary of State for Social Services what tests have been conducted by officials of his Department on the chemical Hatacide LP5 regarding its effectiveness in containing legionnaire's disease.

Mr. Kenneth Clarke: We have not conducted tests on Hatacide LP5 or any other proprietary biocides. The best information available to us indicates that none of the reported outbreaks of legionnaire's disease has been associated with a water cooling system that has received regular conventional treatment using chlorine. In our opinion sufficient statistical evidence has not been published to support the claims of the manufacturers and to justify the substitution of Hatacide LP5 for chlorine in the twice yearly disinfection of cooling towers and evaporative condensers. Where our guidance states that chlorine should be used, we do not consider that biocides are a suitable alternative.

Communicable Disease Surveillance Centre

Mr. Dobson asked the Secretary of State for Social Services what plans he has for the future of the communicable disease surveillance centre.

Mr. Kenneth Clarke: The communicable disease surveillance centre is the responsibility of the public health laboratory service board. We are not aware of any plans by the board to change its general role or functions.

Supplementary Benefit

Mr. Gordon Brown asked the Secretary of State for Social Services if he will give a breakdown of the number of families with children in receipt of supplementary benefit according to the number of children in the family at the latest date for which information is available.

Mr. Whitney: Provisional information at December 1983 is as follows:

Number of families receiving supplementary benefit

Number of dependent children in family	*(thousands)*
1	421
2	329
3	146
4	54
5 or more	25

Source: Annual statistical inquiry 1983.

Mr. Gordon Brown asked the Secretary of State for Social Services how many unemployed people in receipt of supplementary benefit, who are classified as householders, are aged under 26 years; and of these how many have *(a)* no child dependants, *(b)* no adult dependants and *(c)* neither adult nor child dependants.

Mr. Whitney: No information is available about the number of unemployed householder claimants aged under 26. At December 1983 it is provisionally estimated that there were 176,000 unemployed householder claimants aged under 25, of whom 98,000 had no adult dependants. No information about their child dependants is available.

Mr. Fatchett asked the Secretary of State for Social Services how many people are currently in receipt of supplementary benefit under regulation 15 of the Supplementary Benefit (Requirements and Resources) Regulations, broken down into Department of Health and Social Security areas.

Mr. Whitney: The information is not available in the form requested. The latest available information on mortgage payers relates to December 1982 and is contained in table 6.1 of the "Annual Statistical Enquiry 1982," a copy of which is in the Library.

Mr. Fatchett asked the Secretary of State for Social Services whether, under the new regulations relating to supplementary benefit single payments, a person under the age of 26 years who finds unfurnished accommodation will be eligible for a single payment for furniture and household equipment.

Mr. Whitney: Whether or not such a person would be eligible for a single payment for furniture and household equipment would be a matter for the independent adjudicating authorities, having regard to the provisions of the Supplementary Benefit (Single Payments) Regulations and to the facts of the particular case.

Correspondence

Mr. McWilliam asked the Secretary of State for Social Services when he expects to reply to the letter of 20 March and reminder thereto of 23 April about health issues affecting a constituent of the hon. Member for Blaydon, Dr. Ward.

Mr. John Patten: I have written to the hon. Member today.

Mr. McWilliam asked the Secretary of State for Social Services when he expects to reply to the letter of 24 January and reminders thereto of 6 March, 9 April and 29 April about health issues affecting a constituent of the hon. Member for Blaydon Mrs. Forster.

Mr. John Patten: I regret that we have no record of having received the hon. Member's letters of 24 January, 6 March and 9 April. On receipt of his letter dated 29 April my office tried unsuccessfully to telephone him and wrote to him on 14 May.

Drug Companies (Compensation Payments)

Mr. Ashley asked the Secretary of State for Social Services what information he has on the amount of compensation payments which have been paid in each of the last five years by drug companies to *(a)* healthy volunteers and *(b)* patients who have taken part in drug trials and suffered serious side effects.

Mr. Kenneth Clarke: We do not collect this information.

Drug Trials

Mr. Ashley asked the Secretary of State for Social Services if he will introduce legislation to require drug companies to use the same procedures to gain informed consent to participation in drug trials as is used to gain the informed consent of patients.

Mr. Kenneth Clarke: The guidelines issued by the Royal College of Physicians recommend that volunteers be given a full explanation of the proposed procedure, including the risks, and that they should ordinarily give written consent to all but trivial procedures. We will consider the need for legislation on this and other aspects of drug trials involving healthy volunteers in the light of the updated advice we are awaiting from the College, the Association of British Pharmaceutical Industries and the Medicines Commission.

Drugs Testing

Mr. Ashley asked the Secretary of State for Social Services if he will introduce legislation to disband all drug company sponsored ethics committees and to require all proposals for testing new drugs on healthy volunteers to be approved by hospital or university ethics committees.

Mr. Kenneth Clarke: We will consider whether legislation or any other control is required in the light of the updated advice we are awaiting from the Royal College of Physicians, the Association of British Pharmaceutical Industries and the Medicines Commission.

Mr. Ashley asked the Secretary of State for Social Services what information he has regarding ethics committees established by drug companies to approve drug tests using healthy volunteers.

Mr. Kenneth Clarke: I shall let the right hon. Member have a reply as soon as possible.

Infant Mortality

Mr. D. E. Thomas asked the Secretary of State for Social Services what is the latest estimate of the comparitive rates of infant mortality in the English regions.

Mr. John Patten: The information is shown in the table.

Infant mortality rate (per thousand live births) in 1984 for each Regional Health Authority (RHA) in England

RHA of mothers usual residence	*Rate per thousand live births*
Northern	9·4
Yorkshire	10·7
Trent	9·1
East Anglian	8·2
North West Thames	8·6
North East Thames	9·3
South East Thames	9·9
South West Thames	8·5
Wessex	9·7
Oxford	8·5
South Western	8·5
West Midlands	11·2
Mersey	8·0
North Western	10·0

FOREIGN AND COMMONWEALTH AFFAIRS

Argentina (Missing Persons)

Sir Bernard Braine asked the Secretary of State for Foreign and Commonwealth Affairs if he has had any further information as to whether the Argentine Government are proposing to take any action regarding the disappearance in Argentina of Dr. Douglas Gillie and Mr. Walter Fleury whose names are listed in the report of the national commission on the disappearance of persons; what is the extent and nature of the evidence about them in the possession of the Argentine authorities; and whether this will be made public.

Mr. Renton: In January the Argentine Government informed the Swiss protecting power, which has made inquiries at our request, that evidence contained in the report of the national commission would be submitted to the judiciary: relatives would be duly informed of the court where they might present their case.

The Argentine authorities have not announced when this may happen nor have they released any information about the extent and nature of the evidence. The Swiss protecting power is pursuing the matter on our behalf.

Nuclear Arms Reduction Talks

Mr. Deakins asked the Secretary of State for Foreign and Commonwealth Affairs why, in view of its obligations under article VI of the non-proliferation treaty, the United Kingdom is not directly involved in the Geneva nuclear arms reductions talks.

Mr. Luce: The United Kingdom is committed to all articles of the treaty and fully supports the aim of the Geneva talks to prevent an arms race in space and terminate it on earth. As I told the Geneva conference on disarmament on 12 March,

"The Soviet Union and the United States possess between them the overwhelming preponderance of nuclear weapons and by far the greatest capability for the military use of space. It is therefore universally recognised that the primary responsibility for negotiations in these fields must fall to these two powers."

Underground Nuclear Testing

Mr. Deakins asked the Secretary of State for Foreign and Commonwealth Affairs if he will impose a temporary moratorium on United Kingdom underground nuclear testing.

Mr. Luce: No. A unilateral moratorium on nuclear testing by the United Kingdom would do nothing to achieve the goals of balanced and verifiable disarmament which the Government are determined to pursue.

Nuclear Explosions (Treaty)

Mr. Deakins asked the Secretary of State for Foreign and Commonwealth Affairs what is the policy of the three depository powers under the non-proliferation treaty towards the inclusion in a comprehensive test ban treaty of prohibition of nuclear explosions for peaceful purposes.

Mr. Luce: The working paper "Peaceful Nuclear Explosions in Relation to a Nuclear Test Ban", which the United Kingdom tabled at the Geneva conference on disarmament in June 1983, sets out the Government's policy in detail. I also refer the hon. Member to the reply I gave him on 7 May at column *79*, and to that which I gave the hon. Member for Meirionnydd Nant Conwy (Mr. Thomas) on 8 May at column *429*.

Mr. Deakins asked the Secretary of State for Foreign and Commonwealth Affairs what information he has on progress of ratification by the United States of America of the threshold test ban treaty and the peaceful nuclear explosion treaty; and if he has proffered any advice to the United States of America on this matter.

Mr. Luce: We have remained in close touch with the United States Administration over their efforts to achieve improved verification arrangements for the two treaties referred to by the hon. Member and over President Reagan's proposal of September 1984 for exchanges of test-site observers.

Mr. Raoul Wallenberg

Mr. Franks asked the Secretary of State for Foreign and Commonwealth Affairs on how many occasions during each of the last 30 years his Department has made

representations to the Government of the Union of Soviet Socialist Republics about the case of Mr. Raoul Wallenberg; and if he will make a statement.

Mr. Rifkind: The information referring to previous Administrations which my hon. Friend has requested could only be obtained at a disproportionate cost. However, in the last three years I have raised this matter twice with the Soviet First Deputy Foreign Minister; and Mr. Wallenberg's name was raised by our conference of security and co-operation in Europe delegation in Madrid in 1983. We shall also bear Mr. Wallenberg in mind in the context of the Ottawa human rights' meeting which is currently in progress. We continue to take a close interest in the fate of Raoul Wallenberg. We remain ready to assist the Swedish authorities in efforts to establish with greater certainty what has happened to Mr. Wallenberg.

Falkland Islands

Mr. Dalyell asked the Secretary of State for Foreign and Commonwealth Affairs what conclusions he has drawn from the survey of primary class children in the Falkland Islands.

Mr. Renton: The Falkland Islands Government have recently administered standardized tests of attainment in reading and arithmetical skills to all seven and 10-year-old children in the Colony. They conclude that children of primary school age in the Falkland Islands are being taught at a suitably high level.

Mr. Dalyell asked the Secretary of State for Foreign and Commonwealth Affairs why Spanish teaching has been re-introduced into the curriculum in Falkland Islands' schools.

Mr. Renton: The Falkland Islands Government propose to reintroduce Spanish into the school curriculum in the course of the next academic year. This is intended to benefit pupils in two ways: they will be able to acquire an additional qualification for entry to institutions of further and higher education, and the best second language to learn is the language of neighbouring countries.

Gibraltar

Mr. Stanbrook asked the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government have made any representations to the Spanish Government regarding the compatibility with the North Atlantic Treaty Organisation treaties of restrictions currently being imposed by Spain on United Kingdom military aircraft; and if he will make a statement.

Mr. Renton: The Spanish Government are clear about our view on the arrangements currently applying to military aircraft in the Gibraltar region.

Mr. Stanbrook asked the Secretary of State for Foreign and Commonwealth Affairs what are the precise nature and scope of the limitations currently imposed by Spain on British military aircraft using Gibraltar airfield; and what assessment he has made of the implications of these restrictions for the United Kingdom's contribution to the North Atlantic Treaty Organisation.

Mr. Renton: I refer my hon. Friend to the reply my right hon. and learned Friend gave him on 14 May. Gibraltar's facilities have been an important part of the United Kingdom's contribution to NATO since the inception of the North Atlantic Treaty, and continue to be so.

Mr. S. Chityan

Mr. Greenway asked the Secretary of State for Foreign and Commonwealth Affairs what requests he has received from Mr. S. Chityan for assistance to recover his wall of death equipment from Jedda harbour; what action he has taken in response; and if he will make a statement.

Mr. Luce: Mr. Chityan, through a friend, approached the Foreign and Commonwealth Office in January for assistance in obtaining a visa for Saudi Arabia and in obtaining the release of his equipment. The Foreign and Commonwealth Office helped him to obtain a visa and arranged for him to discuss the problem with the Saudi Arabian embassy. Her Majesty's embassy in Jedda has also been in touch with the Saudi Arabian authorities and advised Mr. Chityan on measures to secure the equipment's release; unhappily these have as yet been unsuccessful. We are continuing to pursue these efforts and I shall inform my hon. Friend of developments.

Non-proliferation Treaty

Mr. D. E. Thomas asked the Secretary of State for Foreign and Commonwealth Affairs whether his Department has prepared an educational video on the non-proliferation treaty for use in schools and colleges.

Mr. Luce: No. But there are other ways, through leaflets etc. in which the Government contribute to better public education on the advantages of the non-proliferation treaty.

Mr. D. E. Thomas asked the Secretary of State for Foreign and Commonwealth Affairs whether he or any other Minister in his Department plans to have any meetings with any organisations about the non-proliferation treaty prior to the review conference in Geneva.

Mr. Luce: I have arranged to see representatives from eight non-governmental organisations who have expressed interest in discussing the non-proliferation treaty review conference. Officials have had several meetings with such organisations already.

Nuclear Weapons

Mr. D. E. Thomas asked the Secretary of State for Foreign and Commonwealth Affairs if he will list the number and types of nuclear weapons and nuclear explosive devices cancelled or dismantled since 1952 as a result of multinational nuclear disarmament negotiations involving Britain, the United States of America and the Union of Soviet Socialist Republics.

Mr. Luce: The United Kingdom is not a party to any arms control agreements which have required us to destroy any of our nuclear weapons. The questions of which systems have been dismantled by the United States and USSR is a matter for the Governments of those countries.

Falkland Islands

Mr. Dalyell asked the Secretary of State for Foreign and Commonwealth Affairs how many Brewster houses in the Falkland Islands still await water and sewage connections.

Mr. Raison: None.

Ethiopia and Sudan

Mr. Teddy Taylor asked the Secretary of State for Foreign and Commonwealth Affairs what was the total sum of food aid to Ethiopia and Sudan agreed at the Dublin Common Market summit; what period was covered by the pledges; and what amount has been delivered from Common Market surpluses to date.

Mr. Raison: The European Council in Dublin did not make allocations to individual countries. Since December 1984 the European Community and its member states have pledged 278,000 tonnes of cereals to Ethiopia and 185,000 tonnes to Sudan for delivery before the end of this year. About 144,000 tonnes have been delivered to Ethiopia so far this year, and about 93,000 tonnes, together with about £8 million worth of other food, to Sudan.

Mr. Teddy Taylor asked the Secretary of State for Foreign and Commonwealth Affairs if he will publish a table showing the deliveries of cereals from the European Economic Community stockpiles to Ethiopia and Sudan, respectively, since the emergence of the famine crisis in these countries.

Mr. Raison: The figures are as follows:

Deliveries of cereals, tonnes

	Ethiopia (from January 1984)	*Sudan (from November 1984)*
European Community	213,000	14,500
United Kingdom	26,500	50,000

Notes:

1. Smaller quantities of other foods have been provided to both countries by the Community.
2. No figures are available for deliveries by other member states of the Community in these periods, nor is it possible to distinguish between cereals purchased on the Community market and cereals drawn from stockpiles.

Mr. Teddy Taylor asked the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Common Market about the pace at which its surplus foodstuffs are being sent to Ethiopia and Sudan under the food aid programme; and if he will make a statement.

Mr. Raison: The Secretary of State for Foreign and Commonwealth Affairs and other Ministers have reviewed at frequent intervals with other member states and the European Commission the provision of food aid for Africa. We will be doing so again at the Development Council on 23 May.

NATIONAL FINANCE

EC Budget

Mr. Gould asked the Chancellor of the Exchequer what is the base year for calculating the share of agriculture in the European Economic Community budget; what is the resultant percentage ceiling; and how this figure compares with the outturn in 1984 and the forecast for 1985.

Mr. Ian Stewart: I refer the hon. Member to the answer I gave to the hon. Member for Great Grimsby (Mr. Mitchell) on 14 May. The forecast financial guideline figure for agricultural expenditure in 1986 of 20,650 million ecu compares with an estimated outturn for agricultural expenditure in 1984 of 18,340 million ecu and planned provision for agricultural expenditure in 1985 of 19,955 million ecu.

EC (Own Resources)

Mr. Moynihan asked the Chancellor of the Exchequer if he will make a statement about the payment of April non-value added tax own resources to the European Communities.

Mr. Ian Stewart: In accordance with article 10(2) of Council Regulation 2891/77, the Commission has invited member states to pay on 20 May instead of 20 June non-VAT own resources collected in April. These own resources consist of agricultural, sugar and isoglucose levies and customs duties. The Government are complying with this request.

£132 million will be paid today; the payment of levies and duties on 20 June 1985 which is made under Section 2(3) of the European Communities Act 1972 will be reduced by this amount. There will therefore be no net addition to public expenditure.

Commercial Bills

Mr. Gould asked the Chancellor of the Exchequer if he will publish in the *Official Report* a table showing for each year since 1979 and 1985 to date the net transactions in the purchase and sale of commercial bills by the Bank of England together with his estimate of the effect in each year on *(a)* the United Kingdom money supply and *(b)* the level of domestic credit.

Mr. Ian Stewart: I would refer the hon. Member to the answer I gave him on 28 February.

The Bank of England's purchases and sales of commercial bills are transactions between the bank and the monetary sector, and therefore do not affect the level of domestic credit.

Public Expenditure Programmes

Mr. Body asked the Chancellor of the Exchequer what was the percentage of gross domestic product that was spent on each of the 17 programmes of public expenditure for 1978-79 and for 1984-85.

Mr. Peter Rees: The figures are as follows:

	1978-79	**1984-85*
Defence	4·3	5·2
Overseas aid and other overseas services	1·0	0·9
Agriculture, fisheries, food and forestry	0·5	0·6
Industry, energy, trade and employment	2·3	2·5
Arts and libraries	0·2	0·2
Transport	1·6	1·4
Housing†	2·1	1·0
Other environmental services	1·3	1·2
Law, order and protective services	1·2	1·6
Education and Science	4·5	4·2

	1978-79	*1984-85
Health and personal social services	4·3	4·8
Social security	9·5	11·6
Other public services	0·6	0·5
Common services	0·5	0·3
Scotland	2·2	2·2
Wales	0·9	0·8
Northern Ireland	*1·3	1·3

* Based on estimated outturn published in the *Financial Statement and Budget Report 1985-86*.

† Net of receipts (eg from sales of council houses).

The gross domestic product excludes grants and loans which are included in the above public expenditure programmes.

Albanian Gold

Mr. Ron Brown asked the Chancellor of the Exchequer what recent representations he has received about Albanian gold held by the Bank of England; and if he will make a statement.

Mr. Ian Stewart: My right hon. Friend has received no recent representations about the gold identified for allocation to Albania which is in the custody of the Tripartite Commission for the Restitution of Monetary Gold. On the matter of a statement, I have nothing to add to the answer my hon. Friend Minister of State, the Member for Edinburgh, Pentlands (Mr. Rifkind) gave on 25 April at column *517* to the hon. Member for Liverpool, West Derby (Mr. Wareing).

Balance of Payments (Japan and Germany)

Mr. Teddy Taylor asked the Chancellor of the Exchequer what is the size of the total balance of payment surplus or deficit with Japan and Germany, respectively, during the most recent years for which figures are available; and what these figures would be if trade in oil was excluded.

Mr. Ian Stewart: I shall let my hon. Friend have a reply as soon as possible.

Wealth Distribution

Mr. Nellist asked the Chancellor of the Exchequer if he will produce a table showing, for each year for which statistics are available since 1966, what percentage of wealth is owned by the *(a)* most wealthy 1 per cent. of adult population, *(b)* most wealthy 2 per cent. of adult population, *(c)* most wealthy 5 per cent. of adult population, *(d)* most wealthy 10 per cent. of adult population, *(e)* most wealthy 25 per cent. of adult population and *(f)* most wealthy 50 per cent. of adult population.

Mr. Moore: The information requested is not available on a consistent basis for all years since 1966. The available figures are:

Distribution of personal wealth, including pension rights, among the adult population

Year	Wealthiest					
	1 per cent.	*2 per cent.*	*5 per cent.*	*10 per cent.*	*25 per cent.*	*50 per cent.*
1971	21	27	37	49	69-72	85-89
1974	15	21	31	43	64-67	85-89
1975	13	18	27	37	58-61	81-85
1976	14	18	27	37	58-61	80-85
1977	12	17	25	35	55-58	78-82
1978	13	17	25	36	57-60	79-83
1979	13	17	25	35	56-59	79-83
1980	12	16	24	33	55-58	78-82
1981	12	16	24	33	56-59	78-82
1982	11	16	24	34	56-59	78-82

A full explanation of this table can be found in chapter 4 of Inland Revenue Statistics 1984, a copy of which is in the Library.

Earnings

Mr. Nellist asked the Chancellor of the Exchequer how many people earn between *(a)* £15,000 and £19,999, *(b)* £20,000 and £49,999, *(c)* £50,000 and £99,999, *(d)* £100,000 and £249,999 and *(e)* above £250,000 a year.

Mr. Moore: I shall let the hon. Member have a reply as soon as possible.

Computerised Data Processing

Mr. Oppenheim asked the Chancellor of the Exchequer what is Her Majesty's Customs and Excise annual budget for computerised data processing, inlcuding hardware, software, and out of house services; and how many of the staff of Her Majesty's Customs and Excise are employed in carrying out computerised data processing work.

Mr. Hayhoe: I shall let my hon. Friend have a reply as soon as possible.

Public Expenditure

Mr. Faulds asked the Chancellor of the Exchequer whether he will specify when and how parliamentary sanction was obtained to incur direct public expenditure for the surrendered balances of £1,695,000 in 1980-81, £62,000 in 1981-82 and £1,185,000 in 1983-84 on Votes under the equivalents of the current sub-heads class V, vote 10, subhead C2 and class VIII, vote 4, subhead B5, by means of identical sums being credited to the non-surrenderable grants in aid which had been the subject of a vote under the then equivalents of subheads C1 and B4; and if he will make a statement.

Mr. Peter Rees [*pursuant to his reply*, 17 May 1985, c. *248*]: Parliament approved the total provision of the votes in question under the relevant Appropriation Acts.

The Government have discretion to vary the allocation of the totals between subheads; by long-standing custom this is excercised by the Treasury.

CAP (Price System)

Mr. Gould asked the Chancellor of the Exchequer what is the percentage by which the central rate of the common agricultural policy price system has risen in relation to the market rate of the European currency unit since 1973 as a result of changes in the unit of account or otherwise.

Mr. MacGregor: I have been asked to reply.

I refer the hon. Member to the reply given to the hon. Member for Great Grimsby (Mr. Mitchell) on 21 February 1985 at column *583*.

ENVIRONMENT

Licences

Mr. Ashdown asked the Secretary of State for the Environment if he will list in the *Official Report* all the different types of licences operated or granted by his Department and the year in which they first came into operation.

Mr. Patrick Jenkin: Licences currently operated or granted by my Department relate to:

(a)	the keeping and use of radioactive material and disposal or accumulation of radioactive waste.	Radioactive Substances Act 1960
(b)	the impounding and abstraction of water (applications called in for the Secretary of State's decision)	Water Resources Act 1963
(c)	caravanning activities by special organisations	Caravan Sites and Control of Development Act 1976
(d)	the protection of birds, animals and plants	Wildlife and Countryside Act 1981
(e)	the control of traffic in animals and plants	Endangered Species (Export and Import) Act 1976 (as amended)

In addition the Department, or the PSA in its responsibility for managing the Civil and Defence estate, issue various licences and other approvals to individuals and organisations managing facilities or making occasional or temporary use of Government land and buildings and royal palaces and parks (for recreational purposes, filming, meetings, agricultural grazing etc.). Also certain firms are licensed to sell in the open market items made to the design and specification of the Crown Suppliers, subject to the payment of royalties.

Single Persons (Housing)

Mr. Janner asked the Secretary of State for the Environment whether he will introduce legislation to make unlawful discrimination against single people in matters of housing.

Sir George Young: My right hon. Friend the Secretary of State has no plans at present to introduce legislation relating to restrictions on access to waiting lists for local authority housing or to the allocation of such housing. He is, however, concerned that authorities should concentrate their provision on those in the greatest housing need and is considering whether further steps to encourage this would be appropriate.

Urban Programme

Mr. Deakins asked the Secretary of State for the Environment what has been the increase in real terms in spending on the urban programme in the London borough of Waltham Forest since 1979.

Sir George Young: If general inflation in the economy (as measured by the GDP deflator) is taken into account, the borough's allocation has increased by 51 per cent. in cost terms.

Insulating Materials (Standard)

Mr. Colvin asked the Secretary of State for the Environment what information he has regarding the development of British Standards for urea formaldehyde insulating materials.

Sir George Young: British Standard 5617: 1978 covers the specification for urea formaldehyde foam for thermal insulation of cavity walls and British Standard 5618: 1978 is a code of practice for such work. The code of practice was amended in 1982 to set detailed requirements in relation to formaldehyde fumes.

The requirements in BS5617 and the criteria in BS5618 for establishing the suitability of properties for cavity filling are at present being reviewed by the British Standards Institute.

Urea Formaldehyde Wall Insulation

Mr. Colvin asked the Secretary of State for the Environment whether he is satisfied with the regulations to restrict the use of urea formaldehyde foam in cavity wall insulation.

Sir George Young: The building regulations set requirements governing cavity wall insulation with urea formaldehyde. Type relaxation from these requirements is available, but only if the installer holds or operates under British Standards Institute certificate of registration and carries out the work in accordance with the British Standard materials to British Standard specification code of practice. I am satisfied that these arrangements have proved generally effective.

Mr. Colvin asked the Secretary of State for the Environment when urea formaldehyde wall insulation will be subject to certification; and what steps will be taken in the meantime to ensure that insulation companies observe building regulations and safety requirements.

Sir George Young: Urea formaldehyde foam is already controlled under the building regulations. Certification by BSI is required for installers operating under the type relaxation procedures. Installers under this scheme who fail to observe the building regulations and safety requirements risk losing their certificate of registration.

Drinking Water (Nitrates)

Mr. Kilroy-Silk asked the Secretary of State for the Environment if he will list those water authorities that have applied for permission to exceed the 50 mg per litre of nitrates in drinking water limit; and which he has approved.

Mr. Macfarlane: Water undertakers in the Anglian, Severn-Trent, Yorkshire and Thames water authority areas

have applied for derogations to exceed the EC directive figure of 50 mg per litre of nitrate in certain water supplies. No decisions have yet been taken on any of the applications.

Defective Housing

Mr. Latham: asked the Secretary of State for the Environment if he will introduce legislation to permit local authorities to assist persons seeking to repair properties such as Airey houses which they have bought where the approved cost of the structural alterations was subsequently raised by 15 per cent. as a result of the imposition of value added tax under the Finance Act 1984, but the grant to the householder had already been fixed; and whether he will make a statement.

Mr. Gow: New legislation is not needed: owners of Airey houses who are seeking to repair them can withdraw their application under part VII of the Housing Act 1974 (even where the application has already been approved) and apply for assistance under the Housing Defects Act 1984, where the eligible expense limit for reinstatement grant (£14,000) takes account of the imposition of VAT.

Mr. Rooker asked the Secretary of State for the Environment if he will list the local authorities which have contacted him following his invitation made on 13 March, *Official Report*, column *348*, in respect of those authorities having particular difficulties with the obligations of the Housing Defects Act; and what has been his response to those authorities.

Mr. Gow: Following my right hon. Friend the Secretary of State's announcement on 13 March my Department issued on 27 March a circular (9/85) inviting local authorities which wished to bid for additional housing investment programme allocations to do so by writing to the appropriate regional office by 31 May.

The following local authorities have responded in the terms set out in the circular.

Newcastle city council
North Wiltshire district council
Nuneaton and Bedworth borough council
Redbridge borough council
Reigate and Banstead borough council
Sedgefield district council
West Somerset district council

My right hon. Friend and I will give to these, and to any other applications which we receive, the most careful consideration.

Local Government Reform

Mr. Tony Lloyd asked the Secretary of State for the Environment what progress he is making with measures to ensure the maintenance of *(a)* central computer services, *(b)* technical services and *(c)* scientific services currently provided by the metropolitan counties and the Greater London council; and if he will make a statement.

Mr. Waldegrave: The future of these services is a matter for the successor authorities but my right hon. Friend the Minister for Local Government has offered the Department's good offices in considering how worthwhile work could be maintained.

Right-to-Buy (Manchester)

Mr. Tony Lloyd asked the Secretary of State for the Environment how many exchanges of correspondence have taken place with the city of Manchester concerning the Housing Act 1980 and the right to buy since 1 April 1981; how many times he has threatened to use his power under section 24C of the Act; how many times he has used such powers; and if he will make a statement.

Mr. George Young: Since 1 April 1981, the city of Manchester have written 57 letters to the Department, and the Department has sent 21 letters to the council, about the Housing Act 1980 and the right to buy. The attention of ten authorities, excluding Manchester, has been drawn to the powers available to the Secretary of State under section 24C of the Act. Such powers have not yet been used.

However, Manchester was formally warned on 12 April 1985 that the Secretary of State was considering whether to exercise these powers in relation to the Council's failure to provide statistical information about right to buy progress. Fortunately the figures were then forwarded. They indicate that Manchester had a significant number of cases in default of the statutory time-tables last December but that its performance had now improved to the extent that monthly statistical returns in the detail previously supplied are no longer needed.

Public Footpaths

Dr. David Clark asked the Secretary of State for the Environment if the Central Office of Information will issue an announcement drawing the attention of landowners and farmers to their responsibilities towards public footpaths similar to their announcement of 27 April on Walking in the Countryside.

Mr. Waldegrave: The Countryside Commission's access charter and accompanying booklet "Out in the Country" contains information on the responsibilities of landowners and farmers in connection with public footpaths. This is being given effective publicity, including announcements through the Central Office of Information as appropriate.

Guide Dogs

Mr. Thurnham asked the Secretary of State for the Environment if he is satisfied with arrangements for access for guide dogs to public buildings for which he has responsibility.

Sir George Young: The Property Services Agency, which forms part of my Department, has overall responsibility for the provision and maintenance of most government buildings. Its policy is to ensure that all new buildings commissioned by the agency have satisfactory access facilities for disabled people, including blind people with guide dogs, and that existing buildings are adapted to meet their needs wherever this is practicable and funds permit.

Housing and Construction

Mr. Sean Hughes asked the Secretary of State for the Environment what percentage of annual gross domestic fixed capital formation was represented by investment in the housing and construction sector in each of the last 10 years for which figures are available.

Sir George Young: The percentages of gross domestic fixed capital formation (at current prices) accounted for by

dwellings and other new buildings and works, including transfer costs of land and buildings, in each of the ten years to 1984 for the United Kingdom are as follows:

Year	Per cent.
1975	59·1
1976	57·0
1977	52·5
1978	50·4
1979	50·6
1980	52·7
1981	53·9
1982	54·0
1983	53·6
1984	53·0

Fixed Penalty Parking Fines

Mr. Tony Banks asked the Secretary of State for the Environment how many fixed penalty parking fines have been paid out of Departmental funds in each of the past three years.

Sir George Young: I will answer this question shortly.

Greater London Council

Mr. Cohen asked the Secretary of State for the Environment (1) whether he will describe the steps he intends to take to maintain the continuity of services and staff that support the specialist services provided by the central computer services department within the Greater London council after the passage of the Local Government Bill;

(2) whether he will describe the steps he intends to take to maintain the continuity of services and staff that support the specialist services provided by the technical and scientific services within the Greater London council after the passage of the Local Government Bill.

Mr. Waldegrave: I refer the hon. Member to my reply given to the hon. Member for Stretford (Mr. Lloyd) today.

Mr. Cohen asked the Secretary of State for the Environment whether he will describe the steps he intends to take to maintain the continuity of services and staff that support the specialist services provided by the supplies department within the Greater London council after the passage of the Local Government Bill.

Mr. Waldegrave: I refer the hon. Member to my right hon. Friend's the Minister for Local Government answer to my hon. Friend the Member for Hornchurch (Mr. Squire) on 29 March 1985 at column *548* and to my reply to the hon. Member for Stretford (Mr. Lloyd).

Mr. Cohen asked the Secretary of State for the Environment whether he will describe the steps he intends to take to maintain the continuity of services and staff that support the specialist services provided by the intelligence and information services within the Greater London council after the passage of the Local Government Bill.

Mr. Waldegrave: A revised clause 86 to the Local Government Bill has been tabled in another place which provides for schemes for collective research and collection of information by London boroughs. It will be for the boroughs to decide what use to make of this power. I also refer the hon. Member to my reply today to the hon. Member for Stretford (Mr. Lloyd).

Falklands Airport

Mr. Dalyell asked the Secretary of State for the Environment how many building workers were dismissed from employment during the construction of the Falklands airport and had to remain without pay.

Sir George Young: This is a matter for the contractor.

Water Rates

Mr. Gordon Brown asked the Secretary of State for the Environment what was the increase in average water rates in each water authority area in 1985-86 over the preceding financial year.

Mr. Macfarlane: The information requested by the hon. Member is as follows:

Water Service Charges in England 1984-85 compared to 1985-86
Average Household Bill for Water Services

Water Authority	1984-85	1985-86	Actual increase 1984-85 to 1985-86
	£	£	£
North West	68·25	77·57	9·32
Northumbrian	68·25	77·57	5·16
Severn-Trent	67·88	76·16	8·28
Yorkshire	72·64	82·30	9·66
Anglian	93·96	105·98	12·02
Thames	73·41	80·75	7·34
Southern	82·30	91·72	9·42
Wessex	85·59	95·35	9·76
South-West	93·48	104·59	11·11
England (average)	75·73	84·56	8·83

Water Research Centre

Mr. Cartwright asked the Secretary of State for the Environment (1) if he will list the studies commissioned from the water research centre by his Department in *(a)* 1979, *(b)* 1980, *(c)* 1981, *(d)* 1982 and *(e)* 1983, respectively; and if he will place copies of these reports in the Library;

(2) if he will list the titles of the projects commissioned by his Department from the water research centre which are in the process of completion; and if he will undertake to place copies of the reports of these projects in the Library within a month of their completion.

Mr. Waldegrave [*pursuant to his answer*, 16 February 1984, c. *279-81*]: I have today placed copies of the final contract research report from the water research centre on hazards due to arsenic and selenium (reference S2 in my answer of 16 February 1984) in the Library.

AGRICULTURE, FISHERIES AND FOOD

Olive Oil

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food what arrangements have been made for extending price support and other aid to Spanish and Portuguese producers of olive oil, wine and oranges after accession; what is the total production in these countries compared to the European Economic Community as at present constituted; and how farmgate prices for these products in Spain and Portugal compare with European Economic Community prices.

Mr. MacGregor: Community price support and aid measures will be applied to Spanish and Portuguese

producers of the products mentioned over a transition period lasting for up to 10 years. Prices of these products vary depending upon a number of factors, including variety, quality and area of production. Generally they are lower in Spain and Portugal than in the present Community.

Information on production is as follows:

	EC(10)		*Spain*	*Portugal*
Olive Oil (thousand tonnes)				
Usable production*				
1980-81	980	1981	323	29
1981-82	862	1982	726	91
1982-83	782	1983	268	20
1983-84	1,002		—	—
Oranges (thousand tonnes)				
Harvested production				
1981	2,479	1981	1,469	78
1982	2,217	1982	1,687	100
1983	2,727	1983	1,895	80
Wine (million hectolitres)†				
Usable production				
1980-81	164	1981	34	9
1981-82	140	1982	37	10
1982-83	172	1983	32	8
1983-84	168		—	—

* Olive oil is a biennial crop, with considerable fluctuations from one year to the next.

† Wine production figures in the FAO production year book are quoted in metric tonnes. They have been converted to hectolitres on the basis that 10 hectolitres of wine weigh one tonne.

Sources:

European Community statistics: "Eurostat" and the Commission.

Spain and Portugal: FAO Production Year Book 1983.

Departmental Committees of Inquiry

Mr. Eggar asked the Minister of Agriculture, Fisheries and Food how many departmental committees of inquiry he and his predecessors, including Ministers of Food, have commissioned since 1955; and what were the subjects the committees investigated, the dates they were established, who chaired them and the dates they reported.

Mr. Jopling: The information requested is set out in the table and relates to committees which have been established and the reports of which have been published as Command Papers since 1955. It does not include either departmental working parties chaired by permanent officials or inquiries undertaken by one individual.

Committee	*Chairman*	*Date appointed*	*Date reported*
Public Inquiry into objections to the Proposed Britain Egg Marketing Scheme	G. G. Baker	9 January 1956	1956 (Cmnd. 9805)
Committee of Enquiry in the Export of Live Cattle to the Continent for Slaughter	Rt. Hon. Lord Balfour of Burleigh	6 February 1957	1957 (Cmnd. 154)
Interdepartmental Committee on Milk Composition in United Kingdom	J. W. Cook	May 1958	1960 (Cmnd. 1147)
Committee on Transactions in Seeds Plant Breeders Rights	B. C. Engholm	July 1954	1960 (Cmnd. 1092)
Committee on the Proposed Experimental Importation of Charollais Cattle	Lord Terrington	June 1959	1960 (Cmnd. 1140)
Committee of Inquiry in the Fishing Industry	Sir Alexander Fleck	27 November 1957	1961 (Cmnd. 1266)
Committee on Salmon and Freshwater Fisheries	The Hon. B. L. Bathurst (Viscount Bledisloe)	7 October 1957	1961 (Cmnd. 1350)
Committee on Fowl Pest Policy	Professor Sir A. Plant	July 1960	1962 (Cmnd. 1664)
Committee on the Remuneration of Milk Distributors in the United Kingdom	Sir Guy Tharold	November 1959	1962 (Cmnd. 1597)
Committee of Inquiry in Fatstock and Carcase Meat Marketing and Distribution	Sir W. R. Verdon-Smith	18 April 1962	1964 (Cmnd. 2282)
Departmental Committee of Inquiry into Recruitment for the Veterinary Profession	The Duke of Northumberland	29 October 1962	1964 (Cmnd. 2430)
Interdepartmental Committee on The Demand for Agricultural Graduates	C. I. C. Bosanquet	November 1962	1964 (Cmnd. 2419)
Departmental Committee of Inquiry into Statutory Smallholdings. 1st Report Statutory Smallholdings provided by Local Authorities in England and Wales	M. J. Wise	22 July 1963	1966 (Cmnd. 2936)
Departmental Committee of Inquiry into Statutory Smallholdings. Final Report Statutory Smallholdings provided by the Minister of Agriculture, Fisheries and Food	Professor M. J. Wise	22 July 1963	1967 (Cmnd. 3303)
Committee on Herbage Seed Supplies	Lord Donaldson	ovember 1966	1968 (Cmnd. 3748)
Report of the Reorganisation Commission for Eggs	R. Wright	8 September 1967	1968 (Cmnd. 3669)
Committee of Inquiry on Foot and Mouth Disease 1968—Part 1	The Duke of Northumberland	28 February 1968	1969 (Cmnd. 3999)
Part 2			(Cmnd. 4225)
Joint Committee on the use of Antibiotics in Animal Husbandry and Veterinary Medicine	Professor Swann	July 1968	1969 (Cmnd. 4190)
Committee of Inquiry on Rabies Interim Report	R. Waterhouse	6 March 1970	1970 (Cmnd. 4457)
Committee of Inquiry on Rabies Final Report	R. Waterhouse	6 April 1970	1971 (Cmnd. 4696)
Committee of Inquiry on Contract Farming	Sir James Barker	June 1971	1972 (Cmnd. 5099)
Committee on the Export of Animals for Slaughter	Rt. Hon. Lord O'Brien of Lothbury	26 July 1973	1974 (Cmnd. 5566)
Committee of Inquiry into the Veterinary Profession	Sir Michael Swann	1971	1975 (Cmnd. 6143)
Committee of Inquiry into the Acquisition and Occupancy of Agricultural Land	Rt. Hon. Lord Northfield	16 September 1977	1979 (Cmnd. 7599)

Cereals

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether the Government have secured the agreement of other member states that decisions on common agricultural policy prices will only be taken by unanimity; and if the Government intend to propose that the reduction in cereal prices should be decided by a majority vote.

Mr. Jopling: No special arrangements have been agreed to taking decisions on agricultural prices. It is to the presidency to decide whether to seek a qualified majority vote for proposals from the Commission.

Dairy Farming (Northern Ireland)

Mr. Gould asked the Minister of Agriculture, Fisheries and Food what factors account for the higher return on dairy farming in Northern Ireland, as shown in table 27 of the annual review White Paper, Cmnd. 9423.

Mr. MacGregor: Net farm income, the measure used in table 27 of the annual review White Paper (Cmnd. 9423), comprises total farm output less total costs. It is a measure of the return to the manual and managerial input of the farmer and spouse and to tenant type capital invested in the business. Because net farm income is the residual between relatively large aggregates of output and costs, small changes to either of these components can have a significant effect on the calculated level of income. Seasonal factors in a particular year can exert a considerable influence on both outputs and inputs and hence on the level of net farm income achieved. In 1983-84 weather conditions had a significant impact, depressing milk yields in Great Britain and adding to the cost of inputs through higher usage of concentrate feed, thereby contributing to a substantial reduction in income on dairy farms. Northern Ireland, on the other hand, enjoyed relatively better weather, milk yields were maintained at record levels and an excellent year for the production of grass and winter fodder enabled savings to be achieved in the usage of concentrates. Hired and family labour inputs tend to be lower in the case of medium-sized farms in Northern Ireland where the farmer's own labour (which is not treated as a cost in calculating net farm income) accounts for a high proportion of total farm labour input. This also helps explain the higher farm income figure in Northern Ireland.

Mediterranean Products

Mr. Gould asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing for Spain and Portugal the production of Mediterranean products for which there are price and other guarantees under the common agricultural policy and the equivalent figure for European Economic Community production at the present time.

Mr. MacGregor: There is no universally accepted definition of the term "Mediterranean product". The most recent comparable information for a number of important products of the Mediterranean regions is as follows:—

Production Figures for Selected Mediterranean Products for 1983 (000 tonnes)

	EC (10)	*Spain*	*Portugal*
•Olive oil	*1,002	268	20
Sunflower seeds	1,051	674	13
Tobacco	296	†42	†12
Cotton (non-deseeded)	428	106	nil
Wine	*‡168	‡‖32	‡‖8
Oranges	2,967	1,895	†80
Lemons	1,044	522	20
Mandarins, Tangerines, Clementines & Satsumas	¶557	1,117	†21
Almonds, Hazelnuts & Walnuts	427	200	†28

* 1983-84 marketing year.
† Forecast.
‡ Millions of hectolitres for wine.
‖ Wine production figures in the FAO Year Book are quoted in metric tonnes. They have been converted to hectolitres on the basis that 10 hectolitres of wine weigh one tonne.
¶ EC (10) figures relate to mandarins and clementines only.
• Olive oil is a biennial crop, with considerable fluctuations from one year to the next.
Sources
EC (10); Eurostat and EC Commission; Spain and Portugal; FAO production year book 1983.
Information for other products is available in the publications cited above, which are in the Library.

Fishing Vessel Decommissioning Scheme

Mr. Beith asked the Minister of Agriculture, Fisheries and Food how many payments have been made to date under the fishing vessel decommissioning scheme; and how many of the payments involved have been in respect of vessels from the inshore fleet.

Mr. MacGregor: Payments made to date under the fishing vessel decommissioning scheme amount to £8·86 million. Of the 97 vessels decommissioned, 59 have been vessels (under 80 ft in length) from the inshore fleet.

Livestock Markets

Mr. David Atkinson asked the Minister of Agriculture, Fisheries and Food if he will make a statement on the regulations relating to livestock markets in the United Kingdom; and how these compare with those in force in the other member states of the European Economic Community.

Mrs. Fenner: There are a number of regulations concerned with the prevention and control of diseases and the welfare of farm animals in livestock markets. Those relating to animal health matters are designed to secure appropriate standards to minimise the risk of disease. Those concerned with welfare are intended to ensure that animals in livestock markets are protected from unnecessary suffering. Information in relation to regulations in other member states is not available and could not be obtained without incurring unreasonable cost.

Imported Poultrymeat

Sir Peter Mills asked the Minister of Agriculture, Fisheries and Food how many consignments of imported poultrymeat have been refused entry because of excessive water content in 1984, 1983 and 1982.

Mrs. Fenner: There is no legal requirement that imported consignments of frozen chicken which do not

comply with the water content regulations should be refused entry. Instead, importers have the option of labelling the birds to indicate that the water content exceeds permitted EC levels, of having them processed, or of returning them to the consignor. Since January 1983, when the regulations were first implemented in the United Kingdom, a total of 10 imported consignments have been notified to my Department as exceeding permitted water content levels.

EC (Meat Directives)

Sir Peter Mills asked the Minister of Agriculture, Fisheries and Food if he will press for meat directives issued by the European Commission to be more explicit so that variations in their implementation do not arise in different European countries.

Mrs. Fenner: We share the objective of avoiding variations in the implementation of these directives. Where appropriate, explicit provisions are one means of achieving this. The existing meat hygiene directives also provide for inspection visits by Commission experts to monitor implementation or enforcement. These inspections are scheduled to start this year for red meat premises.

Pigmeat

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will explain the significance of the figures for pigmeat given in the reply of 2 May, *Official Report*, column *201-06* concerning EEC and other subventions to agricultural production.

Mr. MacGregor: Monetary compensatory amount levies on imports of pigmeat from other member states count as negative expenditure and in 1984-85 were expected to exceed other expenditure in the pigmeat sector (on private storage aids and import and export refunds on trade with non member countries). Negative expenditure is set against the contribution that the Community budget makes towards the cost of market regulation under the CAP in the United Kingdom.

Agricultural Production

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food, further to the reply of 2 May, *Official Report*, columns *201-06*, concerning the amount spent on agricultural production in 1984-85, whether he will publish in the *Official Report* the latest estimate of the tonnage of product in deadweight tonnes and so on, together with particulars of *(a)* the division between beef and dairy for the amount spent on hill livestock compensatory allowances and *(b)* an approximate division between products of the amount spent in development loans and grants.

Mr. Jopling: The latest estimate of the tonnages of product for 1984-85, where these are available, are contained in the Winter and Spring Supplementary Estimates for Class III Vote 1 of the Intervention Board for Agricultural Produce (see HC 7 and HC 183 of 1984-85). Dairy cattle are not eligible for hill livestock compensatory allowances; no development loans are made and information about the amounts spent on grants is not available by product.

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food, further to the reply of 2 May, *Offical Report*, columns *201-06* concerning the amount spent on agricultural production in 1984-85, whether he will divide the support figures for cereals into wheat and barley, together with a table showing how much expenditure in each of the cases quoted in his original answer was mandatory under the common agricultural policy, how much was discretionary, and how much was paid from the Exchequer under United Kingdom or other legislation without any contribution from EEC funds.

Mr. Jopling: Separate figures for forecast expenditure on wheat and barley are not readily available. Most of the expenditure in 1984-85 on market regulation under the CAP shown in table 28 of Cmnd. 9423 is mandatory, the principal exceptions being the beef variable premium scheme (forecast expenditure £115.0 million) and the enhancement of suckler cow premium payments in Great Britain (forecast expenditure on the enhancement of £11.7 million). Exchequer expenditure on market regulation under the CAP is on intervention (purchases plus incidental costs less sales receipts and the EAGGF contribution towards incidental costs and losses of value on sales), beef premiums (60 per cent. of the cost) and the suckler cow premium (25 per cent. of the basic premium plus all the enhancement in Great Britain).

Food Labelling

Mr. Coombs asked the Minister of Agriculture, Fisheries and Food what response he has had to his recent statement on the compulsory labelling of the fat content of food; and if he will make a statement.

Mr. Jopling: My statement of 12 March was circulated to a wide range of interests with a request for comments by 1 June. My officials are also in the process of holding discussions with a number of interests on particular problem areas. It is therefore too early to assess the response to the statement.

Farm Animal Welfare Council (Report)

Mr. Cartwright asked the Minister for Agriculture, Fisheries and Food when Her Majesty's Government will respond to the report of the Farm Animal Welfare Council on the welfare of livestock (red meat animals) at the time of slaughter.

Mrs. Fenner: The council's report is being carefully considered, together with the many comments on it which have been received by the Government from interested organisations. The report raises a number of important and complex issues but we plan to issue our response to it as soon as possible.

EC (Council Meeting)

Mr. Jackson asked the Minister of Agriculture, Fisheries and Food what was the outcome of the latest Council of Agriculture Ministers' meeting held in Brussels; and if he will make a statement.

Mr. Jopling: I refer my hon. Friend to the statement I made in the House earlier today.

Animals (Experiments)

Mr. Cohen asked the Minister of Agriculture, Fisheries and Food if he will seek powers to include in the test guidelines associated with the pesticides safety precautions scheme, a requirement that in vitro alternatives to living animals are used to determine eye irritancy, particularly with reference to known or suspected severe irritants; and if he will make a statement.

Mrs. Fenner: I refer the hon. Member to the reply given to the hon. Member for Woolwich (Mr. Cartwright) on 15 April at column *23*.

Farm Prices

Mr. Maclean asked the Minister of Agriculture, Fisheries and Food if he will make a statement on his latest discussions with European Economic Community Agriculture Ministers on farm prices.

Mr. Jopling: I refer my hon. Friend to the statement I made in the House earlier today.

Veterinary Medicines

Mr. Chapman asked the Minister of Agriculture, Fisheries and Food what plans he has to seek powers to require the farm recording of medicines used in food animals to ensure that prescribed veterinary medicines are correctly applied at the final stage.

Mrs. Fenner: My officials are currently discussing with the National Farmers Union and other organisations having an interest in this question the form of a voluntary code of practice for the responsible use of animal medicines on farms. The recording of the purchase and use of such medicines is a most important part of the code. The early introduction of a voluntary code of practice will represent a positive step in the direction which my hon. Friend has indicated, and by identifying practical problems which might arise, will produce helpful experience on which any future legislation can be based.

I am glad to say that the response of organisations consulted so far has been encouraging.

Beef (Intervention)

Mr. John asked the Minister of Agriculture, Fisheries and Food what was the cost in 1984 and what is the expected cost in 1985 *(a)* in the United Kingdom and *(b)* in the European Community of storing beef (i) in public intervention and (ii) in assisted private storage; and what are the corresponding figures for transporting beef to store.

Mr. MacGregor: Expenditure by the guarantee section of the European agricultural guidance and guarantee fund in 1984 on public intervention storage and assisted private storage for beef was 800·4 mecu and 14·1 mecu respectively, of which 58·9 mecu and 0·4 mecu was in the United Kingdom. The draft budget for 1985 provides for expenditure of 943 mecu on public intervention storage and 136 mecu on assisted private storage for beef. Based on our share of expenditure forecast to the end of June, expenditure in the United Kingdom would be 83 mecu and 4 mecu respectively. Transport costs are included in the figures for public intervention storage but are not separately identifiable.

Outgoers Quota

Mr. Nicholson asked the Minister of Agriculture, Fisheries and Food what is the anticipated volume of outgoers quota required to restore to base year production levels the quotas of small producers, namely, under 200,000 litres, in each region of the United Kingdom; and how this compares with the initial Government target (in million litres) for each region when the milk cessation scheme was introduced.

Mr. MacGregor: The volume of quota required to restore small producers with less than 200,000 litres to base year production levels is estimated to be as follows:

	Million litres
England and Wales	167·0
Scotland	9·4
Northern Ireland	50·0

The initial target for the milk cessation scheme in each region is as follows:

	Million litres
England and Wales	289·0
Scotland	29·8
Northern Ireland	66·1

Mr. Nicholson asked the Minister of Agriculture, Fisheries and Food what is the volume of outgoers quota required to meet 100 per cent. of development awards made in each region of the United Kingdom by the dairy produce tribunals.

Mr. MacGregor: My earlier reply sets our the percentages of development awards that can be met from the initial reserves in respect of the 1984-85 quota year. The volume of outgoers quota required to bring wholesale producers' awards to 100 per cent. would be as follows:

	Million litres
England and Wales	188·1
Scotland	18·4
Northern Ireland	27·9

Milk Cessation Scheme

Mr. Nicholson asked the Minister of Agriculture, Fisheries and Food (1) what is the number of producers who have applied but who have not yet confirmed their participation in the milk cessation scheme; and what volume of quota could potentially be realised in each region if they decide to participate;

(2) what are the most recent figures of the milk cessation scheme in *(a)* England, *(b)* Wales, *(c)* Scotland and *(d)* Northern Ireland;

(3) what is the latest number of producers who have agreed to participate in the milk cessation scheme, and the volume of quota which will be realised in each region of the United Kingdom by their participation.

Mr. MacGregor: The most recent figures for the outgoers scheme are for Friday 10 May 1985, and are as follows:

	Producers already participating in the Scheme		
England	1,353	producers with quota of	241·8 million litres
Wales	242	producers with quota of	23·3 million litres

Producers already participating in the Scheme				
Scotland	130	producers with quota of	29·4	million litres
Northern Ireland	194	producers with quota of	12·3	million litres
TOTAL	1,919	producers with quota of	306·8	million litres

Producers still to confirm their participation				
England	25	producers with quota of	18·56	million litres
Wales	7	producers with quota of	1·67	million litres
Scotland	—	producers with quota of	—	million litres
Northern Ireland	1	producer with quota of	0·07	million litres
TOTAL	33	producers with quota of	20·30	million litres

Development Awards

Mr. Nicholson asked the Minister of Agriculture, Fisheries and Food (1) what is the percentage by which development awards made by the dairy produce tribunals can be met from the special case reserve available in each region of the United Kingdom;

(2) what is the estimated percentage dairy farmers who have been granted development awards by the dairy produce tribunals are expected to receive.

Mr. MacGregor: For the quota year 1984-85 wholesale producers who were granted development awards have received or will receive the following percentages of their awards:

	Per cent.
England and Wales	64·7
Scotland	57·5
Northern Ireland	49·0

All these awards are derived from the initial regional reserves. Direct sellers received 100 per cent. of their awards in all regions.

Pyrazophos

Mr. Ron Davies asked the Minister for Agriculture, Fisheries and Food what information he has as to whether the fungicide pyrazophos also possesses insecticidal properties.

Mrs. Fenner: The active ingredient pyrazophos is cleared under the pesticides safety precautions scheme as an organophosphorous fungicide and insecticide.

Animal Welfare

Mr. Hancock asked the Minister of Agriculture, Fisheries and Food if he will introduce legislation to implement fully European Economic Community Directives 77/489 and 81/389.

Mrs. Fenner [*pursuant to her reply*, 16 May 1985, c. *205*]: We have no plans to introduce further implementing legislation. I consider that our current legislation fulfils our obligations under these directives, and so protects the welfare of animals in international transit within our jurisdiction.

Mr. Hancock asked the Minister of Agriculture, Fisheries and Food upon the basis of what scientific research was the limit of 24 hours for transportation of live animals determined.

Mrs. Fenner [*pursuant to her reply*, 16 May 1985, c. *205*]: The period prescribed in the Community directive for feeding and watering intervals was decided upon following expert international veterinary opinion. I also refer the hon. Member to the 1978 report by the agriculture departments on the export trade in live animals for slaughter or further fattening, which is available in the Library of the House, and which gives background to this question.

Mr. Hancock asked the Minister of Agriculture, Fisheries and Food if he will introduce legislation to define the appropriate intervals for the feeding of different species of animals.

Mrs. Fenner [*pursuant to her reply*, 16 May 1985, c. *205*]: The relevant Community directives do not prescribe intervals which are suitable for all journeys, since the need for feeding and watering depends on a number of factors such as age and sex of the animals, temperature, humidity, stocking density and length of the journey to the final destination.

Mr. Hancock asked the Minister of Agriculture, Fisheries and Food what action he is taking against exporters who make false declarations on the staging of animals during journeys to the Continent.

Mrs. Fenner [*pursuant to her reply*, 16 May 1985, c. *205*]: It would be an offence under Section 69 of the Animal Health Act 1981 if an applicant under the Export of Animals (Protection) Order 1981 made a false declaration for the purpose of obtaining an export licence. If there were evidence that an applicant had knowingly made such a declaration, prosecution would be considered.

Mr. Hancock asked the Minister of Agriculture, Fisheries and Food what response he has made to the European Economic Community Commission's request concerning the Government's initial response to the Royal Society for the Prevention of Cruelty to Animals' complaint on the export of live food animals.

Mrs. Fenner [*pursuant to her reply*, 16 May 1985, c. *205*]: My right hon. Friend has written to Commissioner Andriessen offering to arrange discussions on any aspects of the society's complaint on which he considers that a meeting would be helpful.

EC (Warehouses)

Mr. Hoyle asked the Minister of Agriculture, Fisheries and Food if he will list all the European Economic Community warehouses and their locations in England; and if he will state the amount and what is being stored there.

Mr. Jopling [*pursuant to his reply*, 13 May 1985, c. *42*]: The following is the information requested as at 31 March 1985:

Cereals	*Tonnes*
Abingdon (1)	31,885
Abingdon (2)	1,625
Ancaster	19,519
Avonmouth (1)	19,690
Avonmouth (2)	27,648
Avonmouth (3)	25,867
Aylesbury	12,376
Banbury (1)	15,481
Banbury (2)	35,293
Bardney	12,478

Cereals	Tonnes
Barrow on Humber	12,507
Bicester	9,196
Birkenhead	4,756
Birmingham	118,073
Boroughbridge	5,431
Boston	6,931
Braintree (1)	5,052
Braintree (2)	10,302
Brentwood	2,538
Bressingham	49,270
Coventry	49,164
Diss	12,007
Doncaster (1)	64,661
Doncaster (2)	5,065
Downham Market	11,426
Driffield (1)	71,753
Driffield (2)	4,949
Droitwich	19,006
Dudley	31,552
Easingwold	946
Elsworth	23,639
Ely (1)	20,445
Ely (2)	6,498
Felixstowe (1)	108,372
Felixstowe (2)	40,678
Finmere	37,060
Ford	6,792
Fulbourn	3,936
Gainsborough (1)	9,206
Gainsborough (2)	7,131
Bury St Edmunds (1)	23, 862
Bury St Edmunds (2)	13,042
Chipping Warden	27,979
Christchurch	37,902
Clopton	24,445
Closterworth	1,076
Grimsby	13,289
Hadleigh	16,294
Hadstock	12,191
Halesworth	48,969
Halstead	17,834
Haresfield	45,816
Hartlebury (1)	62,951
Hartlebury (2)	29,477
Hatfield	5,001
Hayes	25,242
Hemswell	72,824
Holme	7,509
Horncastle	22,039
Hull (1)	8,933
Hull (2)	11,122
Huntingdon	11,783
Immingham	9,489
Ingham	10,612
Kings Lynn (1)	8,404
Kings Lynn (2)	14,824
Kings Lynn (3)	64,379
Kirton Lindsey	4,902
Lincoln (1)	24,050
Lincoln (2)	74,823
Linton	7,941
London	24,849
Luton	49,915
Lutterworth	58,481
Lympne	19,662
Maldon (1)	43,125
Maldon (2)	6,429
Manby	51,302
Market Harborough	3,574
Melmerby	3,048
Membury (1)	10,532
Membury (2)	12,827
Gateshead	21,446
Gloucester	46,650
Grantham (1)	5,761
Grantham (2)	8,812
Grantham (3)	13,559

Cereals	Tonnes
Grateley	14,294
Navenby	5,001
Newbury	4,388
Newcastle	20,400
Newmarket	11,985
Normanton	28,508
Owmby	8,188
Pebmarsh	6,445
Pickenham	3,585
Pocklington (1)	4,107
Pocklington (2)	12,312
Prees Heath	47,295
Rackheath	7,562
Radon	5,886
Reepham	10,981
Ringwood	50,881
Roydon (1)	10,882
Roydon (2)	9,990
Royston (1)	19,737
Royston (2)	3,290
St Ives (1)	10,867
St Ives (2)	17,877
Salisbury (1)	65,549
Salisbury (2)	29,371
Sawston	14,776
Scunthorpe	49,529
Skegness	29,521
Sleaford	8,866
Snetterton	70,018
South Wigston	14,898
Staughton	26,017
Stowmarket	29,679
Stretham	14,784
Sudbury (1)	7,749
Sudbury (2)	10,560
Swaffham	5,036
Swinderby	16,059
Sethwold	9,832
Sisson	10,157
Sistley	12,630
Swindon	111,240
Tadcaaster	24,766
Tangmere	23,060
Thetford	10,834
Thorne	3,555
Tuxford	17,000
Ulceby	10,298
Uttoxeter	84,365
Walsingham	16,117
Wellingborough	9,004
Wells	359
West Bromwich	4,942
Westbury	12,187
West Hallam	35,659
West Wratting	11,013
Wimblington (1)	54,211
Wimblington (2)	8,607
Wingham	6,913
Wisbech	38,033
Witham	33,882
Witney	38,697
York (1)	76,031
York (2)	28,904

Skimmed milk powder	Tonnes
Avonmouth	815
Billingham*	510
Billingham†	390
Bootle	2,080
Calne	20
Cockermouth	1,055
Darlington	1,000
Droitwich	1,321
Exeter	2,362
Fishponds (Bristol)	1,760
High Ercall	2,904

Skimmed milk powder	*Tonnes*
Kingswinford	654
Kinnerley	1,420
Kirkby	520
Knock in Heath	1,664
Leicester	283
Lostwithiel	280
Newcastle	320
Newton Abbot*	363
Newton Abbot†	367
Northallerton	920
Nuneaton	48
Penrith	520
Redcar	236
Rotherwas	434
St. Helens	520
Stockton	2,477
Taunton	1,861
Torrington*	800
Torrington†	240
Warrington	206
Wellington	1,520
Westbury	560
Whitchurch (Hants)	241
Whitchurch (Shrops)	1,312
Widnes	600

Beef	*Tonnes*
Avonmouth (1)	424
Avonmouth (2)	76
Bishop's Stortford	14
Bourne	210
Bury St. Edmunds	466
Cannock	573
Colnbrook	1,678
Cullompton	279
Doncaster	125
Droitwich	625
Eastleigh	141
Exeter	542
Felixstowe	142
Gateshead	549
Grantham	164
Hull (1)	535
Hull (2)	135
Hull (3)	909
Hull (4)	3,594
Kings Lynn (1)	3,094
Kings Lynn (2)	561
Leeds (1)	964
Leeds (2)	951
Liverpool (1)	468
Liverpool (2)	899
Liverpool (3)	329
Liverpool (4)	627
London (1)	1,224
London (2)	153
London (3)	270
Lowestoft	216
Marsh	118
Northallerton	59
Nuneaton	56
Oswestry	119
Paddock Wood	1,059
Peterborough (1)	64
Peterborough (2)	3,321
Pontefract	1,871
Plymouth	57
Salford	683
Sherborne	234
Shrewsbury	729
St. Helens	206
Walsall	630
Warrington	231
Warwick	52
Wolverhampton	394

Butter	*Tonnes*
Avonmouth (1)	734
Avonmouth (2)	678
Bristol (1)	5,509
Bristol (2)	3,734
Bristol (3)	799
Buxton	506
Camborne	528
Cannock	699
Chard	263
Chester	1,059
Colnbrook	2,099
Cullompton	11,063
Doncaster	2,347
Dover	352
Dronfield	1,111
Eastleigh	813
Exeter	2,555
Fleetwood	999
Frome	172
Gateshead	1,188
Gloucester (1)	381
Gloucester (2)	128
Grimsby (1)	1,427
Grimsby (2)	3,132
Grimsby (3)	1,001
Grantham	747
Guildford	16
Harlow	64
Heywood	1,375
Hull (1)	1,247
Hull (2)	896
Kings Lynn	190
Leeds (1)	491
Leeds (2)	319
Leek	1,296
Liverpool (1)	488
Liverpool (2)	1,962
Liverpool (3)	4,760
Liverpool (4)	3,753
Liverpool (5)	924
London (1)	982
London (2)	614
London (3)	373
London (4)	119
London (5)	283
Maidstone	144
Manchester	2,578
Milton Keynes	319
Northallerton (1)	917
Northallerton (2)	879
North Shields	102
Nuneaton	833
Oswestry	2,098
Peterborough (1)	510
Peterborough (2)	434
Plymouth	880
Pontefract	296
Preston	845
Retford	672
Rochdale	592
St. Albans	482
St. Helens	266
Salford	201
Sheffield	856
Sherborne	3,285
Shrewsbury	2,172
Stourport	823
Swindon	339
Taunton	492
Thetford	152
Truro	1,875
Walsall	1,995
Warrington	2,211
Warwick	585
Wigan	800

Butter	Tonnes
Wigston	681
Wolverhampton	3,962
Yeovil	12

UHT Milk

Mr. D. E. Thomas asked the Minister of Agriculture, Fisheries and Food how much UHT milk is currently consumed in England; and how much of this consumption consists of UHT milk produced in *(a)* Britain, *(b)* the European Economic Community and *(c)* the rest of the world.

Mrs. Fenner [*pursuant to her reply*, 16 May 1985, c. *205*]: A total of 59 million litres of UHT milk were sold in England and Wales in the year ended 31 March 1984; separate England and Wales figures are not readily available. In 1984 approximately 99 per cent. of total UHT milk sold in Great Britain was produced in Great Britain, with the balance being accounted for by imports from the European Economic Community.

Broadleaved Woodlands

Dr. Cunningham asked the Minister of Agriculture, Fisheries and Food if he will list in the *Official Report* the names and locations of the broadleaved woodlands clearfelled under licence for conversion to agriculture in 1982-83, 1983-84 and 1984-85 in the Forestry Commission's south-west England conservancy.

Mrs. Fenner [*pursuant to her reply*, 14 May 1985, c. *81*]: The information is not available in the form requested as the Forestry Commission does not normally monitor the situation on the ground after granting a felling licence, unless replanting conditions are involved and these conditions are due to have been fulfilled. I can, however, list the woodlands for which felling licences for conversion of the land to agriculture were issued during the years in question. These are as follows:

Name of Wood	Location	County
Year to 31 March 1983		
Woodlands at West Rowley	South Molton	Devon
Gorwood Copse	Bideford	Devon
Woodlands Dreybury Farm	Beaworthy	Devon
Woodlands on Orchard Farm	Barnstable	Devon
Woodlands on Cobscombe Farm	Near Crediton	Devon
Woodlands on Lower Cruft Farm	Oakhampton	Devon
South Park Copse	Tedburn St. Mary	Devon
Woodlands on Jarter Hill Farm	High Bickington	Devon
Woodlands at East Park	Near Exeter	Devon
Woodlands on West Yard Farm	Ashreigny	Devon
Woodlands at Church Combe	Yarnscombe	Devon
Woodlands at Moreton Heath	Near Moreton	Dorset
Woodlands at Great Marston	Near Leominster	Herefordshire
Woodlands at Great Marston	Near Leominster	Herefordshire
Woodlands at Great Marston	Near Leominster	Herefordshire
Woodlands on Greenway Farm	Near Glewstone	Herefordshire
Woodlands on Elworthy Farm	Wellington	Somerset
Drayton Covert	South Petherton	Somerset
Part of Loves Copse	Rambsury	Wiltshire
High Grove Wood, Bank Farm	Mathon	Worcestershire
Year to 31 March 1984		
Woodlands on Dolsdon Farm	Launceston	Cornwall
Woodlands on Bearah Farm	Near Tideford	Cornwall
Cutkive Woods	Merrymeet	Cornwall
Woodlands at Silklands	Bideford	Devon
Woodlands at Hollacombe	Holsworthy	Devon
Woodlands on Osborne's Farm	Tedburn St. Mary	Devon
Woodlands on Cleave Farm	Weare Gifford	Devon
Higher Plot, West Wheatley Farm	Longdown	Devon
Woodlands at Langaford	Near Beaworthy	Devon
Woodlands on West Wotton Farm	Colebrooke	Devon
Hart Hill Plantation	Bradford Peverell Dorchester	Dorset
Woodlands at Melcombe	Near Dorchester	Dorset
Collins Grove	English Bicknor	Gloucestershire
Woodlands at White House	Wotton-under-Edge	Gloucestershire
Woodlands on Pitt Farm	Dorstone	Herefordshire
Elsdon Wood	Kington	Herefordshire
Woodlands at The Hurst	Weobley	Herefordshire
Woodlands at Roundway	Devizes	Wiltshire
Cocksian Covert, Curr Lane Farm	Redditch	Worcestershire
Ash Wood, Castle Green Farm	Leigh Sinton	Worcestershire
Year to 31 March 1985		
Woodlands at Hayne Barton	Holsworthy	Devon

Food (Fluoride Content)

Mr. Lawrence asked the Minister of Agriculture, Fisheries and Food what steps are taken by Her Majesty's Government *(a)* to monitor and *(b)* to regulate the flouride content of processed food on sale to the public.

Mrs. Fenner [*pursuant to her reply*, 16 May 1985, c. *206*]: Surveys of the fluoride content of food have been carried out on behalf of the steering group on food surveilance, which advises me on these matters. Typical dietary intakes of fluoride give no cause for concern. The fluoride content of processed food is controlled under the general provisions of the Food Act 1984. In addition, regulations made under the Food Act 1984 lay down maximum permitted levels for the flouride content of certain permitted food additives.

Fungicides

Mr. Ron Davies asked the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 21 February, *Official Report*, column *582*, concerning economically significant resistant strains in relation to fungicides, what is the economic cost of fungicide resistance to benomyl, carbondazim and thiophonate methyl, respectively; and what are the alternative chemicals in each case.

Mrs. Fenner [*pursuant to her reply*, 14 May 1985, c. *79*]: I regret that the information requested concerning the economic effects of resistance of eyespot to the named fungicides could be provided only at disproportionate cost.

Products continaing prochloraz may be used as alternatives to benomyl, carbendazim and thiophanate-methyl to control eyespot on cereals.

Mr. W. Wakeham (Decommissioning Grant)

Mr. Steen asked the Minister of Agriculture, Fisheries and Food (1) if he will investigate the circumstances in

which Mr. W. Wakeham of 53 Hill Park road, Brixham, Devon, has still not received the decommissioning grant on his ex fishing vessel Devon Ray, on which a grant of £28,844 is payable;

(2) if he will now make payment of the decommissioning grant of £28,844 promised to Mr. W. Wakeham of 53 Hill Park road, Brixham, Devon, and contained in a letter to Mr. Wakeham dated 31 October 1984 reference SW/84/12/D and signed by C. R. George on behalf of his Ministry; and if he will make a statement.

Mr. MacGregor [*pursuant to his reply*, 17 May 1985, c. *234*]: Approval in principle to the payment of decommissioning grant to Mr. Wakeham in respect of the Devon Ray was given on 31 October 1984 subject to the requirements of The Fishing Vessel (Financial Assistance) Scheme 1983 being satisfied. The implications of these requirements have been fully explained to Mr. Wakeham and solicitors acting for him. So far, the Devon Ray has not been decommissioned within the terms of the scheme and therefore no payment can yet be made.

ENVIRONMENT

Departmental Stationery

Mr. Tony Banks asked the Secretary of State for the Environment what is the estimated stock by volume and value in his Department of ink, candles, sealing wax and pen-nibs.

Sir George Young: This information is not readily available because it is not the practice to account for such minor items in detail because a common store is kept with the Department of Transport.

Consultants (Cost)

Mr. Tony Banks asked the Secretary of State for the Environment how many consultants have been retained by his Department in each of the past five years; and what was the annual cost.

Mr. Patrick Jenkin: The cost of consultants retained by the Department, including PSA, has been as follows:

	£ million
1980-81	45·2
1981-82	54·0
1982-83	63·4
1983-84	83·4
1984-85	128·7

These figures are in cash terms.

The number of consultants employed in each year is not available. The increasing figures since 1982-83 reflect in part the policy of contracting out more design services by the PSA.

Ministerial Offices

Mr. Tony Banks asked the Secretary of State for the Environment what is the estimated annual cost of cut flowers and potted plants for Ministerial offices in his Department.

Mr. Patrick Jenkin: The cost of plants supplied to ministerial offices in the Department by the bailiff of the royal parks is £2,250. Cut flowers are not provided.

Housing Research (London)

Mr. Tony Banks asked the Secretary of State for the Environment why he made changes in the proposals he originally put forward for the future of research on housing in London in the event of the Greater London council being abolished; and if he will make a statement.

Sir George Young: I will answer this question shortly.

Newspaper Purchases

Mr. Tony Banks asked the Secretary of State for the Environment how many daily copies of *The Sun*, *Daily Mirror*, *Financial Times* and *Morning Star* are purchased by his Department.

Mr. Patrick Jenkin: The information is as follows: 15 *The Sun*, 14 *Daily Mirror*, 65 *Financial Times*, 12 *Morning Star*.

Departmental Appointments

Mr. Tony Banks asked the Secretary of State for the Environment if he will list all the bodies to which he makes appointments.

Mr. Patrick Jenkin: I make appointments to the bodies listed in my Department's entry in the HMSO Publication "Public Bodies 1984"—a copy of which is in the Libray—with the following exceptions:

Council for Small Industries in Rural Areas
Commons Commissioners
Local Valuation Panels for England
National Heritage Memorial Fund
Royal Commission on Environmental Pollution
Royal Commission on Historical Monuments
Royal Fine Art Commission

The Commission on Energy and the Environment has now been wound up.

In addition, I make appointments to:

Architectural Heritage Fund
Building Research Establishments Visitors Panel
Committee on Inquiry into the Conduct of Local Authority Business
Dartmoor Steering Group
Imperial War Museum
London and Metropolitan Government Staff Commission
National House Building Council
National Parks Planning Boards and Committees
Ordnance Survey Advisory Board
Parliamentary Boundary Commission for England
Sutton Housing Trust

Local Authorities (Consultations)

Mr. Tony Banks asked the Secretary of State for the Environment if he will list all the councils with which he or his Departmental Ministers have had personal discussions in the past two years.

Mr. Patrick Jenkin: I and the seven other DOE Ministers frequently meet representatives of individual local authorities and of their associations for personal discussion both formal and informal. The cost of examining all records of these meetings in order to list them all would be disproportionate.

Official Hospitality

Mr. Tony Banks asked the Secretary of State for the Environment which London restaurants have been used by

Ministers in his Department for the purpose of official hospitality in each of the past three years; and what was the annual cost.

Mr. Patrick Jenkin: In the interests of security of Ministers, of their guests and of the establishments they use, it would not be appropriate to identify them.

Entertainment costs cover not only individual official guests but also occasions when it is appropriate for a Minister to host a larger party on the occasion of a conference or other such function. Private entertainment, for instance, on the occasion of a colleague's retirement, is of course paid for by Ministers personally.

Expenditure has been as follows:

	£
1982-83	2,999
1983-84	2,898
1984-85	5,124

The increase last year over the previous year was due in part to the interruption of ministerial business during the general election, and in part to a greater number of functions in 1984-85 for groups of guests for whom official entertainment was appropriate.

Newspapers and Periodicals

Mr. Tony Banks asked the Secretary of State for the Environment how much has been spent on domestically delivered newspapers and periodicals for Ministers in his Department in each of the past three years.

Mr. Patrick Jenkin: The Department does not incur any expenditure for newspapers and periodicals delivered to Ministers' private addresses.

DEFENCE

Defence Estimates (Romanian Forces)

Mr. Ashdown asked the Secretary of State for Defence why in figure II of annex A of the "Statement on the Defence Estimates 1985", Cmnd. 9430—I, Romanian forces are not depicted separately; and whether this will be altered in the Defence Estimates for 1986.

Mr. Lee: We do not consider there to be adequate reason to distinguish Romania from other members of the Warsaw pact in the presentation of their forces.

Nuclear Depth Bombs

Mr. Michie asked the Secretary of State for Defence if he will describe the military function of nuclear depth bombs.

Mr. Lee: The purpose of the United Kingdom's nuclear weapons, including its nuclear depth bombs, is to contribute to NATO's overall strategy of deterrence and flexible response.

Rapid Reinforcement Aircraft

Mr. Michie asked the Secretary of State for Defence why those nuclear-capable aircraft based in the United States but assigned to prepared co-locating operating bases in Europe for rapid reinforcement are excluded from the table of shorter range intermediate nuclear force systems given in annex A to the Defence Estimates.

Mr. Lee: Because comparable Soviet aircraft based east of the Urals are also excluded, as is shown in note 1 to figure 13.

NATO (Infrastructure Programme)

Mr. Michie asked the Secretary of State for Defence what is the cost to Britain of the £6 billion North Atlantic Treaty Organisation infrastructure programme.

Mr. Lee: About 12 per cent.

NATO Projects

Mr. Michie asked the Secretary of State for Defence if he will publish in the *Official Report* the cost to Britain of the contribution made to all common North Atlantic Treaty Organisation projects and give a breakdown of these costs by function.

Mr. Stanley: NATO has three standing budgets used for the common funding of projects and the Ministry of Defence contributes to two of them. For the year 1984-85, the United Kingdom's contribution was as follows:

(a) NATO infrastructure budget. This covers the cost of constructing operational installations such as airfield facilities, naval base facilities and ammunition storage sites as well as procuring equipment such as communications, radar, and command, control and information systems. In 1984-85, the United Kingdom's total contribution to NATO infrastructure projects amounted to some £57 million. In the same year, NATO expenditure in the United Kingdom from the infrastructure budget, in respect of projects and equipment for which the United Kingdom undertook "host nation" responsibilities, amounted to £85 million.

(b) The military budget. This covers primarily the operation and maintenance of the various NATO military headquarters, and agencies and NATO's communication systems. The United Kingdom's net contribution in 1984-85 was some £37 million.

(c) The third common budget is the civil budget, for which overall responsibility is held by my right hon. and learned Friend the Secretary of State for Foreign and Commonwealth Affairs.

Commonly funded budgets such as these form only a small part of our contribution to the Alliance, more details of which can be found in chapters 2 and 3 of the "Statement on the Defence Estimates 1985" Cmnd. 9430-1.

United States Forces (Support)

Mr. Michie asked the Secretary of State for Defence what is the cost to Britain of providing host nation support to United States forces in Britain.

Mr. Lee: The United Kingdom provides the United States forces based here with local support and assistance in the same way as do other NATO member countries with Allied forces on their territory. In some cases, this support is provided free of charge. In others, it is provided on full or partial repayment. The details of these arrangements remain confidential between the two Governments.

Strategic Forces (Analysis)

Mr. Michie asked the Secretary of State for Defence why the factor of accuracy is not included in the assessment and analysis of strategic forces made in paragraph 22 of annex A of the defence Estimates.

Mr. Lee: The basis of the approach adopted in annex A to the "Statement on the Defence Estimates 1985" is

explained fully in paragraphs 1 to 5 and 19 of the annex. The accuracy of weapon systems is one of many qualitative factors which are relevant in compiling a complete assessment of the military balance but which cannot be readily quantified.

Missile Systems

Mr. Michie asked the Secretary of State for Defence if all United States systems mentioned in paragraph 23 of annex A of the defence Estimates and, in particular, the cruise missiles programmes arose as a response to the prior development of equivalent systems by the Soviet Union.

Mr. Lee: We have not suggested that each element of the United States strategic force modernisation programme has been undertaken as a specific response to the prior development of equivalent weapon systems by the Soviet Union. Paragraph 22 of annex A to the "Statement on the Defence Estimates 1985" describes the extensive improvements to Soviet forces, and paragraph 23 explains that the United States modernisation programme is being undertaken in the light of these improvements as a whole.

United States Forces (Deployment)

Mrs. Clwyd asked the Secretary of State for Defence if he will publish a list of the non-strategic nuclear forces deployed by the United States in Britain in support of the North Atlantic Treaty Organisation and of those nuclear-capable forces which practise deployment in the United Kingdom as part of the North Atlantic Treaty Organisation's regular exercises.

Mr. Lee: The United States non-strategic nuclear-capable forces based in the United Kingdom in support of NATO are F111 aircraft and ground launched cruise missiles. No nuclear-capable forces practise deployment to the United Kingdom as part of the North Atlantic Treaty Organisation's regular exercises, although various types of aircraft and ships deploy to the United Kingdom from time to time in support of NATO.

Licences

Mr. Ashdown asked the Secretary of State for Defence if he will list in the *Official Report* all the different types of licences operated or granted by his Department and the year in which they first came into operation.

Mr. Butler: Licences issued by the Ministry of Defence cover a wide variety of purposes including the commercial use of designs and inventions resulting from work done in its research and development establishments; the use of defence lands; the occupation of married quarters, and other activities. No central record is kept, and it would be impracticable to provide a full list with dates of operation.

Base Workshops, Bicester

Mr. Lester asked the Secretary of State for Defence what progress he has made in recruiting skilled men required to operate base workshops, Bicester.

Mr. Lee: The base workshop at Bicester is not due to start taking on the increased work load planned for it in the REME static workshop review until towards the end of 1985. As the build-up will be gradual, there is no need to recruit until men can be usefully employed. However, present indications are that there should be no difficulty when the time comes to do so.

Mr. Lester asked the Secretary of State for Defence if he will give the total cost of the expansion of the test houses at Bicester, as a result of the closure of 38 Royal Electrical and Mechanical Engineers workshops.

Mr. Lee: REME is now in the process of finalising its "statement of requirement" for the expansion of the test houses at Bicester, on the basis of which the Property Services Agency will invite tenders from appropriate firms. This task of specifying the user's technical requirements was initially concentrated on the Bovington and Old Dalby workshops, with Bicester to follow later. I cannot, therefore, add anything to the letter which my noble Friend the Under-Secretary of State for the Armed Forces, wrote to my hon. Friend on 15 January.

Mr. Lester asked the Secretary of State for Defence what is the extra cost of tranferring FV432 repairs to Bicester above original estimates on which the closure of 38 Royal Electrical and Mechanical Engineers workshops was based.

Mr. Lee: I would refer my hon. Friend to the answer given to the hon. Member for Kingston Upon Hull North (Mr. McNamara) on 16 May, columns 210-211, and can only add that, as the repair of FV432s needs the support of no major facilities beyond those already at Bicester or scheduled for installation there as a result of the REME static workshop review, any extra cost will be minimal.

Technology Demonstrator Programme

Mr. Strang asked the Secretary of State for Defence, if he will make a statement on the technology demonstrator programme.

Mr. Butler: Technology demonstrator programmes bridge the gap between basic research and project development to meet approved operational requirements. Their purpose is to determine whether new technological concepts can be developed into operationally effective hardware. Where this is successful, it reduces the technical, time-scale and cost risks of future project development programmes, and achieves better value for money.

Type 23 Frigate

Mr. Leigh asked the Secretary of State for Defence, in the light of the announcement of 8 May, *Official Report*, column 386, that tenders will be sought in the late summer for the third and fourth type 23 frigates, whether the ordering programme is up to that originally envisaged; and if it has been affected by the Trident programme.

Mr. Lee: As the "Statement on the Defence Estimates 1985" explains — Cmnd 9430-I, paragraph 503 — the forward programme is not a rigid plan but consists of assumptions endorsed for costing purposes only. In the longer term we intend to maintain a force level of about 50 destroyers and frigates and I can assure my hon. Friend that our ordering plans for the type 23 frigate are proceeding satisfactorily in this regard.

Mr. O'Neill asked the Secretary of State for Defence whether any foreign companies have been invited to tender for the next three type 23 frigates.

Mr. Lee: No. Tenders will be sought only from United Kingdom shipyards capable of constructing frigates.

Computerised Data Processing

Mr. Philip Oppenheim asked the Secretary of State for Defence what is his Department's annual budget for computerised data processing, including hardware, software and out of house services; and how many staff of his Department are employed in carrying out computerised data processing work.

Mr. Butler: The annual budget for administrative computing in defence for 1985-86 is £72·5 million. The number of staff presently employed on this work is about 4,000.

Exercise Brave Defender

Mr. D. E. Thomas asked the Secretary of State for Defence who in his Department or in the armed forces is responsible for liaising with police forces concerning their involvement in Exercise Brave Defender.

Mr. Stanley: Liaison with individual police forces is the responsibility of the appropriate army district commander and his staff.

Mr. D. E. Thomas asked the Secretary of State for Defence if members of the United States National Guard will be participating in Exercise Brave Defender.

Mr. Stanley: The position currently remains as stated in my answer to the hon. Member on 25 February 1985 — column 83. I understand, however, that some consideration is being given by the United States authorities to participation of elements of the United States air, but not army, national guard. Should participation by these elements be agreed, I will write to the hon. Member.

Nuclear Warheads

Mr. D. E. Thomas asked the Secretary of State for Defence if it has now become necessary to reprocess or replace the fissile material in the United Kingdom's nuclear warheads.

Mr. Butler: No.

Classified Papers

Mr. Johnston asked the Secretary of State for Defence whether he will make a statement on the sending by post of classified papers between defence establishments.

Mr. Butler: Successive Governments' security procedures have provided for classified papers, except for some categories of the more highly classified papers, to be sent by post. Various safeguards are laid down, including the need to use registered mail or datapost in certain defined circumstances.

Spetsnaz Brigades

Mr. D. E. Thomas asked the Secretary of State for Defence how many Spetsnaz brigades are assumed to be available for use against the United Kingdom.

Mr. Stanley: It is not our practice to disclose details of classified intelligence assessments. However, it would be prudent to assume that operations against targets in the United Kingdom are likely to feature in Soviet military planning.

Nuclear Artillery Shells

Mr. McNamara asked the Secretary of State for Defence (1) why there is no reference in the defence Estimates to the proposed introduction by the North Atlantic Treaty Organisation of new nuclear artillery shells into Europe;

(2) if he will make a statement on the implication for the British Army of the Rhine of the modernisation of nuclear-capable artillery systems operated in Europe by the United Kingdom with warheads provided by the United States of America;

(3) whether the plans for the modernisation of nuclear artillery in the North Atlantic Treaty Organisation envisage a lower number of warheads but a higher number of nuclear-capable launchers, and in particular a larger number of nuclear capable 155 mm cannon.

Mr. Stanley [*pursuant to his reply*, 16 May 1985, c. *209*]: At the meeting of the NATO nuclear planning group held in Luxembourg on 26 and 27 March 1985 SACEUR presented a report dealing with the measures he considers necessary to ensure the maintenance of a survivable, responsive and effective nuclear force structure within the reduced stockpile levels decided by Ministers at Montebello in August 1983. This report, the details of which are classified, is now being considered and no decisions have been made. It is therefore premature to make a statement about the implications of any modernisation for BAOR or to include a reference in this year's defence Estimates.

Written Answers to Questions

Tuesday 21 May 1985

ENVIRONMENT

Planning Decisions (Appeals)

Mr. Cohen asked the Secretary of State for the Environment if he will introduce legislation to provide an opportunity for objectors to appeal against a decision of a local authority planning committee to grant planning permission for a particular project; and if he will make a statement.

Mr. Macfarlane: No. The arrangements already give adequate opportunity for the consideration of objections and we do not propose to add a further obstacle to development.

Temporary Land Use (General Development Order)

Mr. Nicholls asked the Secretary of State for the Environment what representations he has received concerning a review of the general development order for the temporary uses of land for tented camping sites, helicopter landing sites and one-day markets; and if he will make a statement.

Mr. Macfarlane: From time to time I receive representations about these and other temporary uses of land permitted by the general development order, and I consider them carefully. However, the Government's general aim is to reduce planning controls, and there would need to be firm evidence that any particular permitted use was causing widespread concern before an amendment to the order could be justified.

Radioactive Waste

Mr. Frank Cook asked the Secretary of State for the Environment by what means he ensures that the licensed limits for activity and quantity of radioactive waste disposed of to air, land or water are adhered to in England, Wales and Scotland.

Mr. Waldegrave: Disposals of radioactive waste are subject to controls under the Radioactive Substances Act 1960. The certificates of authorisation issued under it contain limitations and conditions designed to ensure that the effects of disposal are regulated in accordance with the internationally recommended standards of radiological safety. Inspectors appointed under the terms of the 1960 Act visit premises to check that conditions of authorisation are being complied with. Where appropriate, they take check samples of effluents for independent analysis and of environmental materials.

Mr. Frank Cook asked the Secretary of State for the Environment if it is intended to increase the licensed limits for beta/gamma activity of radioactive waste disposed of at Drigg.

Mr. Waldegrave: No.

Mr. Frank Cook asked the Secretary of State for the Environment if he has any plans to exempt from the authorisation requirements of the Radioactive Substances Act 1960 the disposal of carbon-14, tritium or plutonium-241; and if he will make a statement.

Mr. Waldegrave: Section 6(5) of the Radioactive Substances Act 1960 empowers the Secretary of State for the Environment to make orders which exclude particular types of waste from the requirements for authorisation of disposal. In general, such orders are made where the radiological risk arising is negligible. During the coming months, it is proposed that several statutory instruments should be made which would exclude organic scintillation fluid containing very low levels of carbon-14 and tritium and also certain types of signs and instruments; apart from these proposals there are no current plans to change the existing authorisation requirements in respect of carbon-14, tritium and plutonium-241.

Widdicombe Inquiry

Mr. Tony Banks asked the Secretary of State for the Environment if anyone outside his Department was consulted or involved in the preparation of his Department's evidence to the Widdicombe inquiry.

Mr. Waldegrave: The evidence jointly submitted to the Widdicombe inquiry by my Department, the Scottish Office and the Welsh Office was prepared in consultation with other Government Departments.

Green Belt Land

Dr. McDonald asked the Secretary of State for the Environment if he will give an estimate of the number of outstanding planning permissions for housing development in Essex.

Mr. Macfarlane: My Department does not regularly publish details of outstanding planning permissions, but it included in its evidence to the Environment Select Committee — first report of the Committee, 1983-4 Session, volume II—figures which show that, subject to the provision of infrastructure, there was sufficient land in Essex with outstanding planning permission for housing in 1982-3 to support average past building rates for about six years.

Dr. McDonald asked the Secretary of State for the Environment if it remains his policy that green belt land has a positive planning role; and if he will make a statement.

Mr. Macfarlane: Government policy on green belt is set out in DOE circular 14/84. This affirms the great importance which Government continue to attach to green belts, which have a broad and positive planning role.

Dr. McDonald asked the Secretary of State for the Environment whether designated green belt land remains as such no matter what the condition of the land.

Mr. Macfarlane: DOE circular 14/84 makes it clear that the essential characteristic of green belts is their permanence and that, once the detailed boundaries have been fixed, they should not be amended, or development allowed, merely because the land has become derelict. It explains that some areas within the green belt can be

especially vulnerable to neglect or damage. Such areas may form an important part of the green belt and, if so, need to be protected and maintained.

Dr. McDonald asked the Secretary of State for the Environment (1) if he will give the total acreage of green belt land currently in the Greater London council area, and publish its location in the *Official Report;*

(2) if he will give the total acreage of green belt land currently in the Greater London council area for each year since 1978-79 to 1984-85.

Mr. Macfarlane: Calculations in 1975 estimated that about 34,000 hectares of land in Greater London were designated as green belt. More recent figures are not available. The general extent of the green belt is shown in the Greater London development plan, approved in 1976, and detailed boundaries are given in local plans.

Dr. McDonald asked the Secretary of State for the Environment if he will publish in the *Official Report* an estimate of *(a)* total acreage of green belt land in Essex and *(b)* total acreage of land designated for housing development in Essex.

Mr. Macfarlane: My Department does not have the information on which to base such estimates.

Wildlife Inspectorate

Mrs. Currie asked the Secretary of State for the Environment whether he will make a statement on the wildlife inspectorate.

Mr. Waldegrave: I informed the House on 12 December that there had been allegations against a member of the wildlife inspectorate. With the full co-operation of my Department, the allegations were investigated by the police who concluded that on the evidence available no action should be taken. However, all complaints that departmental business is not conducted properly are taken seriously and the directorate of establishments is therefore carrying out a review of the adequacy of the Department's existing procedures.

The work of the inspectorate is primarily to inspect the premises of keepers and breeders of protected birds: this is part of the bird registration system established by the Wildlife and Countryside Act, 1981 and regulations made under it. The Department also assists the Police and Her Majesty's Customs and Excise in their enforcement of the above legislation. The work has greatly increased, as we play our full part in wildlife protection and in fulfilling our obligations under the convention on international trade in endangered species. I have therefore called for a thorough review of the management and structure of the inspectorate to be carried out during the summer.

Housing (London)

Mr. Tony Banks asked the Secretary of State for the Environment why he made changes in the proposals he originally put forward for the future of research on housing in London in the event of the Greater London council being abolished; and if he will make a statement.

Sir George Young [*pursuant to his reply,* 20 May 1985]: There has been no change in the policy set out in the reply I gave to the hon. Member on 17 December, column 14. An amendment to the relevant clause in the Local Government Bill, now clause 86, has been tabled in another place to reinforce the arrangements for collective research by the London boroughs; but it remains for them to decide what research is necessary.

Parking Fines

Mr. Tony Banks asked the Secretary of State for the Environment how many fixed penalty parking fines have been paid out of departmental funds in each of the past three years.

Sir George Young [*pursuant to his reply,* 20 May 1985]: My Department has paid the following fines: 1 in 1982, 1 in 1983 and 3 in 1984.

AGRICULTURE, FISHERIES AND FOOD

Support Costs

Mr. Ralph Howell asked the Minister of Agriculture, Fisheries and Food what was the cost to the Exchequer of support to United Kingdom agriculture, as follows *(a)* gross cost and *(b)* cost net of all refunds; and if he will show *(b)* as a percentage of gross domestic product, for the years 1960-61, 1970-71, 1980-81, 1981-82, 1982-83, 1983-84 and 1984-85.

Mr. MacGregor: I will reply to my hon. Friend as soon as possible.

Annual Review White Paper

Mr. Gould asked the Minister of Agriculture, Fisheries and Food to what factors he attributes the difference in trend between England and the other countries of the United Kingdom in agricultural land prices and rents, as shown in table 25 of the annual review White Paper, Cmnd. 9243.

Mrs. Fenner: It is not possible to say which factors mainly determine changes in average land prices in the different countries of the United Kingdom. A large number of influences is normally at work simultaneously —for example, location, quality, profitability in farming and strength of the local market, including whether or not planning permission is available. Also, when numbers of sales in an area are small, the average price for a particular period can be heavily influenced by one or two large transactions. Agricultural rents are generally determined locally by periodic reviews in which landowners or their agents negotiate with tenants.

Licences

Mr. Ashdown asked the Minister of Agriculture, Fisheries and Food if he will list in the *Official Report* all the different types of licences operated or granted by his Department and the year in which they first came into operation.

Mr. Jopling: The main areas for which licences are currently issued by my Department are as follows: Under the Medicines Act 1968, the Animal Health Act 1981, the Animal Health and Welfare Act 1984 and subordinate legislation made under them for control over the movement of animals, including poultry and birds, meat and animal products and in relation to their importation. Controls are also applied under this legislation to feedingstuffs, animal medicines and vaccines, to the

collection, processing and use of porcine and bovine semen and for the purpose of protecting the welfare of animals in transit.

For Fisheries my Department and the other United Kingdom Fisheries Departments issue a wide range of licences to permit fishing by British fishing boats for those stocks listed in the Sea Fish Licensing Order 1983, as varied. The licences may cover one or more species or area and may be revoked and reissued from time to time in accordance with the requirements of EC conservation and quota regulations and of United Kingdom quota management arrangements. Other licences are issued under the Receiving of Trans-shipped Sea Fish (Licensing) Order 1982, as varied; the Diseases of Fish Act 1937 for the importation of live freshwater fish and their eggs; the Molluscan Shellfish (Control of Deposit) Order 1974, operational 1965; the Lobsters (Control of Deposit) Order 1981; and, since 1982, the Wildlife and Countryside Act 1981 to permit releases into the wild of fish and shellfish.

From 1982, also under the Wildlife and Countryside Act 1981, my Department has been empowered to issue licences for the killing or taking of protected birds and mammals causing certain types of damage. There are similar powers in relation to badgers, operational since 1982, under the Badgers Act 1973. Since 1962, licences have also been issued for the keeping of mink and coypu under the Destructive Imported Animals Act 1932.

Licences under the provisions of the Dumping at Sea Act 1974 authorise the deposit of material in the sea and the use of oil dispersants. Certificates of authorisation to dispose of radioactive waste are issued under the Radioactive Substances Act 1960. Licences control the burning of heather and grass under regulations that have operated from 1949.

Under the Plant Health Act 1967, general and specific licences are issued to permit the import of plants meeting certain conditions; and seven orders made between 1957 and 1978 provide for the sale, use, delivery, and planting of material in relation to plant disease endemic in the United Kingdom. An eighth order under the Plant Varieties and Seeds Act 1964 makes similar provision for seed potatoes. The Plant Varieties and Seeds Act 1964 also allows the issuing of compulsory licences concerning proprietary rights of plant varieties. Licences under the Seeds (Registration and Licensing) Regulations 1974, operational 1974, cover crop inspectors, seed samplers and the operation of seed testing stations. Five general licences, normally applicable to everybody rather than individuals, are in operation under the Seeds Marketing Regulations to relax the provisions of seeds regulations.

Four licences are issued in connection with bees; the movement of bees and beekeeping equipment from premises subject to a standstill notice; the exemption of persons involved in research or training from the provisions of bee diseases legislation, both operational 1942; the import of queen bees and attendant workers, operational 1980; and the import of bees for research purposes, operational 1983.

Under European Community regulations, licences have been necessary for most trade in agricultural products with non-member countries.

Agricultural Land (Thurrock)

Dr. McDonald asked the Minister of Agriculture, Fisheries and Food if he will provide an analysis of the grades of agricultural land in Thurrock, together with an estimate of the acreage of each grade.

Mr. Jopling: From the published one inch to one mile agricultural land classification maps of the Thurrock borough council area, our estimate of the grades and acreage of agricultural land in Thurrock is as follows:

	Acres
Grade 1	1,510
Grade 2	6,200
Grade 3	14,800
Grade 4	790
Urban and non-agricultural	17,170
Total	40,470

Beef

Sir Peter Mills asked the Minister of Agriculture, Fisheries and Food if he will announce the 1985-86 target price scale for the beef variable premium scheme.

Mr. MacGregor: I am sure that hon. Members on all sides of the House have welcomed my right hon. Friend's achievement in securing agreement in the Council of Ministers on the continuation of the beef variable premium scheme for the 1985-86 marketing year. After long and hard negotiations, the premium has been kept on unchanged terms and conditions. The target price scale for 1985-86 will be as follows:

Week commencing	*Pence per live kilogram*
1985	
May 27	110·4
June 3	110·0
10	109·5
17	109·0
24	108·6
July 1	108·1
8	107·6
15	107·0
22	106·5
29	106·0
August 5	105·3
12	104·8
19	104·2
26	103·8
September 2	103·2
9	102·8
16	102·6
23	102·5
30	102·4
October 7	102·3
14	102·2
21	102·1
28	102·0
November 4	102·2
11	102·5
18	102·8
25	103·2
December 2	103·5

Week commencing	Pence per live kilogram
9	104·2
16	105·0
23	105·0
30	105·5
1986	
January 6	106·0
13	106·8
20	107·6
27	108·4
February 3	109·2
10	110·0
17	110·8
24	111·0
March 3	111·1
10	111·2
17	111·3
24	111·4
31	111·4

Intervention Stores

Mr. Ron Davies asked the Minister of Agriculture, Fisheries and Food if he will provide a complete list of United Kingdom and European Community agricultural produce in public intervention and assisted private storage in England and their value at the latest available date.

Mr. Jopling [*pursuant to his reply*, 7 May 1985, c. *322*]: Intervention stocks in England on 31 March, the latest date for which figures are available, were as follows, values calculated at the buying-in price current at that date:

Commodity	Tonnes	£ million
Beef	32,824	79·75
Breadmaking wheat	81,072	10·71
Barley	626,001	77·74
Feedwheat	2,873,191	356·79
Butter	100,746	194·40
Skimmed Milk Powder	29,941	30·73

At the end of March, there was no butter or pigmeat in assisted private storage in England. The quantity of beef is not recorded and calculation would involve disproportionate cost.

Sugar

Mr. Colin Shepherd asked the Minister of Agriculture, Fisheries and Food if he is satisfied with the prospects for the sugar sector of the agricultural industry.

Mr. MacGregor [*pursuant to his reply*, 16 May 1985, c. *206*]: Yes. The area planted for next season's sugar beet crop in the United Kingdom is estimated to show a fractional increase on this season's area, which itself produced our second highest ever output of sugar from home-grown beet.

PRIME MINISTER

Soviet Jews (Emigration)

Q67. **Mr. Latham** asked the Prime Minister what action is being taken by Her Majesty's Government, in diplomatic negotiations with the Soviet Union, to assist emigration by Soviet Jews to Israel.

The Prime Minister: Both I and my right hon. and learned Friend the Foreign and Commonwealth Secretary raised these questions with Mr. Gorbachev last December. The Conference of Security and Co-operation in Europe experts' meeting on human rights which opened in Ottawa on 7 May and the meeting on human contacts in Berne next year will provide further opportunities to press the Soviet Union to fulfil their Helsinki commitments on family reunification.

Dalton

Q78. **Mr. Sheerman** asked the Prime Minister if she will pay an official visit to Dalton in Huddersfield.

The Prime Minister: I have at present no plans to do so.

Engagements

Mr. Marlow asked the Prime Minister if she will list her official engagements for Tuesday 21 May.

Mr. Greenway asked the Prime Minister if she will list her official engagements for Tuesday 21 May.

Mr. Leigh asked the Prime Minister if she will list her official engagements for Tuesday 21 May.

The Prime Minister: This morning I had meetings with ministerial colleagues and others including one with 26 leading industrialists to discuss their role in the Government's policy to increase the number of engineering and technology students. In addition to my duties in this House I shall be having further meetings later today including one with the Prime Minister of Finland. This evening I shall be giving a dinner for the Prime Minister of Finland.

TRANSPORT

Woolwich Ferry

Mr. Cartwright asked the Secretary of State for Transport what response he has received from the London boroughs of Greenwich and Newham to his suggestion that they should take over the running of the Woolwich ferry after the abolition of the Greater London council.

Mrs. Chalker: Newham has written referring to the need for further information on financial and other implications. We have not as yet had a reply from Greenwich.

Roads (Design Standards)

Mr. Roy Hughes asked the Secretary of State for Transport if he will list schemes from the 1983 roads White Paper whose design standard is being re-examined as a result of his Department's new traffic forecasts.

Mrs. Chalker: All trunk road schemes in England are being examined in the light of the revised traffic forecasts. Most are unlikely to require a change in design standard.

Heavy Goods Vehicles

Mr. Ashdown asked the Secretary of State for Transport what information he has about the incidence of offences relating to goods vehicles exceeding the maximum 38-tonne weight limit.

Mrs. Chalker: Separate records of offences relating to goods vehicles exceeding the 38 tonne weight limit are not available.

Bottesford Bypass

Mr. Latham asked the Secretary of State for Transport whether he will list the reasons for his failure to publish draft orders for the A52 bypass round Bottesford, Leicesterhire, following the announcement on the preferred route in December 1982, the public exhibition in July 1983 and the reply by the Minister of State on 31 July 1984 that orders would be published in the spring of the current year; and whether he will now expedite this matter.

Mrs. Chalker: The delay in publishing the draft orders for the A52 bypass, Bottesford, has been caused by lengthy negotiations about the future of a disused railway line which the preferred route crosses. I can confirm what I said in my answer of 1 April that we expect to publish the draft orders this summer. Despite our efforts, a spring publication could not be achieved.

Railway Lines and Stations

Mr. Speller asked the Secretary of State for Transport how many railway stations or railway lines previously closed to passenger or goods traffic have been reopened following the implementation of the Transport Act 1962 (Amendment) Act 1981.

Mr. David Mitchell: I understand from the British Railways Board that 12 stations and one passenger service have been opened or re-opened on an experimental basis under the 1981 Act.

East London River Crossing

Mr. Moynihan asked the Secretary of State for Transport whether he is yet able to announce the date of the public inquiry into the proposed east London river crossing.

Mrs. Chalker: I am pleased to announce that the public local inquiries will start on Tuesday 10 September 1985 at the town hall, Wellington street, Woolwich, before Major-General M. E. Tickell, CBE, MC, MA, C.Eng., FICE, an inspector nominated by the Lord Chancellor.

HOME DEPARTMENT

Police Vehicles (Accident Statistics)

Mr. Soley asked the Secretary of State for the Home Department if he will publish in the *Official Report* for 1983, 1984 and 1985, respectively, *(a)* the number of police officers (i) killed and (ii) seriously injured in car crashes while pursuing offenders and *(b)* the number of other people (i) killed and (ii) seriously injured in road accidents by police vehicles pursuing offenders.

Mr. Giles Shaw: The information requested is not readily available and could be obtained only at disproportionate cost, but I would refer the hon. Member to the replies given to questions by my hon. Friend the Member for Leicester, East (Mr. Bruinvels) on 13 May at columns 7-8, in which certain information was given in respect of the Metropolitan police.

Jonathan Michael Bloch

Mr. Ernie Roberts asked the Secretary of State for the Home Department when he expects to reach a decision on the re-application of Mr. Jonathan Michael Bloch for indefinite leave to remain and the renewal of his travel document; what are the reasons for the delay in reaching a decision; and what representations he has received since June 1984 on Mr. Bloch's case.

Mr. Waddington: Mr. Bloch's application is at present under consideration but it raises important issues and I am not yet in a position to say when a decision will be reached. Since June 1984 representations on Mr. Bloch's case have been received from the hon. Member, from Mr. Bloch's employers, from his solicitors, from African Refugee Housing Action Limited, and from Hackney borough council.

Cumbria Police

Mr. Maclean asked the Secretary of State for the Home Department what was the establishment of the Cumbria police force on 31 March; what was the actual strength on the same date; to what factors he attributes the difference between the two figures; and if he will make a statement.

Mr. Giles Shaw: The authorised establishment of the Cumbria constabulary is 1,128, an increase of 40 since May 1979. The strength of the force was 1,092 on 31 March 1985. Police manpower levels fluctuate from month to month because of different recruiting and wastage patterns, seasonal changes and other local reasons. I understand that there was further recruitment to the force in April 1985, and the present strength is 1,101. The number of full-time civilian staff in the force has increased by 42 to 260 since May 1979, including an additional 16 during the past year.

Shoplifting

Mr. Watts asked the Secretary of State for the Home Department whether he will introduce legislation to restrict the power of the courts to remand in custody persons accused of shoplifting; and if he will make a statement.

Mr. Mellor: My right hon. and learned Friend has no plans to do so. The Bail Act 1976 already creates a presumption in favour of the grant of bail to defendants in criminal proceedings generally, and a court may withhold bail only if satisfied that one of the prescribed exceptions to the right to bail exists.

Remand Prisoners (Court and Police Cells)

Mr. Kilroy-Silk asked the Secretary of State for the Home Department if he will publish in the *Official Report* the correspondence he has received since the beginning of 1984 on the use of police and court cells to hold remand prisoners.

Mr. Mellor: No.

Durham Police Force

Mr. Radice asked the Secretary of State for the Home Department what was the establishment of the Durham police force on 31 March 1985; what was its actual

strength on that date; to what reason he ascribes the difference between the two figures; and if he will make a statement.

Mr. Giles Shaw: The authorised establishment of the Durham constabulary is 1,357, an increase of 8 since May 1979. The strength of the force was 1,279 on 31 March 1985. Police manpower levels fluctuate from month to month because of different recruiting and wastage patterns, seasonal changes and other local reasons. Because of budgetary decisions by the police authority, the Durham constabulary has had an increasing number of vacancies in the last two years, but I understand that there was further recruitment in April 1985, and the present strength is 1,291. The number of full-time civilian staff in the force has increased by 15 to 440 in the last year.

Television Licence Fee

Mr. Alfred Morris asked the Secretary of State for the Home Department what he expects to be the effect of the licence fee settlement on employment in the BBC; and if any estimate has been provided to him of job losses.

Mr. Giles Shaw: As my right hon. and learned Friend the Home Secretary made clear when he announced the new television licence fees on 27 March — columns 479-481 — the licence fee settlement should allow the BBC to maintain its present level and range of services while its ability to enhance its services will depend very largely on the degree to which it achieves improvements in efficiency. It is for the corporation to decide how to use the money available to it, and we have neither seen nor asked for estimates of the likely level of staffing following the settlement.

Missing Persons.

Mr. Peter Bruinvels asked the Secretary of State for the Home Department what facilities the police national computer provides for recording details of missing persons under the age of 18 years and of other vulnerable missing persons; and if he will make a statement.

Mr. Giles Shaw: The police national computer provides a wanted/missing persons' file, on which forces may record data about missing persons under the age of 18 and all adults who have disappeared or unaccountably left home in circumstances which make it seem likely that they have come to some harm.

Mr. Peter Bruinvels asked the Secretary of State for the Home Department if he will publish in the *Official Report* the advice on the use and updating of information held on the police national computer regarding details of missing persons under the age of 18 years and of other vulnerable missing persons; and if he will make a statement.

Mr. Giles Shaw: Advice to chief officers on the use and updating of this file is contained in the code of practice for the protection of personal data held on the police national computer, a copy of which is in the Library. Records of missing persons are kept for a minimum of 10 weeks unless the subject is found. Individual records may be retained for a longer period at the discretion of the chief officer concerned.

Mr. Peter Bruinvels asked the Secretary of State for the Home Department if, pursuant to the answer of 22 April, *Official Report*, column 323, he will provide a breakdown of the missing persons figures in each column of table 2 according to the following age groups: under 14, 14 to 16 and 16 to 18 years.

Mr. Giles Shaw [*pursuant to his reply*, 14 May, c. 92]: I understand from the Commissioner of Police of the Metropolis that the available information is as given in the following table; statistics are not readily available for the age groups specified. The procedures for the recording of persons who were missing for only a short period were improved in 1984 and this may have increased the numbers recorded by the missing persons bureau; at the end of 1984 the numbers recorded as missing—150 aged under 14, and 240 aged 14 to 17—were lower than those a year earlier at the end of 1983—220 aged under 14, and 420 aged 14 to 17.

*Persons aged less than 18 recorded as missing by the missing persons bureau of the Metropolitan police**†

Year	Recorded as missing‡		Traced or identified‖	
	Aged under 14	Aged 14 to 17	Aged under 14	Aged 14 to 17
1979	590	3,000	500	2,720
1980	640	3,270	460	2,850
1981	620	2,620	450	2,360
1982	770	3,570	450	3,010
1983¶	690	3,260	460	2,840
1984¶●	1,240	2,860	1,090	2,620

* Includes some cases reported by police forces other than the Metropolitan police.
† The same person may be reported missing more than once.
‡ Includes some persons first reported missing in previous years.
‖ Includes persons traced who were first reported missing in previous years.
¶ Excludes persons reported as missing from overseas (58 in 1984).
● Figures for 1984 may have been increased by improved procedures for recording those missing for only a short period.

Subtitles (Television)

Mr. Ashley asked the Secretary of State for the Home Department (1) if he will hold discussions with the British Broadcasting Corporation and independent television companies about increasing the use of subtitles on television to help deaf people;

(2) if he will make a special grant to the broadcasting authorities for the extension of subtitles on television to help deaf people.

Mr. Giles Shaw: As soon as teletext technology became available, both the British Broadcasting Corporation and the Independent Broadcasting Authority recognised and began to exploit its potential for providing

subtitles to television programmes in order to improve their enjoyment by deaf people. The broadcasting authorities are still developing their resources for this purpose. In 1984 subtitles were provided on averaged for about 26 hours per week, and I understand that there are plans over the next five years to subtitle all major pre-recorded programmes which are broadcast at peak times. Work is also in hand by the authorities to develop effective systems for subtitling live programmes.

I do not believe that it is appropriate for the Government to grant-aid this work, nor do I see any necessity for the Government to discuss these matters with the broadcasters at the present time.

Vehicle Excise Duty

Mr. Ashdown asked the Secretary of State for the Home Department what information is available about offences relating to vehicle excise duty in each year since 1981; and what information is, in particular, available about such offences in respect of goods vehicles.

Mr. Michael Spicer: I have been asked to reply. The following is the information available:

	Total VED Offence Reports received	*Offenders prosecuted or penalised during year*	*Fines penalties and VED arrears recovered £ million*
1981	1,170,000	169,000	7·2
1982	1,257,000	198,000	9·4
1983	1,185,000	253,000	14·6
1984	1,010,000	291,000	18·05

Separate statistics relating to VED offences involving goods vehicles are not readily available.

EDUCATION AND SCIENCE

Schools (Bradford)

6. **Mr. Madden** asked the Secretary of State for Education and Science how many schools in the Bradford metropolitan district were built before 1900.

Mr. Dunn: One hundred; of these, 16 have been substantially remodelled in the past 10 years or are being remodelled at present.

16-Plus Examination

17. **Mr. Watson** asked the Secretary of State for Education and Science if he is satisfied with the progress being made towards the introduction of a unified 16-plus examination.

Mr. Dunn: Yes.

Academic and Related Salaries

20. **Sir John Farr** asked the Secretary of State for Education and Science if he will establish an independent committee of inquiry into academic and related salaries.

Sir Keith Joseph: I have no intention of changing the current arrangements for negotiating the salaries of academic staff employed by the universities.

Youth Training Scheme

21. **Mr. Sheerman** asked the Secretary of State for Education and Science what will be the education and training content of the second year of the youth training scheme.

Sir Keith Joseph: My right hon. Friend the Secretary of State for Employment has invited the Manpower Services Commission to consult and report back to him by the end of June 1985 on the content, funding and administration of an expanded and developed youth training scheme.

26. **Mr. Sean Hughes** asked the Secretary of State for Education and Science if he will make a statement on the educational content of the second year of the youth training scheme.

Sir Keith Joseph: I refer the hon. Member to the answer I gave earlier today to the hon. Member for Huddersfield (Mr. Sheerman).

Mr. Radice asked the Secretary of State for Education and Science how many youth training scheme trainees in each of the modes were attending further education colleges in Great Britain, divided by *(a)* local education authority and *(b)* individual college establishment at the most recent date for which figures are available.

Sir Keith Joseph: I shall reply to the hon. Member as soon as possible.

Teachers (Pay)

22. **Mr. Fisher** asked the Secretary of State for Education and Science what plans he has to meet the leaders of the teachers' unions to discuss pay.

Sir Keith Joseph: None. I met representatives of the local authority employers on 9 May and made clear beforehand that I was agreeable to their suggestion that union leaders should accompany them to the meeting. The union representatives declined to attend.

Mr. Marlow asked the Secretary of State for Education and Science what is the average rate of pay per day worked by a school teacher.

Sir Keith Joseph: The length of a teacher's working year is not specified by regulation or national agreement, nor does the Department collect information on current practice. Maintained schools are required to open for at least 190 days, but some teachers undertake out-of-term work in connection with sport, travel, examination results and placement for further study. A 38-week year is therefore a minimum assumption. Subject to that qualification, the average rate of pay per day worked based on the average salary for full-time teachers in maintained nursery, primary and secondary schools in England and Wales is approximately £50 gross.

Teachers (Dispute)

23. **Mr. Flannery** asked the Secretary of State for Education and Science if he has received any new representations from any of the teachers' unions regarding the present teachers' industrial dispute.

Sir Keith Joseph: No.

34. **Mr. Teddy Taylor** asked the Secretary of State for Education and Science what progress has been made in

resolving the dispute with teachers over salaries and conditions of employment; and if he will make a statement.

Sir Keith Joseph: I refer my hon. Friend to the answers I gave earlier today to the hon. Members for Gainsborough and Horncastle (Mr. Leigh), for Coventry, South-East (Mr. Nellist), for Portsmouth, South (Mr. Hancock), for Ealing, North (Mr. Greenway), for Warwickshire, North (Mr. Maude), for Langbaurgh (Mr. Holt), and for Newport, East (Mr. Hughes).

41. **Mr. Adley** asked the Secretary of State for Education and Science if he will make a statement on the teachers' strike.

Sir Keith Joseph: I refer the hon. Member to the answer I gave earlier today to the hon. Members for Gainsborough and Horncastle (Mr. Leigh), for Coventry, South-East (Mr. Nellist), for Portsmouth, South (Mr. Hancock), for Warwickshire, North (Mr. Maude), for Langbaurgh (Mr. Holt), and Newport East (Mr. Hughes).

32. **Mr. Meadowcroft** asked the Secretary of State for Education and Science whether he will seek an early meeting with the Association of County Councils to discuss the teachers' pay dispute.

Sir Keith Joseph: I met representatives of the local authorities, including the Association of County Councils, on 9 May. I have no present plans for further meetings with the associations about teachers' pay.

Nurse Training

24. **Dr. Mawhinney** asked the Secretary of State for Education and Science if he has had any representations from universities or tertiary education colleges regarding the Royal College of Nursing's proposals for nurse training.

Sir Keith Joseph: No.

School Laboratories (Visual Aids)

25. **Mr. Nicholls** asked the Secretary of State for Education and Science what progress has been made in providing visual aids as alternatives to the use of animals as teaching aids in school laboratories.

Mr. Dunn: Some material of this type is available, but decisions on its use are for the schools themselves.

High-technology Specialists

27. **Mr. Randall** asked the Secretary of State for Education and Science when he will next meet the chairman of the Manpower Services Commission to discuss shortfalls in the supply of high-technology specialists.

Sir Keith Joseph: I and officials of the Department are in regular contact with the chairman of the Manpower Services Commission and his staff about matters of mutual interest.

Schoolchildren's Strike

28. **Mr. Gerald Howarth** asked the Secretary of State for Education and Science what information he has as to the number of schoolchildren who took part in the strike by schoolchildren on 25 April and the number of schools involved.

Mr. Dunn: My right hon. Friend strongly deplores the action taken by schoolchildren on 25 April in Liverpool and a number of other local education authority areas. However, it is for schools and the authorities which maintain them to register the absences of pupils, and this information is not available centrally.

Open University Council

29. **Mr. Maclennan** asked the Secretary of State for Education and Science when he will next meet the officers and members of the Open University council.

Sir Keith Joseph: I have no plans for such a meeting, although I expect to meet officers who are also members of the council when I visit the university on 17 July.

Mathematics Teaching

30. **Mr. Evennett** asked the Secretary of State for Education and Science when he expects to hold consultations with teachers' representatives on the changes in the teaching of mathematics proposed in the recent report of Her Majesty's inspectors of schools.

Mr. Dunn: Copies of the discussion document "Mathematics from 5 to 16" have been sent to all maintained schools and to a range of national bodies, including the teachers' associations. HMI has invited comments by the end of July 1985. I am sure that teachers, both individually and through their associations, will wish to respond to this invitation.

Higher Education (Access)

31. **Mr. Stern** asked the Secretary of State for Education and Science if it remains his policy to maintain access to higher education for those who want it and are suitably qualified.

Mr. Brooke: The Government's policy on access to higher education will be set out in a Green Paper to be published later today.

Higher Education and Student Grants

33. **Mr. Andrew F. Bennett** asked the Secretary of State for Education and Science when he now expects to publish the Green Paper on higher education and student grants.

Mr. Brooke: The Green Paper on the future development of higher education will be published later today. A consultative paper on student support arrangements will be published shortly.

Mature Students

35. **Mr. Dormand** asked the Secretary of State for Education and Science if he is satisfied with the number of mature students who have entered higher education since 1979.

Mr. Brooke: Yes. The number of home full-time initial entrants to higher education in Great Britain aged 21 and over increased from 34,300 in 1979 to 39,000 in 1983, or 13·7 per cent.

Her Majesty's Inspectorate

36. **Mr. Peter Bruinvels** asked the Secretary of State for Education and Science how often it is expected that a

member of Her Majesty's inspectorate will visit each school; and to which people a copy of the inspector's report is normally sent.

Sir Keith Joseph: Each year Her Majesty's inspectorate carries out about 250 formal inspections of schools and colleges. Their reports are issued first to the heads, governors and maintaining LEAs of the institutions inspected; a fortnight later, they are published. Additionally, Her Majesty's inspectors visit each year about four fifths of secondary schools, one fifth of primary schools and nearly all colleges of further education, either as part of broad national surveys of certain aspects of educational provision or to keep in touch with developments in the particular institution. At the end of these visits Her Majesty's inspectors report orally to the head on what they found, but the visits do not lead to published reports.

Burnham Committee

37. **Mr. Haselhurst** asked the Secretary of State for Education and Science if he will make a further statement on his plans to re-constitute the Burnham committee.

Sir Keith Joseph: I plan to complete a review of the teachers' panel of the Burnham primary and secondary committee before the end of this calendar year. I cannot anticipate its possible outcome.

38. **Sir William van Straubenzee** asked the Secretary of State for Education and Science by what date he has requested the teachers' unions to supply him with the total number of their paid-up members as part of his current review of the composition of the teachers' panel of the Burnham committee.

Sir Keith Joseph: The teacher associations have been asked to provide a statement of the number of their fully paid-up and relevant members by 30 June 1985.

40. **Mr. Barnett** asked the Secretary of State for Education and Science if he will refer to an independent body his proposed review of the composition of the teachers' panel of the Burnham committee.

Sir Keith Joseph: I refer the hon. Member to the reply I gave to a question from the hon. Member for Cambridgeshire, North-East (Mr. Freud) on 14 May at column 106.

Universities (Grants)

39. **Mr. Fatchett** asked the Secretary of State for Education and Science if he will compare, at 1984-85 prices, the level of recurrent grant allocation to universities in 1984-85 and that currently proposed for 1987-88; and if he will make a statement.

Mr. Brooke: At 1984-85 prices, recurrent grant allocated to universities on the advice of the University Grants Committee will decrease by 5·2 per cent. between the financial years 1984-85 and 1987-88. The comparison does not take account of the additional provision for the new engineering and technology programme announced on 19 March 1985.

Disabled Children

42. **Mr. Ashley** asked the Secretary of State for Education and Science what progress has been made in improving educational provision for disabled children.

Mr. Dunn: I refer the hon. Member to the answer I gave to the hon. Member for Easington (Mr. Dormand) on 22 January 1985 at column 844.

Remuneration of Teachers Act

43. **Mr. Freud** asked the Secretary of State for Education and Science how many representations he has received regarding changes to the Remuneration of Teachers Act.

Sir Keith Joseph: The Department received requests regarding changes to the Remuneration of Teachers Act 1965 from three organisations.

University Teachers (Salaries)

44. **Mr. Beith** asked the Secretary of State for Education and Science when he next expects to meet the chairman of the University Grants Committee to discuss the funding of salaries of university teachers.

Sir Keith Joseph: I meet the chairman of the University Grants Committee as the need arises, but I have no current plans for such a meeting.

School Reorganisation (Trafford)

45. **Mr. Tony Lloyd** asked the Secretary of State for Education and Science when he was last in communication with the borough of Trafford concerning school reorganisation.

Mr. Dunn: Following my right hon. Friend's decision to reject proposals from the Salford Roman Catholic diocesan trustees, for the reorganisation of Roman Catholic secondary schools in north Trafford on 30 October 1984, the Department wrote to both the Salford Roman Catholic diocese and the borough of Trafford to explain that my right hon. Friend's decision was in no way intended to endorse the status quo. The letter also offered a meeting with officials of the Department if both parties considered that would be helpful, and this was held on 17 December 1984.

Mandatory Awards

Mr. Radice asked the Secretary of State for Education and Science (1) what are the reasons for the delay in publishing details of the rates and grants for mandatory awards in the current year;

(2) what assessment he has made of the impact of the delay in publishing details of mandatory grants on students going to college this autumn.

Sir Keith Joseph: My hon. Friend the Under-Secretary of State announced on 14 November 1984, at column 238 that the main rates of grant for mandatory awards in 1985-86 would be increased by around 3 per cent. An announcement of the details of the new rates of grant, which has been delayed by the need to consult other interested Government Departments, will be made very soon. I am well aware of the difficulties for local education authorities and students which can be occasioned by late publication of the detailed rates, and I much appreciate the efforts which the authorities make each year to ensure that award holders receive their grants on time.

Playgroups

Mrs. Virginia Bottomley asked the Secretary of State for Education and Science what research his Department is sponsoring into the effect on children's educational achievement of previous attendance at pre-school playgroups; and if he will make a statement.

Mr. Dunn: A research project by Professor Neville Butler of Bristol university has just been completed. The research concerned the association of pre-school educational experience with subsequent cognitive development, educational achievement and behavioural adjustment. I understand that it included children with pre-school playgroup experience. We expect to receive Professor Butler's report shortly.

My right hon. Friend announced on 27 February 1985 at column 180 that he had commissioned a critical evaluation of research into the education of under-fives undertaken over recent years from Professor Margaret Clark of Birmingham university.

Chapter 4 of "Better Schools" — Cmnd. 9469 — comments on the role of playgroups within the context of the education of the under-fives.

Institute of Hearing Research

Mr. Alfred Morris asked the Secretary of State for Education and Science if he is satisfied with the adequacy of the funding of the Institute of Hearing Research.

Mr. Brooke: The Medical Research Council, which receives its grant-in-aid through the Department, is the main Government agency for the promotion of medical research in the United Kingdom. It is for the council to decide on the distribution of the resources available to it between research in the various areas of science, including work undertaken at its own units of which the Institute of Hearing Research is one.

EMPLOYMENT

Truck Acts

Mr. Lawler asked the Secretary of State for Employment when he intends to introduce legislation to repeal the Truck Acts.

Mr. Peter Bottomley: We intend to introduce legislation to repeal the Truck Acts and to replace them by up-to-date provisions concerning deductions from pay as soon as the parliamentary timetable permits.

Community Programme (Warwickshire)

Mr. Park asked the Secretary of State for Employment what statistics are kept of the ethnic composition of community programme participants; and if he will provide details on the community programme schemes covered by the Coventry and Warwickshire area manpower board.

Mr. Peter Morrison: There are no statistics on the ethnic composition of workers on community programme projects in Coventry and Warwickshire, because entrants to the programme are not classified by ethnic origin. However, national sample surveys, taken at six monthly intervals, indicate that between 4 and 9 per cent. of participants are from ethnic minorities.

Job Release

Mr. Alfred Morris asked the Secretary of State for Employment what were the amounts and percentages by which the job release allowances for *(a)* able-bodied people and *(b)* disabled people were uprated in April; what is the justification for the difference in treatment of disabled people; and if he will make a statement.

Mr. Alan Clark: The job release scheme does not have separate rates of allowance for disabled and able-bodied people. If allowances under the job release scheme are payable for more than one year, then they are subject to tax. Allowances payable for less than a year are comparable but tax-free. In each category, there is a higher and lower level allowance, depending upon marriage and the spouse's weekly income.

Home Purchase and Improvement Grants

Mr. Sedgemore asked the Secretary of State for Employment (1) for 1983 what was the number of households in England and Wales, Great Britain and the United Kingdom for whom payment for the purchase or alteration of their dwelling was the following percentage or greater of gross normal income *(a)* 15 per cent., *(b)* 18 per cent., *(c)* 20 per cent., *(d)* 25 per cent. and *(e)* 30 per cent.;

(2) for 1983 what was the number of households in England and Wales, Great Britain and the United Kingdom for whom payment for the purchase or alteration of their dwelling was the following percentage or greater of normal disposable income *(a)* 15 per cent., *(b)* 18 per cent., *(c)* 20 per cent., *(d)* 25 per cent. and *(e)* 30 per cent.

Mr. Peter Bottomley: The latest information on the percentage of household income spent on the purchase or alteration of dwellings relates to owner-occupier households in the family expenditure survey for 1982. The following table sets out the figures in respect of gross normal income and normal disposable income. Households in the owner-occupied sector accounted for 56 per cent. of all households in the 1982 survey.

Percentage of households

*Proportion spent on purchase or alteration of dwellings**	*Gross normal household income*			*Normal household disposable income*		
	England and Wales	*Great Britain*	*United Kingdom*	*England and Wales*	*Great Britain*	*United Kingdom*
15 per cent. or greater	17·8	17·8	17·6	24·6	24·8	24·5
18 per cent. or greater	12·1	12·1	11·9	18·7	18·8	18·5
20 per cent. or greater	9·1	9·0	8·9	14·6	14·6	14·4
25 per cent. or greater	4·8	4·7	4·6	8·4	8·3	8·1
30 per cent. or greater	2·8	2·8	2·7	4·9	4·8	4·7

* This includes the outright purchase of houses, flats and caravans, including deposits; instalments on loans or mortgages (covering capital repayment and/or interest); and expenditure on structural alterations and additions to dwellings, including structural space heating systems.

Departmental Committees of Inquiry

Mr. Eggar asked the Secretary of State for Employment how many departmental committees of inquiry he and his predecessors, including Ministers of Labour and Secretaries of State for Employment and Productivity, have commissioned since 1955; and what were the subjects the committees investigated, the dates they were established, who chaired them and the dates they reported.

Mr. Peter Bottomley [*pursuant to his reply*, 7 May 1985, c. *360*]: Following is a list of committees which have been identified as having reported since 1955. The list excludes advisory committees, departmental working parties, inquiries carried out under industrial courts and wages councils legislation and inquiries undertaken by one individual.

Committee	*Chairman*	*Appointed*	*Reported*	
Rehabilitation, Training and Resettlement of Disabled Persons (jointly with Minister of Health and Secretary of State for Scotland)	Lord Piercy	March 1953	September 1956	Cmnd. 9883
Port Transport Industry, Dock Workers (Regulation of Employment) Schemes 1947	Mr. Justice Devlin	July 1955	June 1956	Cmnd. 9813
Smithfield Market; causes of Industrial Unrest	R. M. Wilson QC	June 1956	November 1958	SO code 36-242
Truck Acts	David Karmel	July 1959	March 1961	SO code 36-262
Ocean Shipowners' Tally Clerks; difficulties in Port of London	H. Lloyd-Williams	October 1960	November 1960	SO code 36-254
London Transport Board's Road Services, Pay and Conditions of Drivers and Conductors (jointly with Minister of Transport)	Henry Phelps Brown	November 1963	Interim December 1963 Complete February 1964	SO code 36-273 SO code 36-280
Yorkshire Area of the Coalmining Industry, difference involving Yorkshire Winding Enginemen's Association and National Union of Mineworkers, and National Coal Board	Sir Roy Wilson QC	December 1963	February 1964	SO code 36-281
Dispute at Spitalfields, Borough, Stratford, Brentford and King's Cross Markets (jointly with Minister of Agriculture, Fisheries and Food)	D. T. Jack	June 1964	July 1964	SO code 36-287
Port Transport Industry	Lord Devlin	October 1964	First November 1964 Final July 1965	Cmnd. 2523 Cmnd. 2734
Further report on Dock Workers' Wages Structure and Pay			August 1966	Cmnd. 3104
Difference between two sides of National Council for the Omnibus Industry	Sir Roy Wilson QC	March 1965	May 1965	SO code 36-291
Dispute between Steel Company of Wales and Amalgamated Union of Building Trade Workers	Prof. D. J. Robertson	November 1966	December 1966	SO code 36-308
Labour in Building and Civil Engineering (jointly with Minister of Public Building and Works)	Prof. E. H. Phelps Brown	March 1967	June 1968	Cmnd. 3714
Compulsory Retirement Age of Dock Workers	J. S. Wordie	January 1968	March 1968	SO code 36-329
Dispute between Durham Local Education Authority and National Association of Schoolmasters (jointly with Secretary of State for Education and Science)	Dr. W. E. J. McCarthy	July 1969	July 1969	Cmnd. 4152
Difference between Newlyn Pier and Harbour Commissioners and Transport & General Workers' Union	Prof. W. Hagenbuch	December 1969	March 1970	SBN 11 360086 0
Heathrow (London) Airport: Disruption of Operations and Industrial Relations (jointly with President of the Board of Trade)	Prof. D. J. Robertson	March 1970	First June 1970 Final July 1970	Cmnd. 4405 Cmnd. 4449
Dispute between Amalgamated Union of Engineering Workers and Transport & General Workers' Union, and Fine Tubes Ltd.	Prof. A. D. Campbell	September 1971	November 1971	SBN 11 360375 4

Committee	Chairman	Appointed	Reported	
Dispute at Odhams (Watford) Ltd.	Prof. G. F. Thomason	August 1974	November 1974	SBN 11 361069 6

Job Creation

Mr. Gordon Brown asked the Secretary of State for Employment if he will publish a table showing the number of additional jobs for *(a)* employees and *(b)* self-employed that were created in (i) Scotland, (ii) England and (iii) Wales in the calendar years 1983 and 1984; and if he will publish similar tables for the number of part-time and full-time jobs created; and for men and women, respectively.

Mr. Alan Clark [*pursuant to his reply*, 20 May 1985, c. 299]: Information about job gains and job losses is not available from the Department's statistics, but an indication of the net changes can be seen by comparing levels of employees in employment and the self-employed at different dates. The following table gives the available information showing changes between December each year. Analyses of full-time and part-time jobs are only available for female employees in employment. The self employment figures are derived from the labour force survey which has only a small sample in Scotland and Wales.

Annual changes at December each year in:	*Scotland*	*England*	*Wales*
Employees in employment			
All Males			
1982-83	−21,000	−101,000	−8,000
1983-84	−3,000	−51,000	−8,000
All Females			
1982-83	+15,000	+141,000	+10,000
1983-84	+19,000	+177,000	+6,000
Part-time Females			
1982-83	+22,000	+192,000	+8,000
1983-84	+19,000	+159,000	+8,000
Total			
1982-83	−7,000	+42,000	+3,000
1983-84	+17,000	+123,000	−3,000
Self-employed persons (with or without employees)			
Males			
1982-83	+7,000	+85,000	+9,000
1983-84	+7,000	+113,000	+12,000
Females			
1982-83	+3,000	+55,000	+4,000
1983-84	+1,000	+61,000	+5,000
Total			
1982-83	+10,000	+140,000	+13,000
1983-84	+8,000	+174,000	+17,000

NORTHERN IRELAND

Departmental Committees of Inquiry

Mr. Eggar asked the Secretary of State for Northern Ireland how many departmental committees of inquiry he and his predecessors have established since 1972; and what were the subjects the committees investigated, the dates they were established, who chaired them and the dates they reported.

Mr. Hurd: The available information for the Northern Ireland Office and Northern Ireland Departments is as follows:

Title of Report or Subject Matter	*Date Established*	*Chairman*	*Date Committee Reported*
A report of an enquiry into maternal deaths in Northern Ireland 1968-77	The Confidential Enquiry into maternal deaths in Northern Ireland was established in 1956. This, the 4th Report in the series, was undertaken by Mr. Gavin Boyd and Mr. James Moore and was published in 1982		
Report of the Committee on Legal Education in Northern Ireland	28 February 1972	Professor A. L. Armitage	July 1973
Report and Recommendations of the Working Party on Discrimination in the Private Sector of Employment	3 August 1972	Mr. William Van Straubenzee MP	23 May 1973
Report of the Committee on County Courts and Magistrates' Courts in Northern Ireland	October 1972	Rt. Hon. Lord Justice Jones	28 November 1973
Report of the Commission to consider legal procedures to deal with terrorist activities in Northern Ireland	18 October 1972	Lord Diplock	December 1972
Report of Committee on Rent Restriction Law of Northern Ireland	16 May 1973	Rt. Hon. Sir Robert Porter QC	3 April 1975
Report of the Law Enforcement Commission. To the Secretary of State for Northern Ireland and the Minister of Justice of Ireland	21 December 1973	None	25 April 1974
Working Party for Northern Ireland (Northern Ireland Office). The Handling of complaints against the police: report	January 1974	Sir Harold Black	December 1975
Report of a Committee to consider, in the context of civil liberties and human rights, measures to deal with terrorism in Northern Ireland	1974 (1st meeting in June)	Rt. Hon. Lord Gardiner	January 1975
Joint Working Party on Community, Sporting and Recreational Provision by District Councils	8 January 1975	Mr. A. C. Brooke	July 1975
Proposed Acquisition of land at Maghaberry, Co. Antrim	31 January 1975	The Hon. Mr. Justice Murray	August 1975
Regional Rate: Report of the Working Party	October 1975	Mr. K. Darwin	1979

Title of Report or Subject Matter	Date Established	Chairman	Date Committee Reported
Report of a Committee to Review the Principles and Operations of the Criminal Injuries to Property (Compensation) Act (Northern Ireland) 1971	November 1975	Sir James Waddell CB	30 July 1976
Adoption of Children in Northern Ireland—Report of the Children and Young Persons Review Group	9 January 1976	Sir Harold Black (d. January 1981) N. Dugdale (January 1981-)	16 June 1982
Legislation and Services for Children and Young Persons in Northern Ireland—Report of the Childrens and Young Persons Review Group	9 January 1976	Sir Harold Black	12 December 1979
Report on the present and projected financial position of the Northern Ireland Electricity Service	25 March 1976	Mr. G. T. Shepherd	4 June 1976
Rate liability of bodies providing facilities for sport, recreation and community activities in Northern Ireland (Title—"Report of the Lawrence Committee")	14 September 1976	Prof. R. J. Lawrence	1978
Report and Recommendations of the Road Accident Study Group	November 1976	Mr. James Hughes	1 July 1977
Report of the Working Party on Alternative Transfer Arrangements	November 1976	Mr. A. C. Brooke	1977
Opportunities at Sixteen	1977	Mr. Derek Birley	1978
Report of the Working Party on Voluntary Schools	1977	Dr. J. M. Benn	1979
Report of Working Party on Regional Museums in Northern Ireland	May 1977	Mr. W. O. Malcolm	11 May 1978
Review of Rural Planning Policy	30 May 1977	Dr. W. H. Cockcroft MA D. Phil. FIMA	10 March 1978
Reports of the Working Party on Administrative and Legislative Aspects of Reorganisation of Secondary Education on Preparatory and Boarding Departments, Staffing of Secondary Schools and In-Service Training	June 1977	Dr. R. J. Dickson	1979
Report of the Working Party on the Management of Schools in Northern Ireland	June 1977	Professor A. E. Astin	1979
Committee of Inquiry on the Police (HO; NIO; Scottish Office). The structure and role of police staff associations	August 1977; Reappointed (as Committee of Inquiry) December 1977	Lord Edmund-Davies	July 1979
Committee of Inquiry on the Police (HO; NIO; Scottish Office). Reports on negotiating machinery and pay	August 1977; Reappointed (as Committee of Inquiry) December 1977	Lord Edmund-Davies	July 1978
Report of the Inter-Departmental Review Body on Intoxicating Liquor Licensing in Northern Ireland	30 August 1977	Mr. R. H. A. Blackburn	1 November 1978
Report of the Working Party on Social Priority Schools	March 1978	Mr. Gordon D. Macintyre	1980
The Investigatory Commission into Northern Ireland Housing Executive Contracts	22 March 1978	His Honour Judge R. T. Rowland QC	5 April 1979
Committee of Inquiry into police interrogation procedures in Northern Ireland: Report	June 1978	Judge H. G. Bennett QC	16 February 1979
Northern Ireland Review Committee on Mental Health Legislation	8 September 1978	Mr. Justice MacDermott	6 October 1981
The Future of Higher Education in Northern Ireland—the Report of the Higher Education Review Group for Northern Ireland	December 1978	Sir Henry Chilver	*a*. Interim Report —The Future Structure of Teacher Education in Northern Ireland— published in May 1980 *b*. Final Report made to Minister and published in January 1982
Railway Accident	January 1979	Major C. B. Holden	13 March 1981
Committee of Inquiry into Angling in Northern Ireland	15 March 1979	Professor R. D. C. Black	23 March 1981
Railway Accident	February 1981	Mr. G. J. Lewis	14 September 1982
Report of the Working Group on Professional Studies and Professional Development in Teacher Training in Northern Ireland	September 1981	Mr. I. H. N. Wallace	January 1983
Railway Accident	October 1981	Mr. G. J. Lewis	3 June 1982
Committee of Inquiry into Children's Homes and Young Persons' Hostels	15 January 1982	Mr. Stephen McGonagle	Committee disbanded by the Secretary of State on 18 February 1982
Museums and Galleries Commission—Review of Museums and related Services in Northern Ireland	28 January 1983	Professor B. Morris	18 October 1983
Railway Accident	March 1983	Major C. B. Holden	17 April 1985
Advanced Further Education Courses in Londonderry—the Report of a Review Group	March 1983	Mr. T. Cowan	November 1983
Review of the operation of the Northern Ireland (Emergency Provisions) Act 1978	8 April 1983	Sir George Baker	15 March 1984

Title of Report or Subject Matter	Date Established	Chairman	Date Committee Reported
Report of an Inquiry by HM Chief Inspector of Prisons into the security arrangements at HM Prison Maze relative to the escape on Sunday 25 September 1983, including relevant recommendations for the improvements of security at HM Prison Maze	September 1983	Sir James Hennessy	26 January 1984
Report of the Committee on Professional Legal Studies	September 1983	Professor P. M. Bromley	19 April 1985
Joint Working Group on Homelessness	25 November 1983	Mr. R. C. Martin	10 August 1984
Committee of Inquiry into the Regional Medical Cardiology Centre at the Royal Victoria Hospital	20 January 1984	Mr. J. M. Benn, CB, MA, LLD	28 June 1984
Committee of Inquiry into Children's Homes and Hostels	21 March 1984	Judge William Hughes	Committee still functioning
Working Party set up to consider how best to ensure a closer working relationship between the Ulster Museum and the Ulster Folk and Transport Museum and to make recommendations on the harmonisation of the various functions performed by them	20 October 1984	Miss C. Macmahon	Report not yet available

Note: total number 49.

Elderly and Handicapped People

Mr. Kilfedder asked the Secretary of State for Northern Ireland (1) what future provision is being made to provide one hot meal each day for the elderly and handicapped in the North Down and Ards area;

(2) what assessment he has made of the consequences of the proposal by the North Down and Ards unit of management to close the social centres in Killinchy, Ballywater, Greyabbey, Comber, Newtownards (Manor Court), Portaferry, Millisle and Bangor at the end of June.

Mr. Chris Patten: While the Department of Health and Social Services is responsible for the allocation of funds to the four health and social services boards, decisions on the allocation of resources to the units of management and decisions relating to the provision of specific services in the light of competing pressures and priorities are matters for determination by each board.

Medical Cards

Ms. Clare Short asked the Secretary of State for Northern Ireland how many applications for new medical cards were received, and how many cards were issued, in each of the six weeks preceding the local elections in Northern Ireland.

Mr. Scott: The Central Services Agency does not normally maintain records on the issue of medical cards in this way. However, figures for replacement medical cards in the two weeks immediately preceding the Northern Ireland local elections on 15 May are available and are as follows:

	Applications	*Issues*
1-7 May	27,784	22,970
8-14 May	18,091	24,167

SOCIAL SERVICES

Thoracic Medicine (Consultants)

Mr. Barry Jones asked the Secretary of State for Social Services how many consultants in thoracic medicine there were per million population in *(a)* England and *(b)* the United Kingdom in (i) 1971, (ii) 1979 and (iii) 1984.

Mr. Kenneth Clarke: We do not have the information for all the years on a United Kingdom basis. The table gives the number of consultants in thoracic medicine per million population for *(a)* England and *(b)* Great Britain at 30 September each year.

	Thoracic Medicine Consultants per million popluation		
	1971	*1979*	*1984*
England	6·7	4·8	3·0
Great Britain	7·0	5·1	3·3

Benefits

Mrs. Beckett asked the Secretary of State for Social Services in what circumstances interest is paid on overdue benefit payments.

Mr. Whitney: There is no statutory provision for the payment of interest on overdue benefit payments. Since 1977, however, following a recommendation from the Select Committee on the Parliamentary Commissioner for Administration, the Department has made ex gratia payments of interest in cases where payment of benefit was delayed as a direct result of clear and unambiguous Departmental error. The precise criteria for payment were agreed with the Parliamentary Commissioner, and follow closely the statutory provisions for payment of interest on overpayments of tax.

Cervical Screening

Mr. Dobson asked the Secretary of State for Social Services, pursuant to the answer of 29 April, *Official Report*, columns *49-51* about cervical screening and the Minister for Health's press release No. 85/113 of that date, which health authorities are currently using computers for call and which for recall only; what are the estimated dates on which those health authorities having firm plans to computerise expect to do so; which health authorities have a backlog of more than three months in processing smear tests in pathology laboratories; and if he will list the health authorities with the best record for providing women with cervical cancer screening and the criteria on which this assessment was made.

Mr. Kenneth Clarke: The information available relates to family practitioner committees acting on behalf of health authorities and is as follows:

Computerised cervical cytology call and recall (CR): — Liverpool, Barking, Havering and Brentwood, Isle of Wight, Rochdale, Calderdale, Derbyshire, Devon, Bedfordshire, Dorset, Gloucestershire, Cleveland, Sandwell.

Computerised cervical cytology recall only (R): — Cornwall and Isles of Scilly, Avon, Stockport, Norfolk, Buckinghamshire, Northampton, Rotherham, Kent, Croydon, Wigan.

FPC's with plans to computerise and estimated dates:

Buckinghamshire	CR	1 July 1985
Northampton	CR	1 July 1985
Rotherham	CR	1 January 1986
Croydon	CR	1 June 1985
Wigan	CR	1 December 1985
Durham	R	1 July 1985
Suffolk	R	1 July 1985
Bromley	R	1 December 1985
North Tyneside	R	1 January 1986
Leicestershire	CR	1 June 1985
Northumberland	CR	1 June 1985
Nottingham	CR	1 August 1985
Warwickshire	CR	1 August 1985
Coventry	CR	1 October 1985
Kirklees	CR	1 October 1985
Hampshire	CR	1 December 1985
Hereford and Worcester	CR	1 December 1985
Wiltshire	CR	10 December 1985

We do not have the detailed local information requested on laboratory work load.

We do not maintain a league table of performance by health authorities in cervical cytology. We are however concerned that some authorities have not fully implemented the guidance set out in health circulars (81)14 and (84)17, and my recent announcement was based on the need to ensure that all health authorities run an effective cervical screening programme.

Fraud

Mr. Ashdown asked the Secretary of State for Social Services, pursuant to the reply of 8 May, *Official Report*, column *447*, if he will estimate the approximate proportion of the total number of investigations by staff of his Department, in the year ended 12 February, into cases of actual or suspected fraud by social security claimants that led to reduction or termination of benefit payments; and how his estimate takes account of *(a)* the cases where prosecution was authorised by his Department and *(b)* the additional cases where prosecution was brought by the police.

Mr. Whitney: It is estimated that benefit was reduced or terminated in approximately 23 per cent. of the cases investigated by local office staff for suspected benefit fraud. That estimate includes prosecutions brought by the Department and the police.

Mr. Ashdown asked the Secretary of State for Social Services, pursuant to the reply of 8 May, *Official Report*, column *447*, if he will estimate the approximate total number of investigations by staff of his Department, in the year ended 12 February, into actual or suspected fraud by social security claimants.

Mr. Whitney: Approximately 275,000.

Mr. Ashdown asked the Secretary of State for Social Services if he will make a statement on the organisation of investigations by staff of his Department into cases of actual or suspected fraud by social security claimants; and if he will describe the relationship of work done by special investigation teams to work done by local office staff.

Mr. Whitney: The way in which the Department organises its investigations and the relationship between fraud specialists form part of the instructions and guidance set out in the fraud investigators' guide. In this connection, therefore, I would refer the hon. Member to my reply to him on 23 April at column *418*.

Mr. Ashdown asked the Secretary of State for Social Services whether there are arrangements whereby local office staff of his Department, working on investigations into cases of actual or suspected fraud by social security claimants, may refer problems to specialist staff; and if he will make a statement.

Mr. Whitney: Yes, guidance is given in the operational instructions issued to all fraud investigators.

Glaucoma

Mr. Loyden asked the Secretary of State for Social Services what is the amount of money at present being provided by his Department for research into the treatment and cure of glaucoma.

Mr. John Patten: Research into the treatment and cure of glaucoma is regarded as biomedical and as such comes within the ambit of the Medical Research Council, which is funded from the science budget of the Department of Education and Science. This Department is not therefore supporting any relevant research.

Mr. Loyden asked the Secretary of State for Social Services (1) what is the number of glaucoma patients who underwent sclerotomy in the National Health Service in 1983 and 1984;

(2) if he will give the numbers of glaucoma patients at present being treated within the National Health Service.

Mr. John Patten: We do not have information in precisely the form requested. Most cases of glaucoma are treated as out-patients, for whom we have no diagnostic information. In 1983, the latest year for which we have information, there were an estimated 12,080 — provisional—in-patient cases treated in NHS hospitals in England with a main diagnosis of glaucoma. The number of such cases who underwent sclerotomy is not available from the sample information.

Mr. Loyden asked the Secretary of State for Social Services what research his Department is sponsoring, or is aware of, into the early detection of glaucoma.

Mr. Brooke: I have been asked to reply.

The Medical Research Council, which receives its grant-in-aid through the Department, is the main Government agency for the promotion of medical research in the United Kingdom. I understand that in the financial year 1983-84 the council spent £2·9 million on research relating to vision. Of this, approximately £120,000 was spent on projects which could be relevant to glaucoma. The MRC is always willing to consider soundly based research proposals for support through its grants schemes in competition with other applications.

Research work relevant to the detection of glaucoma may also be conducted in universities and medical schools using funds allocated for teaching and research on the advice of the University Grants Committee but details of such work are not collected centrally. The medical charities may also be funding work in this field.

Water (Nitrate)

Mr. Kilroy-Silk asked the Secretary of State for Social Services if, further to the answer to the hon. Member for

Knowsley, North on 24 April. *Official Report*, columns *495-6*, he will indicate areas where low nitrate water was provided for infant feeding because concentrations of nitrate exceeded 100 milligrams per litre in the drinking water.

Mr. John Patten: We are not aware of any instances in the last five years.

Private Residential Homes

Ms. Harman asked the Secretary of State for Social Services how many private residential homes for the elderly have been deregistered in Suffolk in each of the years 1979 to 1985.

Mr. John Patten: Information is not held centrally about registrations cancelled before 1 January 1985. The Department is keeping a list of persons whose registration is cancelled from that date. No notifications were received during the quarter ended 31 March 1985.

Subtitles (Television)

Mr. Ashley asked the Secretary of State for Social Services if the Minister for the disabled intends to take any steps to seek to increase the use of subtitles on television.

Mr. Newton: I am conscious of, and have stressed, the benefits of subtitles for many hearing impaired people and am pleased therefore that the broadcasting authorities are continuing to extend their use.

Wirral Council (Statutory Functions)

Mr. Frank Field asked the Secretary of State for Social Services when he expects to make a ruling on the reference made to him by Wirral Labour councillors on that council's failure to fulfil its statutory functions under section 2 of the Chronically Sick and Disabled Persons Act 1970.

Mr. Newton: The letter referred to was received on 9 May, and the legal issues which it raises are being considered. A reply will be sent as soon as possible.

Continence Advisers

Mr. Alfred Morris asked the Secretary of State for Social Services, pursuant to the answer of 16 May about continence advisers, if he will estimate the cost of collecting centrally information on the number of such advisers employed.

Mr. John Patten: I shall let the right hon. Member have a reply as soon as possible.

Unemployment Benefit

Mr. Knox asked the Secretary of State for Social Services when the new arrangements for the payment of unemployment benefit, foreshadowed in his uprating statement on 18 June 1984, will come into effect.

Mr. Newton: As my right hon. Friend told the House on 18 June 1984, we propose to change the basis of payment of unemployment benefit so that all new claimants will be paid for—nightly in arrears instead of one week in advance and one in arrears, as at present. This will not affect the amount of unemployment benefit properly paid to claimants, but it will cut out over-payments that are caused now by people returning to work during the advance payment period. Implementation of this change has been delayed because of other pressures on local offices and in particular the need to recover from the after-effects of the Newcastle computer dispute.

It will now be implemented from 15 July. The change will apply to claims processed from that date, but current cases will generally continue to be paid on the present basis.

Fostering

Mr. Marlow asked the Secretary of State for Social Services what guidelines he issues to local authorities regarding the racial criteria to be used in the placement of children for fostering; and if he will make a statement.

Mr. John Patten [*pursuant to his reply*, 16 May 1985, c. *226*.]: The most suitable foster placement for a child is a matter of professional judgement and depends on the individual needs of the particular child. The racial, cultural and religious background of a child and of the foster parents is one element which the local authority needs to consider when deciding on a placement. This is referred to in the guide to fostering practice which was published by the Department in 1976 and in most respects still represents current professional practice. The statutory requirements governing the fostering of children in their care by local authorities are contained in the Boarding-Out of Children Regulations 1955 which are presently under review. We welcome the recent campaigns by local authorities and voluntary agencies to encourage applications from the ethnic minorities to come forward as prospective foster parents.

Drug Tests

Mr. Ashley asked the Secretary of State for Social Services what information he has regarding ethics committees established by drug companies to approve drug tests using healthy volunteers.

Mr. Kenneth Clarke [*pursuant to his reply*, 20 May 1985]: We have no information about any such committees. We would expect proposals for such tests to be submitted to the appropriate ethics committee, which is usually constituted to serve the health district or the institution where the research will be undertaken.

HOUSE OF COMMONS

Blood Donor Facilities

Mr. Alfred Morris asked the Lord Privy Seal if any consideration has been given to the provision of a blood donor facility in the Palace of Westminster; and if he will make a statement.

Mr. Biffen: This matter was last considered by the Accommodation and Administration Sub-Committee in 1980, when it was decided that no special provision could be made in the Palace of Westminster because of the lack of suitable accommodation which could be set aside for the transfusion unit. The north London centre of the blood transfusion service operates a two-day clinic in the Treasury once every six months when Members, their staff and staff of the House may give blood under arrangements made through the nursing sister.

FOREIGN AND COMMONWEALTH AFFAIRS

Mr. Yuri Balovlenkov

Mr. Coombs asked the Secretary of State for Foreign and Commonwealth Affairs whether he will make representations to the Soviet authorities about the hunger strike of Mr. Yuri Balovlenkov, and press for him to be granted an exit visa to rejoin his family in America under the terms of the Helsinki final act 1975.

Mr. Rifkind: We have repeatedly made known our concern at the Soviet Union's failure to implement its human rights commitments under the Helsinki final act, including those which relate to family reunification. We shall continue to raise these matters in bilateral contacts with the Soviet authorities, and in the CSCE framework to ensure that individuals such as Mr. Balovlenkov and the many others like him are not forgotten.

Syria (President's Speech)

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs what information he has received from Her Majesty's ambassador in Damascus regarding the speech by President Hafez Al-Assad on 4 May to the National Federation of Syrian Students, in which he praised the Palestine National Salvation Front, the adoption of revolutionary uprisings, and opposition to any compromise settlement; and whether Her Majesty's ambassador has delivered any note to President Assad regarding the tone and content of this speech.

Mr. Luce: We are aware of Syria's support for the "Palestine National Salvation Front", and opposition to the agreement between King Hussein and Mr. Yasser Arafat of the Palestine Liberation Organisation to work for a negotiated settlement of the Arab-Israel dispute. For their part, the Syrian Government are aware that we welcome this agreement as a useful step, and shall continue to encourage constructive moves by the parties directly concerned.

Hong Kong

Sir Peter Blaker asked the Secretary of State for Foreign and Commonwealth Affairs whether a date for the ratification of the Hong Kong agreement has yet been set, and what progress has been made towards the establishment of the joint liaison group.

Mr. Luce: It was announced simultaneously in London and Peking today that, in accordance with the provisions of the Sino-British Joint Declaration on the Question of Hong Kong, the British and Chinese Governments have decided that instruments of ratification of the joint declaration will be exchanged in Peking on 27 May 1985. At the same time it was announced in London that the British members of the joint liaison group to be established upon the entry into force of the joint declaration will be:

Senior Representative:
Dr. D. C. Wilson CMG

Members:
Mr. E. P. Ho, CBE
Mr. J. D. I. Boyd, CMG
Mr. A. C. Galsworthy, CMG
Mr. P. A. B. Thomson

TRADE AND INDUSTRY

Equipment Provision

46. **Mr. Jack Thompson** asked the Secretary of State for Trade and Industry if the Government have plans to improve the availability of computers and like equipment with the proper training for teachers, to primary and secondary schools in 1985 and 1986.

Mr. Butcher: Primary responsibility for the provision of computers and like equipment in schools rests with local education authorities and with the schools themselves.

We are currently considering whether any fresh initiatives, building on the success of the micros in schools schemes, might be taken by this Department. Provision for teacher training would depend on the nature of any initiative.

Licences

Mr. Ashdown asked the Secretary of State for Trade and Industry if he will list in the *Official Report* all the different types of licences operated or granted by his Department and the year in which they first came into operation.

Mr. Butcher: The information is as follows:

Type of Licence	*In operation since*
1. The issue of authorisation to companies to carry on insurance business in the United Kingdom	1967
2. Export Licences	*1939
3. Import Licences	*1939
4. Consumer Credit Licence	1976
5. Licences granted under Section 7 of the Telecommunications Act 1984	*1984
6. Principals and representatives licence, under the Prevention of Fraud (Investments) Act 1939 (Consolidated 1958).	1944
7. A general licence under section 68 of the British Telecommunications Act 1981 to permit charities to deliver Christmas cards between 25 November each year until 1 January of the following year.	1981
8. A general licence under section 68 of the British Telecommunications Act 1981 to permit document exchanges to transfer mail between them	1982
9. Licence to operate a public cinema exhibiting 35mm films (as required by Part III of the Films Act 1960, as amended).	*1928
10. Licence to operate as a renter (or distributor) of 35mm films for public exhibition in cinemas (as required by Part III of the Films Act 1960, as amended).	†1928
11. Registration requirement that all 35mm films intended for public exhibition in cinemas must be registered (as required by Part II of the Films Act 1960, as amended). [This requirement is not strictly speaking a "licensing" requirement, but the registration certificate of a film permits its public exhibition and therefore it has the same effect as a licence].	*1928
12. Compulsory Licences under patents granted in accordance with the Patents Act 1949	1950
13. Voluntary Licences available as of right under patents granted in accordance with the Patents Act 1949	1950
14. Compulsory licences under patents granted in accordance with Patents Act 1977	1978
15. Voluntary Licences available as of right under patents granted in accordance with the Patents Act 1977	1978

Type of Licence	In operation since
16. Compulsory Licences under designs registered in accordance with the Registered Designs Act 1949	1950
17. Licences under the Wireless Telegraphy Act 1949 to authorise the non-broadcast use of radio	*1949
18. Pattern approval of Weighing and Measuring Equipment	1963
19. Flow Injection Analyser	1984
20. National Physical Laboratory grants licences for the exploitation of measuring instruments developed by NPL	1900
21. Flow measures	1979
22. Axial flow fans	1972
23. Flowmeters	1975
24. APT4000 computer program	1979
25. Axial and radial ball motors	1976
26. Fluid powered motor	1982
27. Vaporizing carburettors	1975
28. Computer-aided planning and estimating program	1981
29. Floatpad system	1983
30. Regenerative turbomachine	1985
31. Oil Dispersion Equipment	1972
32. In-stream Slurry Analyser	1973
33. Powder Flow—Property Testing Equipment	1973
34. Detector for Small Limb and Digit Movements	1974
35. Ships Motion Monitor	1975
36. Craft—Attitude—Monitoring—Package Systems	1975
37. Piezo Electric Head Amplifier	1977
38. Gun Rheometer	1978
39. ATR Infra-red Analyser	1979
40. Systems for the Recovery of Usable Constituents of Domestic Refuse	1978
41. Portable Dynamic Dilution Apparatus (Odour meters)	1979
42. Oxford/WSL Control BASIC	1982
43. Large Scale Flow Calorimeter	1983
44. Beach Material Washer	1984
45. RDF Pneumatic Drier—Zig Zag	1984
46. Physical property data for fluids and gases for the Process and Chemical industry	1982
47. Licences granted under Section 15 of the British Telecommunications Act 1981	*1981

* The current enabling legislation dates from these years.
† Requirements due to expire on passing of the Films Bill.

Blank Cassette Tapes

Mr. Thurnham asked the Secretary of State for Trade and Industry what representations he has received from organisations representing the blind about the proposed levy on blank cassette tapes, following the publication of the consultative document, "The Recording and Rental of Audio and Video Copyright Material."

Mr. Butcher : The Royal National Institute for the Blind, the Association of Blind Chartered Physiotherapists, the National Federation for the Blind, the National League for the Blind and Disabled, the Association of Talking Newspapers of Northern Ireland, the Talking Newspaper Association of the United Kingdom and many individual talking newspapers have expressed concern about the effect on the blind of a levy on blank audio recording tape. Their main points are that they, and individual blind people, should be entitled to relief from any levy introduced, and that the mechanism for giving relief should not cause them additional administrative expense or reduce their freedom of choice of tape.

South Africa

Mr. Caborn asked the Secretary of State for Trade and Industry how many British trade missions visited South Africa in each year from 1979; how many such missions received a grant from his Department; what was the total grant per mission; and what was the total cost to his Department in each of those years.

Mr. Fletcher: The cost to the British Overseas Trade Board of outward missions is dependent upon the number of participants and the rate of grant to the particular market applying at the time. The cost in pounds of BOTB-supported outward missions to South Africa from 1979 to date is set out below:

Missions	£
1979	
3 at	3,450
2 at	4,485
2 at	2,760
2 at	6,555
1 at	5,175
1 at	7,245
1 at	3,795
1 at	6,210
TOTAL	
13 at	60,375
1980	
2 at	7,245
2 at	4,830
2 at	4,485
1 at	3,105
1 at	4,140
1 at	5,175
1 at	5,520
1 at	6,900
TOTAL	
1 at	57,960
1981	
3 at	7,885
2 at	6,900
2 at	8,715
1 at	7,245
1 at	5,865
1 at	7,055
1 at	3,735
1 at	9,960
1 at	4,980
1 at	9,130
1 at	10,790
TOTAL	
15 at	113,645
1982	
2 at	4,980
2 at	4,565
2 at	7,055
1 at	9,130
1 at	9,960
1 at	8,685
1 at	2,075
1 at	7,470
1 at	7,885
1 at	5,760
1 at	8,160
TOTAL	
14 at	92,325
1983	
3 at	10,560
2 at	5,280
1 at	5,760
1 at	2,880
1 at	8,640
1 at	12,960
1 at	9,120
1 at	10,080
1 at	7,680

Missions	£
1 at	12,480
1 at	6,240
1 at	9,600
TOTAL	
15 at	127,680
1984	
3 at	8,640
2 at	7,860
1 at	9,600
1 at	12,480
1 at	7,200
1 at	11,520
1 at	10,080
1 at	4,800
1 at	5,280
1 at	11,040
1 at	13,920
TOTAL	
14 at	127,200
1985	
2 at	7,200
1 at	12,480
1 at	9,600
TOTAL*	
4 at	36,480

* To 31 March.

Bosphorus Bridge

Mr. Teddy Taylor asked the Secretary of State for Trade and Industry what reply he has received from the Japanese Government about the complaints on unfair subsidising of the Turkish bridge project.

Mr. Channon [*pursuant to his reply*, 20 May 1985, c. *279*]: The Japanese Government have provided an explanatory note about their involvement in the second bosphorus bridge project. We remain concerned at the high volume of subsidised finance offered by the Japanese Government in support of their companies' bid.

Japan (Trade Restrictions)

Mr. Teddy Taylor asked the Secretary of State for Trade and Industry what evidence he has of tariff, non-tariff or other restrictions imposed by the Japanese authorities on the export of British goods to Japan; and if he will make a statement.

Mr. Channon [*pursuant to his reply*, 20 May 1985, c. *279*]: The Department has received evidence from a number of sources about restrictions on trading with Japan. In particular, such restrictions were examined in an authoritative report, "Doing business in Japan" which was produced by the European Business Council in Tokyo in October 1984 and is available in the UK from the Japan Association. The British business community in Japan made a significant input to this report. A copy is being placed in the Library.

South Africa (EC Code of Conduct)

Mr. Frank Field asked the Secretary of State for Trade and Industry how many of the companies submitting full reports for the period ending June 1984 on the European Economic Community code of conduct, for companies with dealings with South Africa used, in responding to section 3 of the code, the supplementary living level figures rather than the minimum living level plus 50 per cent.; and if Her Majesty's Government ask any further questions of such companies.

Mr. Channon [*pursuant to his reply*, 20 May 1985, c. *276*]: 112 companies used supplemented living level figures, 20 used minimum living level plus 50 per cent. and five reports did not specify which figures were used. The Department uses the relevant supplemented living level figures for a family of five in analysing companies' reports without further reference to the companies.

Mr. Frank Field asked the Secretary of State for Trade and Industry how many of the companies submitting full reports for the period ending June 1984 used, in responding to section 3 of the code, the supplementary living level of minimum living level plus 50 per cent. for families of size five in areas where the average family size is shown in the supplementary living level/minimum living level studies to be higher; and if Her Majesty's Government ask any further questions of such companies.

Mr. Channon [*pursuant to his reply*, 20 May 1985, c. *276*]: The information requested is not available. Published data on the supplementary living levels and the minimum living levels for different localities in South Africa do not provide information on the average family size in each locality, but other studies indicate the average black African family size is between five and six persons.

Mr. Frank Field asked the Secretary of State for Trade and Industry how many of the companies submitting full reports for the period ending June 1984, in responding to section 3 of the code, compare their minimum wage levels with poverty levels other than the household subsistence level/household effective level or supplementary living level/minimum living level for families of five or six people; and if Her Majesty's Government ask any further questions of such companies.

Mr. Channon [*pursuant to his reply*, 20 May 1985, c. *277*]: None. 132 companies quoted the datum levels mentioned, but five omitted to specify the datum level used. The Department in any case analysed all reports by reference to the correct datum levels for a family of five in the relevant locations, without further reference to companies.

Mr. Frank Field asked the Secretary of State for Trade and Industry how many companies submitting full reports for the period ending June 1984 on the European code of conduct for companies with dealings with South Africa quote, in responding to section 3 of the code, separate levels for men and women and compare the two with different poverty levels; and if Her Majesty's Government ask any further questions of such companies.

Mr. Channon [*pursuant to his reply*, 20 May 1985, c. *277*]: Separate information on wage datum levels for men and women is not produced in South Africa, and the code of conduct makes no provision for such a distinction.

Mr. Frank Field asked the Secretary of State for Trade and Industry how many of the companies submitting full reports for the period ending June 1984 do not give figures for their total work force of all races as called for in the reporting format; and if Her Majesty's Government ask any further questions of such companies.

Mr. Channon [*pursuant to his reply*, 20 May 1985, c.*277*]: 17 companies did not report the

numbers of workers of all races. Companies were questioned further if their reports did not provide adequate information in respect of their black African workers.

Mr. Frank Field asked the Secretary of State for Trade and Industry how many of the companies submitting full reports for the period ending June 1984 make it clear in the annual reports that their response to the code is available from the company; and what procedure is followed with those that do not.

Mr. Channon [*pursuant to his reply*, 20 May 1985, c. 277]: 77 companies mentioned that information about their response to the code was available from the company, and at least 11 more companies made reference to the code in their annual reports. Companies are reminded from time to time of the Government's policy to encourage companies to comply fully with the code.

SCOTLAND

Special Alcohol Units

Dr. Godman asked the Secretary of State for Scotland (1) pursuant to his answer on 15 May, *Official Report*, column 140-1, concerning special alcohol units, what is the average length of stay for patients addicted to alcohol in each of those hospitals listed;

(2) pursuant to his answer on 15 May, *Official Report*, column 140-1, concerning special alcohol units, how many patients addicted to alcohol have been admitted to each of those alcohol units listed, for each of the last five years.

Mr. John MacKay: This information is not available centrally.

Homes for the Elderly

Dr. Godman asked the Secretary of State for Scotland how many private residential homes for the elderly have been deregistered in each of the years 1979 to 1984; and what proportion of these homes this represents.

Mr. John MacKay: As I informed the hon. Member in the reply which I gave him on 13 November 1984 at column *122* such information is not held centrally: social work authorities are not required to inform my Department if registrations are cancelled.

Tourism

Dr. Godman asked the Secretary of State for Scotland if he will make a statement on the prospects for the tourism industry in 1985.

Mr. John MacKay: The Scottish Tourist industry has a sound base on which to build and offers good prospects for growth. Amongst the service industries, tourism is already a notable provider of jobs and contributed significantly to the economy of Scotland with tourism sales reaching record levels in 1983 and 1984. There are excellent prospects for 1985. The industry hopes to surpass previous records and in doing so ensure that Scotland captures a worthwhile share of the expanding world market in tourism.

Labour Statistics

Dr. Godman asked the Secretary of State for Scotland what were the 10 largest categories of employment in the area currently covered by Greenock and Port Glasgow constituency in 1971, 1975 and 1982 and in the latest available year; how many were employed in each category; and what percentage of the total work force these represent.

Mr. Allan Stewart: Estimates of the number of employees in the 10 largest industrial orders (as defined on the 1968 standard industrial classification) and of percentages they represent of the total number of employees in employment in the Greenock and Port Glasgow employment office areas are set out in the table. The estimates for 1981 are the latest available. (Estimates for Greenock and Port Glasgow constituency are not available.)

	Number (in thousands)			*Percentage of all employees*		
Industry Order	*1971*	*1975*	*1981*	*1971*	*1975*	*1981*
Food, drink and tobacco	1·6	†	0·8	4	†	2
Electrical engineering	3·2	3·7	4·1	8	8	8
Shipbuilding and marine Engineering	*	*	*	*	*	*
Textiles	2·1	1·4	†	5	3	†
Clothing and Footwear	†	1·5	†	—	3	†
Construction	2·8	4·1	1·3	7	9	3
Transport and communication	2·6	2·9	1·8	6	6	4
Distributive trades	3·9	3·8	3·4	9	8	7
Insurance, banking, etc.	†	†	0·9	†	†	2
Professional and scientific services	4·6	6·3	5·8	11	14	12
Miscellaneous services	2·6	2·9	4·1	6	6	8
Public administration and defence	2·8	3·2	3·0	7	7	6

*Subject to disclosure restrictions.
†Not among the 10 largest Industry Orders in the relevant year.

Killearn Hospital Site

Mr. Michael Forsyth asked the Secretary of State for Scotland what has been the cost to public funds of security at the disused Killearn hospital site since the question of its disposal was first raised with him by the hon. Member for Stirling; what is his Department's estimate of the value of the site for *(a)* agricultural use, *(b)* housing development and *(c)* light industrial development; and when he expects the Killearn hospital site to be offered for sale.

Mr. John MacKay: The site has been placed on the market today and it would not therefore be appropriate to publish valuations. I shall send my hon. Friend a copy of the sale particulars.

The cost of security incurred by Greater Glasgow health board since my hon. Friend's letter of 20 September 1983 is approximately £40,000.

Drink Offences

Dr. Godman asked the Secretary of State for Scotland how many persons were proceeded against for the offence of being drunk and incapable in *(a)* Inverclyde, *(b)* Strathclyde and *(c)* Scotland for each of the past five years; and of these how many received custodial sentences.

Mr. Ancram: The table provides the information requested for the two offences of being drunk and disorderly and of habitual drunkenness which are combined in the classification of crimes and offences used by my Department.

Persons proceeded against for being drunk and disorderly and for habitual drunkenness.

Area	*1980*	*1981*	*1982*	*1983*	*1984*
Inverclyde					
Total proceeded against	1,718	1,215	1,086	652	797
given custodial sentence	3	3	2	—	5
Strathclyde					
Total proceeded against	8,611	6,418	5,291	4,159	3,456
given custodial sentence	38	48	20	30	23
Scotland					
Total proceeded against	13,950	10,991	9,388	7,928	6,581
Given custodial sentence	46	55	23	40	35

Edinburgh Relief Road

Lord James Douglas-Hamilton asked the Secretary of State for Scotland when he expects the transcript of the evidence given at the inquiry into the Lothian Region (Edinburgh Western Relief Road) Provisional Order to be available to hon. Members.

Mr. Younger: I have placed a transcript of the evidence in the Library of each House.

Licensing Law

Lord James Douglas-Hamilton asked the Secretary of State for Scotland if he has had any indication of the findings of the survey into the licensing law recently carried out on his behalf by the Office of Population Censuses and Surveys; and if he will make a statement.

Mr. Younger: A preliminary analysis of the findings has been published today and copies are available in the Library.

While the preliminary analysis shows that there has been some increase in alcohol consumption in the period 1976 to 1984 (attributable almost entirely to women) it is thought unlikely that this is a direct consequence of the changes on the licensing law. According to the analysis, the more probable cause is a change to a more relaxed attitude towards drinking in general and, in particular, towards women's drinking.

The survey also confirms that the extension to licensing hours brought about by the 1976 Act tends to be seen by the great majority as having led to more sensible drinking rather than as offering a temptation for people to drink more.

These results will be analysed more extensively, and will be presented, together with other material obtained from the general population survey and the results from the sample of licensees, in the main survey report due to be published later this year.

NATIONAL FINANCE

Average Wage

Mr. Greenway asked the Chancellor of the Exchequer by how much the average take-home wage for a single man, a married couple without children and a married couple with two children has increased in purchasing power since 1979; and if he will make a statement.

Mr. Moore: Real take-home pay for these households with average earnings was 11 per cent. higher in 1984-85 than in 1978-79.

Management Consultants

Mr. Mates asked the Chancellor of the Exchequer if he will list the contracts, with the subject of assignment, awarded to management consultancy firms by his Department in 1984, with the name of the consultants concerned.

Mr. Hayhoe: The following management consultancy firms were awarded contracts by Her Majesty's Treasury in 1984. With the exception of the first, all were placed by the Central Computer and Telecommunications Agency.

Name	*Assignment*
Roger Tym and Partners	Monitoring the Freeports Experiment
Prolog Systems Ltd.	Scottish Libraries Co-operative Automated Project (SCOLCAP) Consultancy Study
Mrs. C. Howarth	Evaluation of Human Aspects in IT
ICC	DES Expert System Feasibility Study
Simpact Systems Ltd.	Introduce Project Resource Organisation Management and Planning (PROMPT)I into a Pilot Site
Logica UK Ltd.	Study of Interface Equipment for Communications Environment Generator
Model Systems Ltd.	Development and Presentation of Training Courses
Model Systems Ltd.	Development of Fastpath versions of Structured Systems Analysis and Design Methodology (SSDM)
Arthur Young MS Ltd.	Introduction and Appraisal of PROMPT I in Government
Logica Ltd.	Interdepartmental Electronic Mail Study
MGB Business Systems	Consultancy support for Home Office Fleet Management
EOSYS Ltd.	Consultancy Study to Establish a Voice Messaging experiment in Central Government
Model Systems	Monitoring of Take-up of SSADM
ICL	Project Heineken

Name	Assignment
Price Waterhouse	IT Strategy Study of the Office of Manpower Economics
EOSYS Ltd.	Consultancy Project to Plan and implement Out of Area lines on GTN
Logica UK Ltd.	Quick Application Methodology
Elmcrown Computer Services	Interface between SSADM and Application Generators
Systems Concepts	End User Computing Project
Pactel Ltd.	Study of departmental Non Telephony telecommunication requirements
LBMS	Minor Enhancements to SSADM
Phoenix Systems Intelligence Ltd.	Development of Graphics Software to support SSADM
Pactel Ltd.	Study of Computer Systems and Management of GTN
Grafton (Database Consultants) Ltd.	Development of software (IDMS-PATH) to function under IBM MUS environment

Share Schemes

Dr. Godman asked the Chancellor of the Exchequer (1) how many save-as-you-earn share option schemes under the Finance Act 1980 have been *(a)* submitted to the Inland Revenue and *(b)* approved in each year since 1980;

(2) how many approved deferred share trust profit-sharing schemes under the Finance Act 1978 as amended have been *(a)* submitted to the Inland Revenue and *(b)* approved in each year since 1979.

Mr. Moore: I shall let the hon. Member have a reply as soon as possible.

Personal Incomes

Mr. Fisher asked the Chancellor of the Exchequer whether he will provide information on the net income after income tax, national insurance contributions and child benefit at *(a)* actual prices and *(b)* constant (April 1985) prices of typical household units (i) single, (ii) married couple, (iii) married couple with two children, (iv) married couple with four children whose gross income is at *(x)* the lowest decile, *(y)* the median and *(z)* the highest decile for each year since 1978-79.

Mr. Moore [*pursuant to his reply*, 10 May 1985, c. *533*]: Information in the following tables is based on estimates of earnings for those in full-time work paid at adult rates, with pay unaffected by absence. Estimates are based on information from the new earnings surveys. Earnings data for April 1985 will not be available until October 1985.

Income tax rates and allowances for April 1979 are those specified in the Finance Act 1979, later replaced by those announced in June 1979; for other Aprils, they are the rates and allowances for the financial year immediately following. Taxpayers are assumed to have no reliefs or allowances other than the appropriate personal allowance. National Insurance contributions are at the contracted-in rate.

The calculations take no account of means tested benefits to which those at the lowest decile may be entitled. Changes in the purchasing power of net earnings have been calculated by reference to movements in the general index of retail prices between Aprils.

Earnings after income tax, National Insurance Contributions and Child Benefit

	Single man			*Married man*			*Married man with two children**			*Married man with four children†*		
	At current prices	*At constant April 1985 prices*	*At constant prices April 1978 =100*	*At current prices*	*At constant April 1985 prices*	*At constant prices April 1978 =100*	*At current prices*	*At constant April 1985 prices*	*At constant prices April 1978 =100*	*At current prices*	*At constant April 1985 prices*	*At constant prices April 1978 =100*
	£	£		£	£		£	£		£	£	
At the lowest decile of gross earnings												
April 1978	39·35	75·61	100·0	42·84	82·31	100·0	48·71	93·59	100·0	55·15	105·96	100·0
April 1979	44·09	76·96	101·8	47·90	83·61	101·6	55·90	97·58	104·3	63·90	111·54	105·3
April 1980	53·47	76·66	101·4	57·92	83·04	100·9	65·92	94·51	101·0	73·92	105·98	100·0
April 1981	57·67	73·79	97·6	62·11	79·48	96·6	71·61	91·63	97·9	81·11	103·79	97·9
April 1982	61·95	72·45	95·8	67·03	78·39	95·2	77·53	90·67	96·9	88·03	102·95	97·2
April 1983	66·91	75·24	99·5	72·73	81·79	99·4	84·43	94·94	101·5	96·13	108·10	102·0
April 1984	71·96	76·94	101·8	78·59	84·03	102·1	91·59	97·93	104·6	104·59	111·83	105·5
At the median of gross earnings												
April 1978	56·29	108·15	100·0	59·78	114·86	100·0	65·65	126·14	100·0	72·15	138·63	100·0
April 1979	63·94	111·61	103·2	67·75	118·26	103·0	75·75	132·23	104·8	83·75	146·19	105·4
April 1980	78·52	112·57	104·1	82·96	118·94	103·6	90·96	130·41	103·4	98·96	141·88	102·3
April 1981	85·56	109·48	101·2	90·00	115·16	100·3	99·50	127·32	100·9	109·00	139·48	100·6
April 1982	93·00	108·77	100·6	98·08	114·71	99·9	108·58	126·99	100·7	119·08	139·27	100·5
April 1983	100·64	113·17	104·6	106·47	119·73	104·2	118·17	132·88	105·3	129·87	146·04	105·3
April 1984	109·53	117·11	108·3	116·17	124·21	108·2	129·17	138·11	109·5	142·17	152·01	109·6
At the highest decile of gross earnings												
April 1978	85·50	164·28	100·0	88·99	170·98	100·0	94·86	182·26	100·0	101·36	194·75	100·0
April 1979	96·89	169·13	102·9	100·70	175·78	102·8	108·70	189·74	104·1	116·70	203·71	104·6
April 1980	123·64	177·26	107·9	128·08	183·62	107·4	136·08	195·09	107·0	144·08	206·56	106·1
April 1981	139·36	178·33	108·6	143·81	184·02	107·6	153·31	196·18	107·6	162·81	208·33	107·0
April 1982	151·76	177·49	108·0	156·84	183·43	107·3	167·34	195·71	107·4	177·84	207·99	106·8
April 1983	165·83	186·48	113·5	171·66	193·03	112·9	183·36	206·19	113·1	195·06	219·35	112·6
April 1984	181·85	194·43	118·4	188·48	201·52	117·9	201·48	215·42	118·2	214·48	229·32	117·7

* Both children under 11.

† Two children under 11, one child 11-15, one child over 16.

European Community Budget

Mr. Gould asked the Chancellor of the Exchequer if he will publish in the *Official Report* the percentage increase in EEC expenditure and the percentage increase in EEC own resources in 1984 and forecasts for 1985; whether the additional subscriptions are to be included in own resources for the purpose of the EEC budget calculations; and what is his forecast of the percentage of spending accounted for them by the common agricultural policy in 1985.

Mr. Ian Stewart [*pursuant to his reply*, 15 May 1985, c. *153*]: Final outturn figures for the total expenditure of the European Community in 1984 are not yet available. However, the increase in the European Community's estimated total expenditure between the final supplementary and amending budgets for 1983 and 1984—Nos. 2 and 1 respectively—was 8·7 per cent. The IGA moneys serve to fund the 1985 budget as a whole and are pooled with other sources of revenue. The IGA moneys are, therefore, not earmarked to finance specific items of expenditure in the budget. The proportion of spending on the CAP within the total budget is, however, some 74 per cent.

Earnings

Mr. Nellist asked the Chancellor of the Exchequer, how many people earn between *(a)* £15,000 and £19,999, *(b)* £20,000 and £49,999, *(c)* £50,000 and £99,999, *(d)* £100,000 and £249,999 and *(e)* above £250,000 a year.

Mr. Moore [*pursuant to his reply*, 20 May 1985]: Provisional estimates based on a projection from the 1982-83 survey of personal incomes are as follows:

Estimated distribution of earned income in 1985-86

Range of earned income before tax (lower limit) £	*Number of incomes*
15,000	1,610,000
20,000	1,020,000
50,000	45,000
100,000	7,000
250,000	500

The figures relate to the numbers of single people and married couples with earned income in the indicated ranges. In the case of married couples, the income of husband and wife has been aggregated.

Data Processing

Mr. Phillip Oppenheim asked the Chancellor of the Exchequer what is Her Majesty's Customs and Excise annual budget for computerised data processing, including hardware, software, and out of house services; and how many of the staff of Her Majesty's Customs and Excise are employed in carrying out computerised data processing work.

Mr. Hayhoe [*pursuant to his reply*, 20 May 1985]: In 1985-86 about £9 million of the Customs and Excise cash limit is for work associated with computerised data processing excluding staff salaries. At present, some 880 staff are employed in the computer services division, which is principally involved in data processing in the Department. In addition, a few staff in other divisions have some involvement in data processing, but it is not possible to estimate these precisely except at disproportionate cost.

Written Answers to Questions

Wednesday 22 May 1985

ATTORNEY-GENERAL

Trials (Waiting Times)

Mr. Lawrence asked the Attorney-General, how many cases are currently awaiting trial in *(a)* the Court of Appeal, and *(b)* the Divisional court; and how these figures compare with each of the past five years.

The Attorney-General: In the Court of Appeal Criminal Division, as at 30 April 2,536 persons had applications for leave to appeal or appeals before the court: of these 617 were awaiting a full court hearing. Corresponding figures for the end of each of the previous five years are as follows:

	Persons whose applications for leave to appeal or appeals were before court	*Awaiting full court hearing (1)*
end 1980	2,531	834
end 1981	2,414	914
end 1982	2,516	815
end 1983	3,333	1,136
end 1984	2,545	712

Note: (1) These figures are included in the first column.

In the Court of Appeal Civil Division the numbr of appeals outstanding at the end of April 1985 was 941. Corresponding figures, where available, for the end of previous years are as follows:

	Appeals outstanding at the end of year shown
1980	834
1981	Not available
1982	Not available
1983	902
1984	873

In the Divisional court of the Queen's Bench Division the total number of cases outstanding at the end of April 1985 was 1,201. Corresponding figures for the end of the previous five years are as follows:

	Cases outstanding at end of year shown
1980	242
1981	246
1982	696
1983	1,219
1984	1,681

NORTHERN IRELAND

Local Elections (Voting Rights)

Ms. Clare Short asked the Secretary of State for Northern Ireland how many people were refused the right to vote in the local elections in Northern Ireland on 15 May because they were unable to produce the necessary documents.

Mr. Scott: The figures requested are not available. It is clear that some people wishing to vote but not able to produce one of the documents specified under the Elections (Northern Ireland) Act 1985 were refused ballot papers in accordance with the provisions of the Act. In many of these cases, however, the voters concerned subsequently returned to the polling place with an appropriate document and were then able to vote. The total turnout, at 60-61 per cent. compares with 65·0 per cent. at the 1981 local elections and 55·4 per cent. at the 1977 local elections: in some areas it was over 80 per cent.

Dogs (Licences)

Mr. Corbett asked the Secretary of State for Northern Ireland how many prosecutions were made in 1984 and with what result for *(a)* keeping a dog without a licence, *(b)* taking possession of a dog before a licence had been issued and *(c)* giving or selling a dog to a person who had not produced a licence.

Dr. Boyson: I refer the hon. Member to the answer I gave my hon. Friend the Member for Penrith and The Border (Mr. Maclean) on 15 April 1985, in columns 58 and 59.

A detailed breakdown of the types of prosecution is not available. The fixed penalty system is applied to most licensing offences and in their reports councils only identify specific cases where attacks on persons or livestock are concerned resulting in the destruction of the dog.

Housing Executive

Mr. Michael Brown asked the Secretary of State for Northern Ireland when he will lay the latest accounts of the Northern Ireland Housing Executive before Parliament; and if he will make a statememt.

Mr. Chris Patten: The accounts of the Northern Ireland Housing Executive for 1983-84 together with the reports of the Local Government Auditor and of the Comptroller and Auditor-General thereon were laid today (Cmnd. 9512). The matters raised have been discussed between the Department of the Environment for Northern Ireland and the Housing executive and the agreed follow-up action will be monitored. In this occasion the report raises individual issues rather than criticisms of systems and in that sense it is encouraging.

I have arranged for copies of a statement by the Housing Executive in response to the Local Government Auditor's Report to be placed in the Library of the House.

Electricity Industry (Capital Investment)

Mr. Arnold asked the Secretary of State for Northern Ireland if he will make a statement on his plans for future capital investment in the electricity industry in Northern Ireland.

Mr. Hurd: Some 90 per cent. of the usable generating capacity in Northern Ireland is oil-fired. This heavy oil-dependence is the main reason for Northern Ireland's high electricity generating costs, and for the decision to provide a substantial Government subsidy to keep Northern Ireland electricity tariffs in close association with the highest area board in England and Wales. The cost of that subsidy—estimated to be more than £95 million in 1985-86—is

becoming an increasing burden on the Northern Ireland public expenditure block. The Government and the Northern Ireland Electricity Service have therefore been anxious to explore how best the oil-dependence of the Northern Ireland electricity system might be significantly reduced.

I have decided that the first step in reducing Northern Ireland's oil dependence should be the immediate conversion of the first phase of Kilroot power station to solid fuel-firing. In the first instance the station will be converted to coal-firing, although provision will be made in the design to retain the existing oil-fired capability, and to allow the future burning of a processed form of lignite at the station, should this prove to be technically feasible and economic. For this purpose I have made funds available within the Northern Ireland public expenditure block which will support the investment and enable the Northern Ireland Electricity Service to carry out the necessary works. The initial cost of the project is estimated at £94 million, at October 1984 prices, and the station is expected to be taken out of service in the years 1986 to 1988, and to recommissioned in 1989. After Kilroot is recommissioned as a coal-fired station, it is estimated that Northern Ireland Electricity Service fuel costs could be reduced by some £25 to £30 million per annum, which will represent a significant saving in public expenditure.

At the same time I am very conscious of the contribution which cheap local lignite might make to reducing Northern Ireland Electricity Service generating costs, and the fact that a substantial proportion of total existing NIES capacity—as much as 35 per cent.—will be progressively retired throughout the 1990s. We have therefore given considerable thought to how Northern Ireland's future generating capacity needs should be met, and the extent to which lignite might feature in these plans. Our current assessment is that the most economically effective use of lignite would be in a purpose-built mine-mouth power station, and that lignite-fired plant would offer the cheapest option when new generating capacity is required in the 1990s. As an initial step therefore I have authorised the Northern Ireland Electricity Service to enter into the preliminary planning stages of a new lignite-fired power station to be constructed at the mouth of the lignite mine, and work on such studies has now begun.

It should be realised, however, that the capital expenditure involved in the construction of a new power station will be substantial. Detailed assessments of the phasing of such capital expenditure and of its economic implications have to be carefully examined before a final decision on construction would be taken. In that context I am examining in depth the scope for private sector involvement in the development of lignite-fired electricity generation.

EMPLOYMENT

European Social Fund

89. **Mr. Haynes** asked the Secretary of State for Employment what discussions he has had concerning the reform of the guidelines covering the European social fund.

Mr. Peter Bottomley: My right hon. Friend and the Secretary of State for Foreign and Commonwealth Affairs have discussed the European Commission's proposed interpretation of its guidelines for 1985 with Commissioner Sutherland and President Delors respectively. So far as 1986 is concerned, officials discussed the draft guidelines with the Commission both informally and formally. The guidelines for 1986 were published by the Commission on 6 May.

Skillcentres

Mr. Tom Cox asked the Secretary of State for Employment if he will list the skillcentres which have been closed in the Greater London council area during the last five years.

Mr. Peter Morrison: The skillcentres at Poplar and Charlton, together with Charlton annexe, have been closed in the last five years. In addition, the annexes at Enfield, Perivale and Twickenham have been merged with their parent skillcentres.

Community Industry Scheme

Mr. Lawler asked the Secretary of State for Employment if he will provide a regional breakdown of the occupancy rates on the community industry scheme; and if he will give each region's allocation.

Mr. Peter Morrison: The latest statistics, for community industry regions, are set out in the table below:

Community industry region	*Occupancy**	*Allocation*
London and South-East	589	695
Midlands	631	665
Wales and South-West	1,007	1,025
North-West	1,074	1,155
Northern	936	975
Yorks and Humberside	1,033	1,045
Scotland	1,452	1,440
Total	6,722	7,000

* 11 April 1985.

Accident Reporting

Mr. Flannery asked the Secretary of State for Employment how he proposes to deal with the reporting of accidents in the period until new regulations are available.

Mr. Peter Bottomley: The Health and Safety Commission is considering proposals for revised regulations on the reporting of accidents. The Notification of Accidents and Dangerous Occurrences Regulations 1980 continue in force.

Youth Training Scheme

Mr. Meadowcroft asked the Secretary of State for Employment if he will publish in the *Official Report* statistics on numbers entering and numbers completing the youth training scheme by mode for each local education authority area in Yorkshire and Humberside for 1983-84, setting out the results for boys and girls separately.

Mr. Peter Morrison: The information requested is given in the table. The figures do not include young people who entered or completed construction industry training board schemes. There were few young people who entered the youth training scheme early enough in 1983 to complete their programmes in the 1983-84 financial year.

Local education authority area	Entrants 1983-84 A	B1	B2	Total	Completions 1983-84 A	B1	B2	Total
ROTHERHAM								
Male	600	320	297	1,217	0	1	6	7
Female	872	99	201	1,172	0	0	7	7
Total	1,472	419	498	2,389	0	1	13	14
SHEFFIELD								
Male	1,667	587	594	2,848	1	0	24	25
Female	1,673	386	423	2,482	0	1	18	19
Total	3,340	973	1,017	5,330	1	1	42	44
WAKEFIELD								
Male	764	472	180	1,416	2	76	13	91
Female	932	155	77	1,164	1	14	8	23
Total	1,696	627	257	2,580	3	90	21	114
BARNSLEY								
Male	452	209	127	788	1	14	1	16
Female	589	112	79	780	0	7	1	8
Total	1,041	321	206	1,568	1	21	2	24
DONCASTER								
Male	674	648	173	1,495	2	132	1	135
Female	1,023	351	172	1,546	3	87	1	91
Total	1,697	999	345	3,041	5	219	2	226
HUMBERSIDE								
Male	2,107	1,127	785	4,019	4	21	32	57
Female	1,985	528	693	3,206	2	6	15	23
Total	4,092	1,655	1,478	7,225	6	27	47	80
LEEDS								
Male	1,335	694	212	2,241	21	12	2	35
Female	1,493	380	45	1,918	29	1	0	30
Total	2,828	1,074	257	4,159	50	13	2	65
NORTH YORKSHIRE								
Male	1,063	307	0	1,370	2	5	0	7
Female	963	149	0	1,112	0	2	0	2
Total	2,026	456	0	2,482	2	7	0	9
BRADFORD								
Male	870	537	339	1,746	0	55	12	67
Female	801	332	54	1,187	0	38	10	48
Total	1,671	869	393	2,933	0	93	22	115
CALDERDALE								
Male	338	371	128	837	0	88	0	88
Female	346	170	86	602	0	63	0	63
Total	684	541	214	1,439	0	151	0	151
KIRKLEES								
Male	951	379	321	1,651	0	45	0	45
Female	741	346	97	1,184	1	32	0	33
Total	1,692	725	418	2,835	1	77	0	78
YORKSHIRE AND HUMBERSIDE TOTAL								
Male	10,821	5,651	3,156	19,628	33	449	91	573
Female	11,418	3,008	1,927	16,353	36	251	60	347
Total	22,239	8,659	5,083	35,981	69	700	151	920

OVERSEAS DEVELOPMENT

Sub-Saharan Africa

Mr. Norman Atkinson asked the Secretary of State for Foreign and Commonwealth Affairs what was the total overseas development assistance by the United Kingdom Government in sub-Saharan Africa during 1984 or the last year for which figures are available.

Mr. Raison: Gross public expenditure on British bilateral aid to sub-Saharan Africa during 1984 was £248 million. In addition, substantial amounts of British aid go to sub-Saharan Africa through various multilateral and European Community channels.

Nicaragua

Dame Judith Hart asked the Secretary of State for Foreign and Commonwealth Affairs what response he will make at the European Economic Community Council of Ministers to the Commission proposal that aid to Nicaragua should be doubled by member countries.

Mr. Raison: The Commission has not to date communicated to the Council any proposal to this effect. But the Commission is expected soon to forward proposals on ways by which the European Community could further relations, including aid, with Central America following the meeting last year of Foreign Ministers in San José.

Crown Agents

Mr. Lester asked the Secretary of State for Foreign and Commonwealth Affairs when the 1984 annual report and accounts of the Crown Agents for Oversea Governments and Administrations will be published.

Mr. Raison: The 1984 report and accounts will be published on 29 May and I am arranging for copies to be placed in the Library of both Houses. Copies will be laid before the House after the recess.

Commonwealth Development Corporation

Mr. Bowen Wells asked the Secretary of State for Foreign and Commonwealth Affairs when the 1984 annual report and accounts of the Commonwealth Development Corporation will be published.

Mr. Raison: The report and accounts will be published on 23 May. Copies have been laid in both Houses today. Copies are also being placed in the Library.

DEFENCE

Budget

Mr. Portillo asked the Secretary of State for Defence if he will give, for each financial year from 1978-79 to the current year, the increase in real terms in the total defence budget over the previous year.

Mr. Stanley: The information is as follows:

Year	*Real increase in outturn defence expenditure Percentage*
1979-80	2·9
1980-81	2·7
1981-82	1·5
1982-83	6·0
1983-84	*2·2

Note:
* Includes £251 million available for carry forward to 1984-85.
The outturn for 1984-85 is not yet available.

Army Officers

Mr. Critchley asked the Secretary of State for Defence how many Army officers bought themselves out of the service in *(a)* 1984 and *(b)* so far in 1985.

Mr. Lee: There is no provision in the regulations for officers to purchase their discharge from the Army. They may, however, be permitted to terminate their Service prematurely at their own request.

The number of officers who left the Army through premature voluntary retirement during the periods in question was:

	1984	*1 January-31 March 1985*
United Kingdom Trained Adult Male Officers*	562	128
United Kingdom Trained Adult Female Officers†	29	9

* Female officers serving in RAMC, RADC, ALC, and RAVC are included in the UKTAM totals.
† UKTAF officers are those serving in the WRAC and QARANC.

Phantom Aircraft

Mr. George asked the Secretary of State for Defence what steps he has taken to satisfy himself as to the cost effectiveness of the recent purchase of Phantom F4J's from the United States Government.

Mr. Butler: This purchase was approved in accordance with the normal procedures of my Department which have as a primary objective the most cost-effective procurement of defence equipment.

Mr. George asked the Secretary of State for Defence what was the cost of the Phantom F4J's recently purchased from the United States Government: what information he has as to *(a)* the original life expectancy of their airframes *(b)* their length of service with the United States Navy and *(c)* the remaining life expectancy of their airframes; and if he will make a statement.

Mr. Butler: The cost of the Phantom F4J project including refurbishment of 15 aircraft, training, spares and support equipment is some £125 million at current prices. The aircraft were refurbished before delivery and they are expected to be in service with the RAF well into the 1990s.

Falkland Islands (Airport)

Sir John Biggs-Davison asked the Secretary of State for Defence if he will make periodical reports to the House on the savings effected in the South Atlantic as a result of the opening of the new airport at Mount Pleasant.

Mr. Stanley: I refer my hon. Friend to the reply I gave to the hon. Member for Carrick, Cumnock and Doon Valley on 22 April in column 386. The savings are expected initially to be of the order of those in that reply. My right hon. Friend will continue to keep the House informed.

Multi-launch Rocket System

Mr. Pike asked the Secretary of State for Defence, if he will make a statement regarding the latest position of the multi-launch rocket system project.

Mr. Butler: The MLRS basic system (phase I) is in production in the USA. Production of European requirements will be undertaken in Europe by an industrial consortium known as Europäische Produktions Gesellschaft mbH (EPG). Work sharing between the European partners — France, Italy, Germany and the United Kingdom — was agreed in November last year. The offer by EPG for European production of MLRS is currently being considered by the participating nations and we expect that a contract will be awarded later this year. The ISD is planned for about 1990.

A contract for development of a terminally guided warhead (MLRS phase III) for use with the basic system

was awarded last November to MDTT Incorporated, a joint venture company of which Thorn-EMI is the United Kingdom member. The first stage of development is progressing well and will be completed in 1987. The system is planned to enter service in the early 1990s.

Type 23 Frigate

Mr. O'Neill asked the Secretary of State for Defence what will be the value of the contracts to build a further three type 23 frigates.

Mr. Lee: The value of the contracts to build the next three type 23 frigates will depend upon the prices negotiated following receipt of tenders. As stated in Cmnd. 9430-1, the estimated unit cost of a type 23 frigate is £110 million at 1984-85 prices, including weapons and equipment fitted in the ship but excluding development costs.

Mr. O'Neill asked the Secretary of State for Defence if he will specify the British shipbuilding companies which will be invited to tender for the next three type 23 frigates.

Mr. Lee: As my right hon. Friend the Secretary of State for Defence said on 28 January, Swan Hunter Shipbuilders Ltd. will be invited to tender for the second type 23 frigate.

It is intended to invite tenders for type 23 frigates 03 and 04 only from the United Kingdom shipyards with current experience of building destroyers and frigates for the Royal Navy: Cammell Laird Shipbuilders Ltd., Swan Hunter Shipbuilders Ltd., Vosper Thornycroft (UK) Ltd. and Yarrow Shipbuilders Ltd. We would consider requests from other United Kingdom companies on their merits at the time.

Trooping the Colour (Tickets)

Mr. Alfred Morris asked the Secretary of State for Defence how many tickets are available for this year's trooping the colour; how they are being distributed; if he will list the bodies to which allocations are being made together with the number of tickets allocated in each case; how the current year's arrangements compare with those for previous years; and what is expected to be the total income from the sale of tickets.

Mr. Lee: Further to the reply which my right hon. Friend the Minister for the Armed Forces gave to the hon. Member for Stalybridge and Hyde (Mr. Pendry) on 25 January 1985 at columns 556 and 557, the distribution of tickets for the trooping the colour ceremony is arranged by the Brigade Major, HQ Household Division, Horse Guards. The list of bodies to which allocations have been made this year is:

	Number
HM The Queen and the Royal Households	92
Houses of Parliament	300
Diplomatic Corps	198
Ministry of Defence and Service Establishments	1,734
Other Government Departments	923
Household Division and Regiments (including those participating in Parade)	1,714
Ambassador of the United States of America	12
Lloyds Bank	6
Metropolitan Police	62
St. John's Ambulance	6
Sheriffs of the City of London	4
Cavalry and Guards Clubs	4
Elder Brothers of Trinity House	2
Gordon Boys School	6
Official Photographer	2
Contractor (stand erection and dismantling)	12
NAAFI	4
Army Benevolent Fund	14
Press	45
St. Dunstans	30
Ulster Defence Regiment	12

I am not able to list precise allocations for 1984 as such records are not maintained, but broadly speaking the arrangements for the allocation of tickets have not changed over the years, except that since 1984 special provision is now made for wheelchairs.

The total income from the sale of tickets based upon the revenue for the 1984 parade is expected to be in the region of £70,000. Normally about 1,500 tickets are available for sale to the general public.

RAF Basic Trainer

Mr. McNamara asked the Secretary of State for Defence, pursuant to the answer of 8 May, *Official Report*, column 386, why, following the telephone call made by the Principal Director of Contracts (Air), to the group commercial director of British Aerospace on 13 March to inform him of the deadline date for the tender for the new Royal Air Force basic trainer, the Controller of Aircraft on 15 March telephoned the managing director of British Aerospace to confirm that the latter understood that the bid received by the relevant contracts branch of his Department before noon on 14 March was British Aerospace's final offer.

Mr. Butler: Controller Aircraft rang Sir Raymond Lygo, managing director of British Aerospace, to satisfy himself that Sir Raymond understood that the company's bid received before noon the previous day was indeed its final offer. In doing so he neither encouraged Sir Raymond to make a further bid nor gave any indication that a further offer from British Aerospace might be accepted by the Ministry of Defence.

British Aerospace did, however, submit later bids, but, although these narrowed the gap, they did not change the fact that the total acquisition cost would have been higher for the PC-9 than for the Tucano.

SKK 2400 Submarines

Dr. Godman asked the Secretary of State for Defence if he will list in the *Official Report* the names of the shipyards which have submitted tenders for the construction of SKK 2400 submarines; and if he will make a statement.

Mr. Lee: The following shipyards have submitted tenders for the construction of the three submarines to follow HMS Upholder: Yarrow Shipbuilders Ltd., Cammell Laird Shipbuilders Ltd., Vickers Shipbuilding and Engineering Ltd. and Scott Lithgow Ltd. These tenders are under consideration. Decisions have yet to be taken on the size and timing of orders.

Auxiliary Oil Replenishment Vessels

Mr. O'Neill asked the Secretary of State for Defence whether any foreign companies have been invited to tender for the first two auxiliary oiler replenishment vessels.

Mr. Lee: No.

Mr. O'Neill asked the Secretary of State for Defence which British shipbuilding companies have been invited to tender for the first two auxiliary oiler replenishment vessels.

Mr. Lee: The following companies have been invited to tender for the first two auxiliary oiler replenishment vessels: British Aerospace plc, Marconi Projects Ltd., Swan Hunter Shipbuilders Ltd., Harland & Wolff Ltd., Scott Lithgow Ltd. and Cammell Laird Shipbuilders Ltd.

Mr. O'Neill asked the Secretary of State for Defence when he expects to place an order for auxiliary oiler replenishment vessels for the Royal Fleet Auxiliary.

Mr. Lee: I have nothing to add to the answer given on 25 April at column 519.

Mr. O'Neill asked the Secretary of State for Defence how many auxiliary oiler replenishment vessels will be required to support the Royal Navy surface fleet in the early 1990s.

Mr. Lee: No decision has been taken on the total number of auxiliary oiler replenishment vessels to be ordered.

Sea Harrier

Mr. O'Neill asked the Secretary of State for Defence further to paragraph 408 of the "Statement on the Defence Estimates 1985", whether the BAe Sea Harrier FRS 1 is equipped with weapons for all its operational options while embarked on board Invincible class carriers.

Mr. Stanley: It has been the policy of successive Governments neither to confirm nor deny the presence of nuclear weapons at particular locations.

Sub-Saharan Africa (Sales Missions)

Mr. Norman Atkinson asked the Secretary of State for Defence how many missions to sub-Saharan Africa were undertaken by the Defence Sales Organisation in 1984 or the last year for which figures are available.

Mr. Butler: There were five visits to sub-Saharan Africa by the Defence Sales Organisation in 1984.

HMS Otter and HMS Euralyus

Mr. Gordon Brown asked the Secretary of State for Defence if he will list all the work, and its estimated cost, that has been or is to be done for the refit of HMS Otter and HMS Euralyus in Rosyth and Plymouth dockyards.

Mr. Lee: The royal dockyards at Rosyth and Devonport are providing certain assistance, including technical advice and guidance, direct to the contractors undertaking these refits. In addition, replacement items which have been or which may be issued to the contractors, some from MOD stocks, will in some cases have been fabricated or refurbished in the dockyards. The propeller shafts refurbished at Devonport — *Official Report*, Vol. 79, columns 57 and 58—are an example of the latter category. A running total of such assistance is not maintained centrally. Full records are, however, being maintained by the various MOD authorities responsible and the relevant costs will be taken fully into account when the final cost to the MOD of these refits is assessed.

WALES

Physiotherapists

Mr. Wigley asked the Secretary of State for Wales if he will undertake a survey to ascertain how many physiotherapists are needed to meet the requirements for physiotherapy in Wales; and how this compares to the numbers of established posts for physiotherapists in Wales and the numbers of trained physiotherapists available to fill these posts.

Mr. John Stradling Thomas: No. It is for each individual district health authority to assess its needs for physiotherapy staff in accordance with locally determined priorities.

A40 Whitland Bypass

Dr. Roger Thomas asked the Secretary of State for Wales if he will give details of the expected start of the A40 Whitland bypass; and if he will make a statement as to the causes of its delayed start.

Mr. John Stradling Thomas: The scheme is presently expected to be ready to start in 1988. However, this is dependent on the satisfactory completion of engineering design and of the statutory procedures. The actual start will depend on the availability of resources.

Education Support Grants

Mr. Best asked the Secretary of State for Wales if he will make a statement about the amount of expenditure and the activities to be supported through education support grants in the financial year 1986-87.

Mr. John Stradling Thomas: Subject to Parliament's approval of regulations which will amend the Education Support Grant Regulations 1984 it is intended that expenditure to be supported by education support grant in 1986-87 will amount to £2·61 million in that year. It is proposed that £1·35 million of this total of planned expenditure will be accounted for by continuing expenditure arising from projects first approved in 1985-86. Roughly £1·26 million will be available to support expenditure on new activities and on the extension of existing ones. Grant will be paid at the rate of 70 per cent. of the amount of expenditure approved for support.

The following table shows the new and extended activities, the amount of expenditure for each, a provisional assessment of the number of LEAs likely to be supported and the length of support. The precise division of the £1·26 million available and its distribution among authorities will not be settled until applications have been received and considered.

Category	New expenditure envisaged to be supported through ESGs in FY 1986-87 (cash) £ million	Provisional assessment of number of LEAs to be supported	Likely length of support
I. The teaching of science and technology as part of primary education	0·07	One	Three years
II. The provision of retraining and updating courses directed towards the needs of industry and commerce (PICKUP)	0·13	All	Up to two years
III. The development of the use of information technology at further education establishments, by providing equipment, preparing or providing course material and computer software, and training teachers employed at such establishments	0·69	All	One year in the first instance with a possible extension up to a further four years
IV. The planning, development and co-ordination of provision to meet the educational needs, including the need for guidance, of those who are unemployed (excluding those currently receiving full time education)	0·05	All	Two years with a possible extension for a further year
V. The provision of data processing equipment, accessories and software for use in the management of further education establishments	0·07	All or most	Two to three years
VI. The development, provision and appraisal of a course of initial training for school governors	0·01	One	Two years
VII. The provision of computerised learning aids at further education establishments for use by students with special educational needs	0·08	All	Two years
VIII. The strengthening of college-employer links to improve the quality and relevance of NAFE provision	0·04	All	One to two years
IX. Action within the education services to combat the misuse of drugs	0·12	All	One year (with a possible extension for a further year)

ENERGY

Licences

Mr. Ashdown asked the Secretary of State for Energy if he will list in the *Official Report* all the different types of licences operated or granted by his Department and the year in which they first came into operation.

Mr. Peter Walker: The following are the types of licences granted or available under current legislation for which my Department is responsible.

Petroleum licences in operation or available under various Regulations made pursuant to the Petroleum (Production) Act 1934, as extended by the Continental Shelf Act 1964:—

Mining licence—landward: first granted in 1942.
Methane drainage licence—landward: first granted in 1958.
Exploration licence—seaward: first granted in 1964.
Exploration licence—landward: first granted in 1973.
Production licence—seaward: first granted in 1964.
Production licence—landward: first granted in 1967.
Appraisal licence—landward: none yet granted.
Development licence—landward: none yet granted.

PRIME MINISTER

Whaling

Mr. Chapman asked the Prime Minister if she will transfer responsibilities relating to whaling issues to the Department of Environment prior to the International Whaling Commission meeting in July.

The Prime Minister: The present distribution of ministerial responsibility relating to whaling issues has not prevented the Government from pursuing policies within the International Whaling Commission designed to conserve whale populations, but if my hon. Friend wishes to let me have his reasons for suggesting such a transfer I will of course consider them with my right hon. Friends the Minister of Agriculture, Fisheries and Food and the Secretary of State for the Environment.

SCOTLAND

Forestry Commission (Aerial Spraying)

Mr. Campbell-Savours asked the Secretary of State for Scotland where the Forestry Commission will be seeking approval to spray by aerial means 500 hectares of land with glyphosphate; and why alternative means of application have been discounted.

Mr. John MacKay: The programme that has now been drawn up covers less than 500 hectares of land. The areas to be sprayed are as follows:

Conservancy	Forest district	Area (hectares)
North England	Bellingham	100
East England	Sherwood	98
Wales	Llanwynno	200

In addition, an area of 46 hectares may be sprayed in the Brecon forest district of Wales Conservancy.

Aerial spraying is the most efficient means available for applying glyphosphate on these areas.

Hearing Aids

Mr. Andrew Bowden asked the Secretary of State for Scotland how many outpatients are waiting to have a hearing aid fitted or exchanged in Scotland; and what is the average waiting time in each case.

Mr. John MacKay: I regret that the information requested is not held centrally.

Local Authority Expenditure

Lord James Douglas-Hamilton asked the Secretary of State for Scotland against which authorities he proposes to take action on the grounds of excessive and unreasonable expenditure.

Mr. Younger: I have decided to initiate action in terms of section 5 of the Local Government (Scotland) Act 1966 in respect of Edinburgh district council on the grounds that its planned expenditure for 1985-86 is excessive and unreasonable. A letter has today been sent to the council proposing a rate reduction of 5·2p and inviting it to make representations about the proposed reduction.

Stirling District Council (Local Inquiry)

Mr. Michael Forsyth asked the Secretary of State for Scotland whether he has received the report of the public local inquiry in Stirling on 29 April; and if he will make a statement.

Mr. Younger: I received the report of the local inquiry on 8 May. Having considered the report carefully, I am satisfied that Stirling district council is in default of its statutory duties under sections 23A of the Housing (Financial Provisions) (Scotland) Act 1972 and section 108(2) of the Local Government (Scotland) Act 1973, namely, to limit the amount of contribution out of their general fund to the estimated housing revenue account for the year 1985-86 to an amount not exceeding £2·026 million and to determine such district rate as will provide sufficient moneys to meet such part of the total estimated expenses to be incurred by the authority during the year 1985-86 as falls to be met out of monies raised by rates.

Accordingly, I have today made an order under section 211 of the Local Government (Scotland) Act 1973 requiring Stirling district council to remedy their default within 21 days by revising their estimated housing revenue account so as to budget for a rate fund contribution within the limit set, and also by revising the district rate from 23p in the £ to not more than 20p in the £, and to take all necessary steps to give full effect to these decisions. Copies of the inquiry report and of the default order have been placed in the Library of the House.

Rates

Mr. Bruce asked the Secretary of State for Scotland if he will publish in the *Official Report* in respect of *(a)* each local authority area in Scotland and *(b)* the average for Scotland as a whole, the percentage increase in average rate bills for 1985-86 over 1984-85 for (i) domestic, (ii) industrial, (iii) commercial, (iv) miscellaneous, (v) public utility and (vi) all subjects.

Mr. Ancram [*pursuant to his reply*, 30 April 1985, c. *90*]: Since the tabulated information asked for by the hon. Member, and by my hon. Friend the Member for Edinburgh, West (Lord James Douglas-Hamilton) is quite bulky, I am placing the computer print-outs in the Library rather than publishing them in the *Official Report*.

Lord James Douglas-Hamilton asked the Secretary of State for Scotland what are the average rates payments for *(a)* domestic ratepayers, *(b)* commercial ratepayers and *(c)* industrial ratepayers, for each district and region in Scotland.

Mr. Ancram [*pursuant to his reply*, 7 May 1985, c. *376*]: Since the tabulated information asked for by my hon. Friend, and by the hon. Member for Gordon (Mr. Bruce), is quite bulky, I am placing the computer print-outs in the Library rather than publishing them in the *Official Report*.

HOME DEPARTMENT

Public Disorder (Newham)

Mr. Proctor asked the Secretary of State for the Home Department if he will call for a report from the Commissioner of Police of the Metropolis concerning incidents of public disorder which occurred in Newham, east London on Saturday 11 May, detailing the cause and nature of the disturbance, the number of persons involved, the number of persons arrested, whether there were any injuries and the ethnic breakdown of the persons involved; and if he will make a statement on the substance of the report.

Mr. Giles Shaw: I understand from the commissioner that these incidents of public disorder occurred during a march and rally held by the Newham 7 Defence Campaign and others, in which some 1,500 people of various ethnic backgrounds took part. The mood of the marchers initially was good but scuffles later broke out and some arrests were made. As the demonstrators assembled for a short rally in Plashet park, missiles including stones, bottles and smoke canisters were thrown at the police, who used shields to protect themselves. After the crowd in the park was dispersed, some demonstrators remained in nearby streets and bricks were thrown at a police vehicle, but eventually all the demonstrators dispersed. During the afternoon 15 police officers sustained minor injuries and one demonstrator, who had been struck on the head by a brick, was taken to hospital. Fifteen people were arrested of whom three were white, nine black and three of Asian origin.

Milton Keynes Prison

Mr. Kilroy-Silk asked the Secretary of State for the Home Department how many cells in the proposed prison at Milton Keynes will be for single occupation and how many for double or multiple occupation.

Mr. Mellor: The nature of the living accommodation for the proposed prison at Milton Keynes will be determined later this year when the design brief is finalised.

Bicester Prison

Mr. Kilroy-Silk asked the Secretary of State for the Home Department how many cells in the proposed prison at Bicester will be for single occupation and how many will be for double or multiple occupation.

Mr. Mellor: 276 cells will be for single occupation and 168 for double.

Police (Greater Manchester)

Mr. Alfred Morris asked the Secretary of State for the Home Department by how many officers the Greater Manchester police force was below its authorised

establishment at 31 March; to what reasons he ascribes this reduction in the strength of the force; and if he will make a statement.

Mr. Giles Shaw: The authorised establishment of the Greater Manchester police is 6,943, an increase of 208 since May 1979. The strength of the force was 6,736 on 31 March 1985. Police manpower levels fluctuate from month to month because of different recruiting and wastage patterns, seasonal changes and other local reasons. I understand that there was further recruitment to the Greater Manchester police in April, and the present strength is 6,744. The number of full-time civilian staff in the force has increased by 176 to 1,437 since May 1979, including an additional 76 during the past year.

Missing Persons

Mr. Peter Bruinvels asked the Secretary of State for the Home Department, pursuant to the answer of 14 May regarding sources of information on missing persons, why accurate statistical information could be provided only at disproportionate cost from the police national computer; and if he will publish such information as is available for the last five years together with the relevant qualifications on its accuracy.

Mr. Giles Shaw: The Police National Computer provides an operational service to police forces and holds information about missing persons only for the minimum period essential to that purpose. Information is not retained for statistical purposes and it is therefore not possible to provide information about the number of persons reported missing over the last five years.

Fire Brigades (Cover)

Mr. Sims asked the Secretary of State for the Home Department if he will make a statement about the review of the national recommended minimum standards of fire cover which has been undertaken by the central fire brigades' advisory councils for England and Wales and for Scotland.

Mr. Brittan: A joint committee of the central fire brigades' advisory councils began a review of the recommended minimum standards of fire cover and of the requirements of special emergency and other services in July 1981. The committee's review was completed in November 1984 and its report was subsequently presented to the advisory councils. The principal recommendations are that the current minimum standards should not be changed but that fire authorities should review the categorisation of the risk of fire in their areas in the light of guidance contained in the report. The advisory councils have endorsed the report's recommendations and so now do I and my right hon. Friend the Secretary of State for Scotland. Accordingly, the report, a copy of which has been placed in the Library, is being sent to fire authorities today together wth a circular commending its recommendations to them. In addition, my right hon. Friend and I have asked our fire service inspectorates to be ready to assist fire authorities in achieving consistency in application and to monitor how individual fire authorities carry out the recommendations in their areas.

Missing Persons

Mr. Peter Bruinvels asked the Secretary of State for the Home Department if he will publish a table showing juveniles and vulnerable adults who were *(a)* recorded as missing from outside the Metropolitan police district, including overseas, and *(b)* who were traced or identified, broken down under each heading by age and sex, for each of the last ten available years; and if he will make a statement.

Mr. Mellor [*pursuant to his reply*, 16 May 1985, c. *172*]: I understand from the Commissioner of the Police of the Metropolis that the available information from the missing persons bureau of the Metropolitan police is as given in the following tables. Comprehensive statistics on missing persons are not collected centrally. The procedures for the recording of persons who were missing for a short period only were improved in 1984 and this may have increased the numbers recorded by the missing persons bureau.

Table 1

Juveniles and vulnerable adults recorded as missing from outside the Metropolitan police district including overseas† including those outstanding from previous years‡

United Kingdom other than MPD, and overseas *Number of persons**

Year	Male				Female				Total
	Under 14	14-17	18+	Total	Under 14	14-17	18+	Total	
1975	29	119	529	677	23	240	297	560	1,237
1976	30	101	625	756	24	220	322	566	1,322
1977	100	248	775	1,123	51	413	436	900	2,023
1978	36	144	917	1,097	34	326	544	904	2,001
1979	37	167	980	1,184	23	265	542	830	2,014
1980	47	168	1,075	1,290	16	214	555	785	2,075
1981	45	169	1,175	1,389	19	169	595	783	2,172
1982	53	164	1,216	1,433	40	174	563	777	2,210
1983	40	199	733	972	35	214	401	650	1,622
1984¶	58	167	623	848	43	185	311	539	1,387

* The same person may be reported missing more than once.

† These figures are not comprehensive because other forces are not required to report to the Missing Persons Bureau cases of missing juveniles and do not report to the bureau cases relating to non-vulnerable adults.

‡ Persons recorded as missing at the end of the year plus those traced or identified during the year.

‖ "Vulnerable adults" include the elderly, the sick and those whose manner of disappearance gave cause for special concern.

¶ The figures for 1984 may have been increased by improved procedures for recording those missing for only a short period.

Table 2

Juveniles and vulnerable adults‡ recorded as missing from outside the Metropolitan police district including overseas† and traced or identified United Kingdom other than MPD, and overseas *Number of persons**

Year	Male				Female				Total
	Under 14	14-17	18+	Total	Under 14	14-17	18+	Total	
1975	13	80	175	268	10	173	134	317	585
1976	11	54	197	262	10	135	122	267	529
1977	75	180	260	515	32	283	212	527	1,042
1978	30	108	265	403	22	257	225	504	907
1979	19	126	254	399	11	219	204	434	833
1980	19	108	213	340	3	151	157	311	651
1981	22	130	237	389	5	140	167	312	701
1982	25	95	256	376	6	124	114	244	620
1983	14	136	273	423	15	153	193	361	784
1984	36	134	174	344	31	147	120	298	642

* The same person may be reported missing more than once.
† These figures are not comprehensive because other forces are not required to report to the Missing Persons Bureau cases of missing juveniles and do not report to the bureau cases relating to non-vulnerable adults.
‡ "Vulnerable adults" include the elderly, the sick and those whose manner of disappearance gave cause for special concern.
‖ The figures for 1984 may have been increased by improved procedures for recording those missing for only a short period.

ENVIRONMENT

Mansion House Square Site

Mr. Maples asked the Secretary of State for the Environment when he expects to announce his decision on the proposals to redevelop the Mansion House Square site.

Mr. Patrick Jenkin: My decision to dismiss the appeal and thereby refuse permission for the proposed development of the Mansion House Square site was issued today. Copies of the decision letter have been placed in the Library of both Houses and the Vote Office.

Radioactive Waste

Mr. Frank Cook asked the Secretary of State for the Environment if it is proposed to extend the duty to accept radioactive wastes to all or any of the operators of landfill refuse sites.

Mr. Waldegrave: Under section 9(5) of the Radioactive Substances Act 1960 there is a duty on a waste disposal authority to accept radioactive waste on a refuse disposal site specified in an authorisation for disposal of that waste granted by the relevant Minister under section 6 of the Act. There is no plan at present to extend this statutory duty to operators of private waste disposal sites.

Rateable Values

Mr. Heddle asked the Secretary of State for the Environment if he will publish in the *Official Report* the number of domestic hereditaments in England on an authority by authority basis with a rateable value of under £400.

Mr. Waldegrave: I have today placed the information requested in the Library.

Homes (Tenant Exchanges)

Mr. Rooker asked the Secretary of State for the Environment how many tenants exchanged homes between *(a)* England and Scotland and *(b)* England and Wales in 1984.

Mr. Gow: I regret that this information is not available.

English local authorities report in their HIP returns the numbers of their dwellings which have been let during the year to 31 March through the national mobility scheme (and in London under the Greater London mobility scheme and the inter-borough nomination scheme), those let through the tenant exchange scheme, and any other dwellings let to tenants to other authorities under exchange agreements.

The information provided is not broken down according to the originating area, nor do authorities provide information on numbers of tenants who have left their stock under exchange arrangements.

Households (South-East England)

Mr. Cartwright asked the Secretary of State for the Environment (1) what factors lie behind the differential between the figure of new households in the south-east projected for the decade 1981 to 1991 in his Department's report "1981-Based Estimates of Numbers of Households in England, the Regions, Counties 1981-2001", in February and the projected figure given by officials of his Department to the south-east regional plan inquiry in December 1984;

(2) if he will publish in the *Official Report* the figures for the postulated rates of household formation in the south-east for the decade 1981 to 1991 which were being projected by his Department in *(a)* October 1981, *(b)* November 1984 and *(c)* February 1985;

(3) what features of the model used by his Department for forecasting rates of household formation in its February report "1981-Based Estimates of Numbers of Households in England, the Regions, Counties 1981-2001", are new; and on what basis the old model has been discarded;

(4) what is the basis of his Department's projection in the report "1981-Based Estimates of Numbers of Households in England, the Regions, Counties 1981-2001", concerning the increase in the category Other Households in the Greater London Council area in the decade 1981 to 1991 and subsequent decrease in the following decade;

(5) what is the basis of his Department's projection in the report "1981-Based Estimates of Numbers of Households in England, the Regions, Counties

1981-2001", concerning the increase in the category Other Households in Hampshire in the decade 1981 to 1991 and subsequent decrease in the following decade.

Sir George Young: The household projections published by the Department are derived from projections of the population of men and women of different ages and marital status by applying the appropriate "headship rates" —the proportions who will head households.

The figures released in 1981 were based on headship rates from the censuses of 1961, 1966 and 1971 extrapolated to 1991. These were applied to "1979-based" population projections published by the Office of Population and Censuses and Surveys, analysed by marital status on the basis of projections on the Government Actuary's Department. Separate headship rates were derived for 24 categories: men, women, ages 15-29, 30-44, 45 but below retirement age, retirement age (men of 65 or over and women of 60 or over); married, widowed or divorced, single.

To incorporate the figures from the 1981 census, a new mathematical procedure was devised to extrapolate from four instead of three sets of data. The projected headship rates were applied to the OPCS "1981-based" population estimates. These incorporated the main census results. Initially the headship rates were derived for and applied to the same age, sex and marital status categories as before. The resulting figures for the south-east region are those which were provided to the London and South East Regional Planning Conference Housing Issues Group as provisional results and at its request in December last.

These provisional results were scrutinised in the Department and the method was then improved by splitting the age groups into five-year bands for England as a whole. In particular, this corrected for the effect of a relatively large number of births in the 1960s and a lower number in the 1970s which meant that the 15 to 29 age group in 1981 contained an unusually high proportion under 20 and in 1991 an unusually low proportion under 20. The headship rates were derived from only a 10 per cent. sample of the census data and, for this reason, projections for sub-divisions of England have not been made in that detail. Instead, the estimates for the different types of households—married couples, lone parent, one person and "other" households—within the broader age-bands used initially have been adjusted for each area pro rata to the changes in the England totals. The changes between the provisional and final published estimates are predominantly among young single people living on their own or heading "other" households and these households are disproportionately common in the south-east and particularly in London.

The projected figures for 1981 and 1991 are as follows:

South-East Region: Projected Households

Thousands

	1979-based			*1981-based*					
				Provisional			*Published*		
Type of household	*1981*	*1991*	*Increase*	*1981*	*1991*	*Increase*	*1981*	*1991*	*Increase*
Married couple	4,003	4,083	80	3,852	3,912	60	3,859	3,920	61
Lone parent	464	514	50	502	597	95	503	641	138
One person	1,616	2,029	413	1,496	1,843	347	1,494	1,900	406
Other	366	381	15	459	500	41	466	581	115
All	6,448	7,006	558	6,309	6,852	543	6,322	7,042	720
Private household population	16,541	16,924	383	16,727	17,132	405	16,727	17,132	405
Average household size	2·57	2·42		2·65	2·50		2·65	2·43	

The increase in "other" households in the decade 1981 to 1991 and the decrease in 1991 to 2001 apply generally across the country, not just to London and Hampshire. This reflects a combination of changes in the age structure of the population and of trends in headship rates for households.

Local Government Reform

Mr. Tony Banks asked the Secretary of State for the Environment, in the event of the abolition of the Greater London council, if the Government will ensure that the Greater London council's successor bodies provide facilities for the disabled at the same level as that currently provided by the Greater London council.

Mr. Waldegrave: I see no reason why abolition of the GLC should harm the interests of disabled people.

Mr. Tony Banks asked the Secretary of State for the Environment which consultants have been *(a)* approached and *(b)* engaged by his Department to carry out an initial appraisal of the tasks in order to draw up for use by the residuary bodies (i) an initial brief, (ii) an action plan, (iii) a model organisational structure and (iv) suggested arrangements for liaison with the local authorities in their areas, in the event of the abolition of the Greater London council and the metropolitan county councils; and what is the estimated budget for the consultants' costs.

Mr. Waldegrave: My Department has recently commissioned Price Waterhouse to undertake such a study in relation to the London residuary body, and Peat Marwick in relation to the six metropolitan counties. It is not our practice to reveal details of fees negotiated.

Onshore Oil and Gas (Exhibition)

Mr. Jim Lester asked the Secretary of State for the Environment if he will arrange for an exhibition relating to onshore oil and gas activity to be displayed in the Upper Waiting Hall.

Mr. Macfarlane: I understand that arrangements have been made with the authorities of the House for the exhibition to be held in the Upper Waiting Hall from 3 to 7 June. Also available at the exhibition will be copies of a new booklet setting out the stages of oil and gas operations and the safeguards which apply to protect the environment.

Local Government Reform

Mr. John Fraser asked the Secretary of State for the Environment if he will publish in the *Official Report* a list of the voluntary bodies for which he has approved grants by the Greater London council under section 137 of the Local Government Act 1972.

Sir George Young [*pursuant to his reply*, 28 March 1985, Vol. 76, c. 338]: Specific consent under section 7 of the Local Government (Interim Provisions) Act 1984 has been given for expenditure by the Greater London council under section 137 of the Local Government Act 1972 on assistance to the following organisations:

Advance
African People's Historic Monument Foundation (UK)
Asian Community Action Group
Beormund Community Centre
Black Londoners Action Committee
Black People's Information Centre
Black Teens Publications Ltd.
British Trust for Conservation
Camden Training Centre
Caribbean Educational Project
Caribbean Teachers Association
Carila Resource Centre
Caribbean Studies Group
Centerprise Ltd.
Central London Youth Project
Central Wandsworth Youth Advisory Service
Chinese Information and Advice
Clays Lane Community Co-op
Community Information Project
Community Land and Workspace Services Ltd.
Community Organisations Forum
Community Roots Trusts
Community Service Volunteers
Conference of Ethnic Minorities Senior Citizens
Creation for Liberation
Credit Unions of Great Britain
Drake Fellowship
Ealing Community Law Centre
Ecological Parks Trust
Elephant Jobs
Ethiopian World Federation
Family Welfare Association Ltd.
Federation of Ethnic Minority Organisations
Federation of Independent Advice Centres
Ghana Union
Greater London Citizens Advice Bureaux — Welfare Rights Unit
Grass Roots Self Help Project
Haringey Womens Training and Education Centre
Hammersmith Crisis Centre
Haringey Irish Association
Hillingdon Community Newspaper
Hillingdon Legal Resource
Hotel and Catering Industry Training Board
Hybrid Vehicle Development
Indian Workers Association
Information on Ireland
Institute of Race Relation
Interchange Trust Ltd.
Islington Dial-A-Ride
Lambeth Inner City Consultative Group
Law Centres Federation
Lewisham Women's Training Workshop
Local Radio Workshop
London Association of Community Relations Councils
London Community Projects Design Service
London Cycling Campaign
London Friend
London Interpreting Project
London New Technology Network
London Voluntary Service Council
London Wildlife Trust
Manor House Centre for Judaism
Migrant Service Unit
New Grapevine
New Ways to Work
Newham Association of Education and Training
Newham Community Renewal Programme
North Kensington Law Centre
North London Garages Group Training Association
North London Training Workshop
Notting Hill Adventure Playground
Nucleus-Earls Court Community Action
Paddington Farm Trust Ltd.
Palingsworth House Ltd.
Parents Association for Educational Advance
Passage Day Centre
Portuguese Community Centre
R T Studios
Racism Awareness Programme Trust
Rastafari Universal Zion
Redbridge Asian Women's Association
Redbridge Community Care
Response Community Projects
Roehampton and Putney Community Law Centre
Royal Town Planning Institute
Shalom Justice and Peace Centre
Shri Guru Valmik Sabha
Society of Voluntary Associates
South Bank Polytechnic
Southall Community Law Centre
Tabernacle Community Association Ltd.
Tooting and Balham Law Centres
Tottenham Community Projects
Tower Hamlets Association for Racial Justice
Tower Hamlets Advanced Technology Training
Tower Hamlets Environment Trust
Tower Hamlets Information Research and Resource Centre
Tower Hamlets Law Centre
Town and Country Planning Association
Vince Hines Foundation
Waltham Forest Chamber of Commerce
Waltham Forest Chamber of Commerce Training Trust Ltd.
Waltham Forest Social Resource Centre
Wandsworth Legal Resource Project
Wells Park Health Project
Wesley Hall Community
West Indian Ex-Servicemen's Association
West London Garages Group Training Association
Women and Training South London
Women in Print
World Wildlife Fund

GLC and Metropolitan County Councils

Mr. Tony Banks asked the Secretary of State for the Environment what is his current estimate of the number of staff needed by each of the residuary bodies due to take over in the event of the abolition of the Greater London council and the metropolitan county councils.

Mr. Waldegrave: Estimates would be premature at this stage.

Mr. Tony Banks asked the Secretary of State for the Environment what support arrangements he intends to set up in the regions for each of the residuary bodies in the event of the abolition of the Greater London council and the metropolitan county councils; and what is the estimated cost.

Mr. Waldegrave: After their formal establishment, the residuary bodies will be responsible for making their own arrangements for support services.

Mr. Tony Banks asked the Secretary of State for the Environment in the event of the abolition of the Greater London council and the metropolitan county councils, what is his most recent estimate of *(a)* the reduction in the number of jobs and *(b)* redundancies in each of the authorities concerned.

Mr. Waldegrave: I have nothing to add to the estimates given by my right hon. Friend the Minister for Local Government in his reply to my hon. Friend the Member for Surbiton (Mr. Tracey) on 30 November 1984 at column *611-14*. As my right hon. Friend made clear, the numbers will depend on decisions by the successor authorities. If the authorities behave responsibly, we expect redundancies to be significantly fewer than reductions in posts. A Government amendment has just been made in another place to clause 57 of the Local Government Bill which is directed towards this objective.

Mr. Tony Banks asked the Secretary of State for the Environment if any approaches have been made by his Department to existing individual members of staff of the Greater London council and the metropolitan county councils in respect of future employment; and if he will make a statement.

Mr. Waldegrave: I am not aware of any such approaches.

Mr. Tony Banks asked the Secretary of State for the Environment how many staff will be allocated by his Department to provide support for the proposed chairman and core members of the residuary bodies prior to their formal institution; and what is the estimated cost.

Mr. Waldegrave: This has yet to be decided, but the manpower and the associated costs will be met from within existing provisions.

LGR2 Division

Mr. Tony Banks asked the Secretary of State for the Environment how many staff are employed in LGR2 division of his Department; and what is the estimated annual cost.

Mr. Waldegrave: The division consists of seven staff. The cost, including accommodation, of employing these staff for a whole year would be approximately £176,000 (1984 prices).

Departmental Cars (Cost)

Mr. Tony Banks asked the Secretary of State for the Environment, pursuant to the answer of 9 May, *Official Report*, column 467-68, if he will give the reasons for the annual increases of £2,600 between the years 1980-81 and 1981-82 and between 1981-82 and 1982-83 in respect of costs to provide cars for the Secretary of State and five of the departmental Ministers; why the increases were uniform; why the costs of car provision for one of the Parliamentary Under-Secretaries of State declined by £8,060 between 1980-81 and 1981-82 when costs were increasing for all other Ministers; what caused the annual increase in car costs of £4,680 for all Ministers between 1982-83 and 1983-84 except one; and why the costs remained stable for the Secretary of State's car between 1983-84 and 1984-85 whilst over the same period it declined by a uniform £2,600 per annum in respect of four of his departmental Ministers.

Mr. Patrick Jenkin: I shall answer this question shortly.

EDUCATION AND SCIENCE

Infant Teachers

Mr. Cartwright asked the Secretary of State for Education and Science if he will make a statement on the current availability of suitably qualified infant teachers in *(a)* England and Wales and *(b)* Inner London; what representations he has received on the issue; and if he will take steps to increase the number of teacher training places for infant teachers.

Mr. Dunn: No representations have been made to my right hon. Friend on the current availability of suitably qualified infant teachers nationally, or in inner London in particular, and he has no evidence that authorities are experiencing difficulties in recruiting such teachers. Visits by HM inspectors have shown that many teacher training institutions have responded positively to a Departmental letter, issued in March 1983, inviting those with experience in the primary phase to increase their provision for the training of teachers of the 3 to 8-year-old age range. The criteria for the assessment of courses of initial teacher training, issued in April 1984 by my right hon. Friends the Secretaries of State for Education and Science and for Wales, require that the approach to teaching method in courses should differentiate according to the age group the student intends to teach (whether primary or secondary), and that, within primary, special emphasis should be given to particular age ranges, such as 3-8. In March this year, my right hon. Friends announced that intakes to courses of initial teacher training for the primary phase should increase from 8,620 in 1985 to 10,950 in 1989. The UGC and the national advisory body for public sector higher education are currently considering the allocation of those intakes to institutions.

University Teachers (Pay)

Mr. Beith asked the Secretary of State for Education and Science how many letters he has received on university teachers' pay since 20 April.

Sir Keith Joseph: The Department has received about 1,700 letters on the pay of university academic and related staff.

School Leavers

Mr. Meadowcroft asked the Secretary of State for Education and Science if he will publish in the *Official Report* statistics on the occupational destinations of school leavers in each local education authority in Yorkshire and Humberside by numbers and as proportions for the most recently available year, setting out the results for boys and girls separately.

Mr. Dunn: The information requested is not available. Some information at regional level will be available as a result of a series of studies of young people aged 16 to 19 commissioned jointly by the Department of Education and Science, the Manpower Services Commission and the Department of Employment in England and Wales. Preliminary results, covering the experiences of young people who reached the minimum school leaving age in 1983-84, are expected to become available towards the end of this year.

Mr. Meadowcroft asked the Secretary of State for Education and Science if he will publish statistics in the

Official Report on the general certificate of education/certificate of secondary education achievements of school leavers in each local education authority in Yorkshire and Humberside by numbers and as proportions for the most recently available year, setting out the results for boys and girls separately.

Mr. Dunn: Information is given in the table.

School leavers, England 1982-83
Maintained schools, Yorkshire and Humberside region

	Boys						Girls					
		Proportion of leavers with no A level passes but:						Proportion of leavers with no A level passes but:				
	Total leavers (000's)	*1+A level passes*	*5+higher grade O level/CSE passes*	*1-4 higher grade O level/CSE passes*	*1+ other grade passes*	*No graded results*	*Total leavers (000's)*	*1+A level passes*	*5+higher grade O level/CSE passes*	*1-4 higher grade O level/CSE passes*	*1+ other grade passes*	*No graded results*
Barnsley	1·86	8·9	7·2	20·6	47·5	15·8	1·97	7·6	11·6	27·5	43·3	10·1
Doncaster	2·44	11·5	7·2	25·0	44·2	12·1	2·70	12·8	6·4	35·9	35·8	9·2
Rotherham	2·47	8·0	9·3	30·6	41·3	10·8	1·99	12·2	11·6	26·8	39·3	10·0
Sheffield	4·45	14·4	9·4	21·3	44·0	11·0	4·10	13·3	8·0	32·2	37·6	8·9
Bradford	4·17	12·1	6·1	21·2	40·9	19·7	3·69	11·1	9·1	27·3	40·7	11·8
Calderdale	1·44	19·0	8·5	27·9	32·4	12·2	1·54	15·2	7·5	33·2	37·5	6·6
Kirklees	3·01	1·1	6·9	26·1	38·4	11·5	3·04	19·1	10·3	30·3	31·7	8·6
Leeds	5·40	12·5	6·0	25·2	44·3	12·0	5·19	14·5	9·4	30·0	36·5	9·6
Wakefield	2·48	5·6	9·9	22·6	47·0	14·9	2·74	7·2	11·3	30·7	39·2	11·6
Humberside	7·61	14·4	9·2	22·8	37·5	16·1	6·70	12·2	10·7	27·0	38·6	11·5
North Yorkshire	5·12	18·1	11·0	23·8	37·8	9·4	5·68	22·1	11·0	29·5	32·1	5·3
Total region	40·45	13·3	8·3	23·9	41·1	13·4	39·34	14·0	9·8	29·7	37·0	9·4

Source: School Leavers Survey. Proportions are subject to sampling error.
Note: Higher grade O level/CSE passes defined as O level passes grades A-C and CSE grade 1. Other grades defined as O level passes D, E and CSE grades 2-5.

Education Support Grants

Mr. Greenway asked the Secretary of State for Education and Science whether he can yet make a statement about the amount of expenditure and activities to be supported through education support grants in the financial year 1986-87 in England.

Sir Keith Joseph: The Education (Grants and Awards) Act 1984 empowers the holder of my office to pay education support grant to local education authorities in England. Education support grants were first available in the 1985-86 financial year when a total of £30 million of expenditure was planned for. Of the planned £30 million expenditure of £29·5 million has been approved for support.

It is intended that education support grant will again be available in 1986-87. Expenditure so supported will amount to some £40 million in that year. It is proposed that £18·8 million of this total of planned expenditure will be accounted for by continuing expenditure arising from projects first approved in 1985-86. Roughly £21·5 million will be available to support expenditure on new activities and on the extension of existing ones. Grant will be paid at the rate of 70 per cent. of the amount of expenditure approved for support through education support grants.

My right hon. Friend the Secretary of State for Wales and I will shortly lay before Parliament draft Regulations setting out the new and extended purposes for or in connection with which we propose to pay education support grants in 1986-87. Those regulations will amend the Education Support Grants Regulations 1984 and will be subject to approval by both Houses of Parliament. The laying of the amending regulations follows consultations that I have had with the Association of County Councils and the Association of Metropolitan Authorities and consultations that my right hon. Friend has had with the appropriate local authority organisations in Wales.

The following table shows the new and extended activities which I propose should rank for education support grants in England in 1986-87, the amount of expenditure for each, a provisional assessment of the number of LEAs likely to be supported and the length of support. The precise division of the £21·5 million available for new and extended activities between these purposes and the number of authorities to be supported will not be settled until applications have been received and considered.

Should Parliament approve the regulations, a circular inviting bids will be sent to all education authorities in England. It is proposed that authorities be asked to submit bids by 1 October 1985 in order that decisions on the bids to be supported should be announced prior to the settling of budgets in 1986-87. It is envisaged that decisions on applications will be announced in December 1985.

In order to assist local education authorities in considering how they might respond to the Government's proposals, copies of a draft of the circular will shortly be sent to each local education authority under cover of a letter making clear that the regulations to which it relates are subject to the approval of both Houses of Parliament. Copies will also be placed in the Libraries of both Houses.

Category	*New expenditure envisaged to be supported through ESGs in FY 1986-87 (cash) £ million*	*Provisional assessment of number of LEAs to be supported*	*Likely length of support*
I. The teaching of science and technology as part of primary education	2·5	up to 44	3 years

Category	New expenditure envisaged to be supported through ESGs in FY 1986-87 (cash) £ million	Provisional assessment of number of LEAs to be supported	Likely length of support
II. Pilot projects to improve the quality or range of the curriculum provided in primary schools in rural areas	0·5	around 6	2-5 years
III. Pilot projects to meet the educational needs of those from ethnic minorities, to promote harmony between different racial groups, or in other ways to prepare pupils and students for life in a multi-ethnic society	1·0	between 20 and 30	3-5 years
IV. The provision of retraining and updating courses directed towards the needs of industry and commerce (PICKUP)	1·6	around 36	up to 2 years
V. The development of the use of information technology at further education establishments, by providing equipment, preparing or providing course material and computer software, and training teachers employed at such establishments	9·0	the majority	1 year in the
VI. The planning, development and co-ordination of provision to meet the educational needs, including the need for guidance, of those who are unemployed (excluding those currently receiving full time education)	1·6	about half of all LEAs	2 years with a possible extension for a further year
VII. The provision of data processing equipment, accessories and software for use in the management of further education establishments	1·0	the majority	2-3 years
*VIII. The development, provision and appraisal of courses of initial training for school governors	0·1	around 10	2 years
*IX. The provision of services to support parents in the teaching of children under five with special educational needs	up to 1·2	around 35	a maximum of 3 years for any one LEA
*X. The provision of computerised learning aids at further education establishments for use by students with special educational needs	0·5	the majority	2 years
*XI. The strengthening of college-employer links to improve the quality and relevance of NAFE provision	0·5	around 25	1-2 years
*XII. Action within the education service to combat the misuse of drugs	2·0	the majority	1 year (with a possible extension for a further year)

* New activities to be supported in 1986-87.

Drugs

Mr. Bowen Wells asked the Secretary of State for Education and Science whether he is yet in a position to make a statement about the further action to be encouraged within the education service aimed at preventing the misuse of drugs.

Sir Keith Joseph: As I am announcing separately today, this is one of the activities which I am proposing should be eligible for education support grants in 1986-87. The money available should be sufficient to allow every local education authority to appoint or second a member of staff at a suitable level to stimulate or co-ordinate action aimed at the prevention of drugs misuse or to take other suitable action in the light of local circumstances. The grant is intended also to cover overheads and operating expenses. The action should lead to increased advice and support for schools and colleges, more training for their staff, and improved co-ordination with the work of other local agencies. Over two years the grants would support expenditure of some £4 million.

Teachers (Dispute)

Mr. Leigh asked the Secretary of State for Education and Science if he will make a further statement on the teachers' pay dispute.

Mr. Nellist asked the Secretary of State for Education and Science if he will make a statement on the current teachers' pay dispute.

Mr. Hancock asked the Secretary of State for Education and Science what progress has been made since 2nd May to resolve the current teachers' pay dispute.

Mr. Maude asked the Secretary of State for Education and Science whether he will make a statement on the teachers' dispute.

Mr. Holt asked the Secretary of State for Education and Science if he will make a statement on the current dispute between teachers and their employers.

Mr. Roy Hughes asked the Secretary of State for Education and Science if he will make a statement about the progress of the teachers' pay talks.

Sir Keith Joseph [*pursuant to his oral reply*, 21 May 1985, c. 842]: I wrote yesterday evening to the employers' leaders on Burnham making clear the Government's present position in relation to both 1985-86 and 1986-87, in advance of the Burnham committee meeting fixed for 23 May. Because of the wide public interest in these matters I have made the text of the letter and its annex on teachers' duties publicly available. These are set out below.

Councillor P. D. Merridale
Chairman
Association of County Councils
Eaton House
66A Eaton Square
London SW1W 9BH 21 May 1985

Dear Philip,

Throughout the current round of negotiations in the Burnham Primary and Secondary Committee, and the associated salary structure talks, I have tried to ensure that the Government's position is understood by those concerned, particularly in relation to the possibility that some additional resources might in the Government's view be justified. I think it right to make the Government's present position clear in advance of the meeting of the Burnham Primary and Secondary Committee fixed for 23 May, in relation to both 1985-86 and 1986-87.

In the light of the position reached in this year's negotiations, the Government is not able to make any additional resources

available for teachers' pay in 1985-86. The cost in 1985-86 of any settlement must therefore be within what local authorities can already afford to pay, however the settlement is reached.

There has been debate about what should be regarded as the extent of teachers' contractual responsibilities. The Government believes it would be helpful if there were a generally accepted view on this matter, and if the range of teachers' duties was clearly linked with their contracts of employment. I enclose a note setting out the Government's provisional view on these duties. The Government would welcome views on these as a step toward agreement being reached as part of the basis for negotiations about teachers' pay for 1986-87. In the Government's view that agreement could exclude mid-day supervision from the range of teachers' duties from 1986-87. The Government would then provide in the 1986-87 Rate Support Grant settlement some additional resources for mid-day supervision costs.

For 1986-87 the Government would be willing to provide some additional resources for teachers' pay in the Rate Support Grant settlement, if and only if an acceptable and firm agreement in principle can be reached by October 1985, which would ensure progress towards the Government's objectives. The Government envisages an agreement which would require employers to promote more teachers than under the existing system to the higher salary scales, exercising their discretion in doing so in the light of the quality of teachers' work and the demand for their skills and qualifications elsewhere. The Government believes that increased promotion could benefit a large number of teachers directly over a period and change pay prospects for all teachers.

Because of the wide public interest in these matters, I am making the text of this letter publicly available. I shall of course be glad to have an opportunity of discussing its contents with you at a convenient time, and I shall also let the teacher unions know that I should be happy to discuss its content with them.

I am writing in similar terms to Nicky Harrison.

Yours,
Keith.

ANNEX A

STATEMENT OF TEACHERS' DUTIES

TEACHERS MUST

Pupils

1. teach assigned timetabled classes
2. take an appropriate share of collective staff responsibility to cover the classes of absent colleagues
3. plan, prepare, evaluate and review personal teaching methods and programmes in accordance with education authority and school policies
4. take an appropriate share of collective staff responsibility to supervise pupils on arrival at and departure from school and during the school day [including the midday break?]
5. mark, record and report on pupils' work (including homework) and progress in accordance with education authority and school policies
6. provide guidance and counsel on educational, social and career matters in accordance with education authority and school pastoral and counselling policies

Parents

7. consult and liaise with parents, attending meetings arranged for the purpose

Curriculum & Examinations

8. take part in arrangements for presenting pupils in public examinations
9. contribute to the preparation and development of courses of study and teaching materials in response to change in public examinations and assessment procedures and in accordance with education authority and school curricular policies

Staff Matters

10. take part in performance appraisal in accordance with education authority arrangements
11. take part in courses of in-service training and other schemes of professional development
12. take an appropriate share of collective staff responsibility for the professional development of colleagues, including new entrants to teaching
13. attend staff meetings

General

14. carry out such other related duties and responsibilities at the school as may be reasonably allocated, as need arises, by the head.

TRADE AND INDUSTRY

Chile

87. **Mr. Simon Hughes** asked the Secretary of State for Trade and Industry what was the gross volume of United Kingdom trade with the Government of Chile in 1984-85.

Mr. Channon: Information on volume of trade with individual countries is not available. In the period April 1984 to March 1985 the United Kingdom imported from, and exported to Chile goods to the value of £117 million (cif) and £76 million (fob) respectively.

Manufactured Goods

Mr. Canavan asked the Secretary of State for Trade and Industry what are the most recent figures for the balance of trade in manufactured goods.

Mr. Fletcher: Trade in manufactured goods was in deficit by £1·2 billion, in the first quarter of 1985.

Telephone Installations

Mr. Walters asked the Secretary of State for Trade and Industry (1) if he will introduce legislation to establish an approved list of qualified engineers, other than British Telecom employees, to fit approved do-it-yourself telephone and wiring kits;

(2) if he will introduce legislation to permit approved engineers to fit telephone sockets.

Mr. Butcher: I am aware, from a number of representations made to me by telecommunication equipment suppliers and users, of concern over the effect of existing licences and approvals in excluding competition in the supply of extension wiring and sockets for connection to single exchange lines of public telecommunication systems. The present policy is intended to strike a balance between the interests of effective competition on the one hand and the safety and performance of public networks on the other.

Mr. Walters asked the Secretary of State for Trade and Industry what steps his Department takes to ensure that all approved telephone equipment is safe to connect to the public network and has a very low voltage.

Mr. Butcher: All telephone apparatus approved for direct connection to public telecommunication systems is required to conform to safety standards. Compliance is independently verified before approval is given. Approval requirements are still in the course of changeover from British Telecom's guides which, as Post Office guides, applied before the enactment of the British Telecommunications Act 1981, to designated British Standards, including BS 6301 which relates to the safety aspects of network connection. Each set of requirements ensures that public networks are protected from voltages higher than those which the telephone networks use for normal operational/purposes.

Mr. Walters asked the Secretary of State for Trade and Industry how many prosecutions there have been in the last 12 months of persons for fitting do-it-yourself telephone and wiring kits; and if he will make a statement.

Mr. Butcher: Under section 5 of the Telecommunications Act 1984, it is an offence to connect to a licensed telecommunication system any other telecommunication system or any apparatus which is not authorised by the licence to be so connected. Under the licences which authorise people to connect apparatus to public telecommunication systems, it is a requirement that apparatus forming any part of those systems should be the subject of an appropriate approval under section 22 of the Act. As yet, I am not aware of any prosecutions being brought.

Tyres (Dumping)

Mr. Ashley asked the Secretary of State for Trade and Industry (1) what discussions he has had with the British Rubber Manufacturers Association about the dumping of cross-ply tyres by some Eastern European countries;

(2) if he will consult the National Economic Development Office about ways to prevent dumping of tyres in Britain by Eastern European countries and the effect on employment in cities such as Stoke-on-Trent;

(3) if he will arrange to meet representatives of unions and management of the Michelin company, Stoke-on-Trent, to discuss the effect of dumping of tyres by Eastern European countries on employment prospects in the firm.

Mr. Norman Lamont: Anti-dumping action is a matter for the European Community. However, my Department's anti-dumping unit has met the British Rubber Manufacturers Association to discuss the presentation of a case to the European Commission. The industry is now gathering the necessary corroborative evidence and seeking further support from other Community manufacturers.

I have no plans to consult the National Economic Development Office or to meet representatives of unions and management of the Michelin Company. But my officials would be pleased to receive evidence from any sources that might help reinforce a case.

Sub-Saharan Africa (Exports)

Mr. Norman Atkinson asked the Secretary of State for Trade and Industry what was the total value of exports to sub-Saharan Africa during 1984; if he will give a breakdown of the main items; and what was the total value of all United Kingdom exports to, and imports from, sub-Saharan Africa during 1984 or the last year for which figures are available.

Mr. Channon: In 1984 United Kingdom exports to, and imports from sub-Saharan Africa were valued at £1,727 million (fob) and £1,794 million (cif) respectively. 85 per cent. of United Kingdom exports were of manufactured goods. Information on individual commodities could only be provided at disproportionate cost.

Source: United Kingdom Overseas Trade Statistics.

Notes:

(i) 1984 figures are provisional.

(ii) sub-Saharan Africa excludes South Africa.

Internal Market Council

Mr. Norris asked the Secretary of State for Trade and Industry if he will make a statement on the outcome of the meeting of the Internal Market Council held on 7 May.

Mr. Channon: The Council, which I attended, covered a number of issues concerned with the reduction of barriers to trade and professional services within the European Community.

I was very pleased that the Council agreed on new arrangements, for which the Government and industry have pressed, to simplify and speed up the setting of product standards both at European level and by promoting mutual recognition of national standards. These new arrangements should lead to the more rapid removal of barriers to trade within the Community arising from differing national health and safety standards affecting industrial products.

The Council made useful progress towards the granting of right of establishment for the architectural and pharmacist professions. There was also an exchange of views on Commission proposals on frontier crossings by individuals on the proposed commercial agents directive and the proposed European economic interest grouping.

Balance of Payments (Japan and Germany)

Mr. Teddy Taylor asked the Chancellor of the Exchequer what is the size of the total balance of payments surplus or deficit with Japan and Germany, respectively, during the most recent years for which figures are available: and what these figures would be if trade in oil was excluded.

Mr. Fletcher [*pursuant to the reply*, 20 May 1985, c. *340*]: I have been asked to reply.

Figures for the UK's full balance of payments with individual countries is not available. Visible trade figures are available but only on an "Overseas Trade Statistics" basis, that is imports including the costs of insurance and freight. Exports less imports on an OTS basis produce a "crude" balance. This is provided for total trade and for total trade excluding oil in the table.

Although invisible transactions are not normally compiled for individual countries some estimates of transactions with Japan were published in "British Business" of 27 April 1984 (page 766): a copy is available in the Library.

TRANSPORT

Holiday Operators (Failure)

Mr. McCrindle asked the Secretary of State for Transport if he will strengthen the arrangements for protecting the financial interests of air package holidaymakers against the failure of a tour operator; and if he will make a statement.

Mr. Michael Spicer: The existing arrangements of bonds lodged by tour operators backed by the air travel reserve fund have so far proved adequate. I am not aware of any immediate threat to holidaymakers from a major failure. But in view of concerns which the chairman of the air travel reserve fund agency has expressed about the potential inadequacy of the fund in the event of such a failure and Sir Peter Lane's recommendations, following

an independent review, for a strengthening of the present arrangements, we are now putting forward for consideration a series of changes which should offer a substantially improved level of protection.

In summary, we propose that the air travel reserve fund agency should be wound up; that the agency's functions should be transferred to the Civil Aviation Authority and that the monies in the fund should be held in trust; and —most importantly—that a further line of defence for holidaymakers should be created in the form of a top-up insurance scheme.

The purpose of top-up insurance would be to provide additional cover in the unlikely event that, following a major collapse in the industry, the bonding arrangements and the fund proved insufficient to repatriate holidaymakers overseas or reimburse those who paid for, but not taken a holiday. Informal soundings of the insurance industry suggest that a level of cover, equivalent at least to the £20 million or so presently in the fund, could be obtained at reasonable cost. Such a scheme would have the effect of at least doubling the financial backing provided by the fund. The premium would normally be paid from the fund's net income and would impose no extra costs on either holidaymakers or the tour industry.

The costs and benefits of such a scheme would need to be reviewed periodically and we are not proposing it should be made mandatory that the fund be covered by top-up insurance. But it is desirable that there should be power to acquire this extra form of protection. The air travel reserve fund agency's existing powers to administer the fund may not extend to the acquisition of top-up insurance. One way of ensuring the fund can be used for this purpose would be to transfer it to the CAA.

This is the major reason why my right hon. Friend is proposing the winding up of the agency. But there are other reasons. The authority should also be able to deal more flexibly with claims against the fund than the agency. Further, given the authority's existing duties in licensing air travel organisers and administering the bonding system, the various strands in the arrangements for protecting holidaymakers can be more closely aligned.

I understand the CAA is, in principle, willing to accept responsibility for the fund and that it would set up an advisory committee, made up of representatives of the tour industry and consumers, to advise on such matters as bonding arrangements and payments from the fund. Should it take over the fund, the CAA would in due course be empowered to replenish it, if necessary, by means of a levy on ATOL holders.

Under section 6 of the Air Travel Reserve Fund Act 1975, my right hon. Friend may wind up the air travel reserve fund agency and dispose of the fund after due consultation. I have today written to the agency, the CAA and representatives of the tour industry and the consumer asking for their comments on these proposals by 12 July. We would also welcome written comments from anyone else with an interest. In the interim, I am pleased to confirm that Sir Kenneth Selby has agreed to continue as chairman of the agency during the period of consultation.

I shall make a further statement once the consultations have been concluded.

FOREIGN AND COMMONWEALTH AFFAIRS

Central America

13. **Mr. Allan Roberts** asked the Secretary of State for Foreign and Commonwealth Affairs if there has been a review of Her Majesty's Government's diplomatic representation in Central America.

Mr. Renton: Staffing of our posts overseas is reviewed at regular Diplomatic Service inspections and on other occasions when the need arises. Embassies in Managua and San Salvador were reopened in 1984, as recommended by the Foreign Affairs Committee in its 1982 report and following a Diplomatic Service inspection in 1983.

61. **Mrs. Clwyd** asked the Secretary of State for Foreign and Commonwealth Affairs what steps he has taken to seek to promote peace in Central America.

Mr. Renton: Together with our Community partners we strongly support the Contadora initiative which offers the best prospect of a peaceful settlement of the problems of Central America. To underline that support my right hon. and learned Friend attended the meeting held at San Jose last September of European and regional Foreign Ministers. A further meeting is under consideration.

Coventry Crown Court (Trial)

18. **Mr. Caborn** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a new initiative to seek to ensure that the four South Africans who failed to answer to bail at Coventry appear in the Crown court in Birmingham on 5 June when their fellow accused are due to stand trial.

Mr. Rifkind: The South African Government are in no doubt about our views on this matter. We shall continue to remind them that we expect them to honour the undertaking they gave to the court to ensure the return of the four defendants to stand trial.

Bogdan Lis (Arrest)

19. **Mr. Alex Carlile** asked the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Polish Government following the arrest in Poland of Bogdan Lis and others.

Mr. Rifkind: During his recent visit my right hon. and learned Friend stressed our concern that progress towards internal reconciliation in Poland should be maintained. He spoke very frankly to his hosts of his deep anxiety about recent moves in a contrary direction and gave examples, including the arrests of Mr. Lis and others.

Nicaragua

21. **Mr. Meadowcroft** asked the Secretary of State for Foreign and Commonwealth Affairs what discussions took place at the Bonn summit with regard to the United States trade embargo on Nicaragua.

Sir Geoffrey Howe: I discussed the situation in Central and Latin America with my colleagues at the Bonn economic summit. Details must remain confidential.

23. **Mr. Dubs** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on current United Kingdom relations with Nicaragua.

Sir Geoffrey Howe: We share the concern of many Central American states at Nicaragua's build-up of arms and increasingly close contacts with the Soviet Union and Cuba. Our future relations will depend on Nicaragua's establishing genuine democracy, scaling down her level of armaments and putting an end to support for subversion in the region.

27. **Mr. Canavan** asked the Secretary of State for Foreign and Commonwealth Affairs whether he has had any discussions with the United States Government about the use of sanctions against Nicaragua.

Sir Geoffrey Howe: I have nothing to add to the reply which I gave earlier today to the hon. Member for Sheffield, Hillsborough (Mr. Flannery).

33. **Mr. John Fraser** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about discussions he had on Nicaragua at Bonn recently.

Sir Geoffrey Howe: I refer the hon. Member to the reply which I gave earlier today to the hon. Member for Leeds, West (Mr. Meadowcroft).

65. **Mr. Wareing** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's policy towards the current situation in Nicaragua.

Sir Geoffrey Howe: I refer the hon. Member to the reply I gave earlier to the hon. Member for Battersea (Mr. Dubs).

76. **Mr. Corbyn** asked the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to alter the level of British diplomatic representation in Nicaragua.

Mr. Renton: We have no plans to alter the level of diplomatic representation in Nicaragua but diplomatic staffing levels are kept under review.

Mr. Johnston asked the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place between Her Majesty's Government and the United States Government on the situation in Nicaragua.

Sir Geoffrey Howe: I have nothing to add to the reply which I gave earlier today to the hon. Member for Sheffield, Hillsborough (Mr. Flannery).

BBC (External Services)

22. **Mr. Heathcoat-Amory** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the structure of the funding of the British Broadcasting Corporation external services.

Mr. Renton: The British Broadcasting Corporation external services are funded on an annual basis by two grants-in-aid; one is for broadcasting and the other for monitoring. Both are administered by the Foreign and Commonwealth Office. In addition, the FCO is directly responsible for funding and operating four broadcasting stations which relay British Broadcasting Corporation programmes worldwide.

Anglo-Sudanese Relations

24. **Mrs. Currie** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Anglo-Sudanese relations.

Mr. Luce: We have had a long and friendly relationship with the Sudan for many years. My visit to Sudan from 29 April to 1 May was warmly welcomed by the Sudanese authorities as the first visit by a western Minister since the takeover led by General Sowar el Dahab. It enabled me to have valuable meetings with members of the Transitional Military Council, the Council of Ministers and leading politicians. I was able to assure them of our continuing support for the stability and prosperity of Sudan.

Latin America

25. **Mr. Flannery** asked the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to discuss with United States Secretary of State the situation in Latin America with special reference to Honduras and Nicaragua.

Sir Geoffrey Howe: We regularly discuss the situation in Central America with the United States Administration. I discussed the subject with Mr. Shultz in Washington in February and with my colleagues at the Bonn economic summit earlier this month.

Indian Subcontinent (Nuclear Proliferation)

26. **Mr. Wainwright** asked the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received from the Government of India regarding nuclear proliferation in the subcontinent.

Mr. Luce: Nuclear non-proliferation is a subject of great importance. It is frequently raised in discussions we have with other Governments. It is not our practice, however, to reveal the contents of such exchanges.

United Kingdom Embassy (Moscow)

28. **Mr. Terlezki** asked the Secretary of State for Foreign and Commonwealth Affairs what is the number of British personnel at the United Kingdom embassy in Moscow in the following categories *(a)* embassy staff, *(b)* trade delegation, and *(c)* non-diplomatic staff; and how this compares with the Soviet embassy in London.

Mr. Rifkind: The total number of home-based British staff in all sections of our embassy in Moscow at present is 71, of whom 28 have administrative and technical—that is, non-diplomatic—status. We do not have a separate trade delegation in Moscow. The commercial section of the embassy comprises seven home-based British personnel of whom two have administrative and technical status.

The Soviet embassy in London has at present a total of 83 members of staff, who are all Soviet nationals. Of these, 46 are administrative and technical staff. The Soviet trade delegation, which is a separate body whose status is defined in the Anglo-Soviet temporary commercial agreement of 1934, has 45 non-diplomatic Soviet members of staff. In addition, the Soviet trade representative and his two deputies have full diplomatic status and are included in the total just given for the Soviet embassy.

Cyprus

29. **Mr. Norman Atkinson** asked the Secretary of State for Foreign and Commonwealth Affairs if he is

satisfied that the Turkish Government are doing all they can to persuade Mr. Denktash to bring about a satisfactory conclusion to the Cyprus intercommunal talks.

Mr. Renton: Turkish Government leaders made clear to my right hon. and learned Friend when he visited Turkey in February their support for the United Nations Secretary-General's initiative on Cyprus. We continue to keep in close contact with the parties involved and to urge co-operation with the Secretary-General in his search for a peaceful, just and lasting solution.

Dooge Committee Report

30. **Mr. Deakins** asked the Secretary of State for Foreign and Commonwealth Affairs when the Council of Foreign Ministers will next discuss the Dooge committee report.

Mr. Rifkind: The report of the Dooge committee is not scheduled to be discussed by the Council of Ministers at this stage. It was commissioned by the European Council and Heads of Government will discuss it at the Milan European Council on 28-29 June.

54. **Mr. Robert Edwards** asked the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with EEC Foreign Ministers concerning the proposals contained in the Dooge report.

Mr. Rifkind: My right hon. and learned Friend discussed the issues raised by the report with M. Dumas, the French Foreign Minister, on 21 May. He has also discussed the issues at other meetings with European Community Foreign Ministers, for example in the margins of the Foreign Affairs Council.

Egypt (Ministerial Visit)

31. **Mr. Charles Morrison** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent visit of the Minister of State, the hon. Member for Shoreham (Mr. Luce) to Egypt.

Mr. Luce: I paid a brief visit to Egypt on 1 May for meetings with President Mubarak and members of the Egyptian Government. In these, I gave an account of my earlier visit to Sudan and exchanged views on bilateral topics and developments in the middle east since President Mubarak's visit to London in March.

Strategic Defence Initiative

32. **Mr. McWilliam** asked the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the United States Administration concerning the strategic defence initiative.

Sir Geoffrey Howe: I refer the hon. Member to the answer I gave earlier today to the hon. Member for St. Helens, North (Mr. Evans).

36. **Mr. Bruce** asked the Secretary of State for Foreign and Commonwealth Affairs whether he discussed at the Bonn summit the possibility of a concerted European response to the strategic defence initiative.

Sir Geoffrey Howe: The possibility of a concerted European response was not discussed in detail, although as Chancellor Kohl said after the summit the strategic defence initiative was touched on in the course of the meetings that took place.

37. **Mr. Barron** asked the Secretary of State for Foreign and Commonwealth Affairs whether he had discussions at the Bonn summit about a concerted European response to the United States strategic defence initiative proposals.

Sir Geoffrey Howe: I refer the hon. Member to the answer I gave earlier today to the hon. Member for Gordon (Mr. Bruce).

51. **Mr. Leigh** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the diplomatic consequences of President Reagan's strategic defence initiative.

Sir Geoffrey Howe: I refer my hon. Friend to the reply I gave earlier today to the hon. Member for St. Helens, North (Mr. Evans).

62. **Mr. Strang** asked the Secretary of State for Foreign and Commonwealth Affairs if he had discussions at the Bonn summit about a concerted European response to the strategic defence initiative proposals; and if he will make a statement.

Sir Geoffrey Howe: I refer the hon. Member to the answer I gave earlier today to the hon. Member for Gordon (Mr. Bruce).

Soviet Foreign Minister (Visit)

34. **Mr. Hill** asked the Secretary of State for Foreign and Commonwealth Affairs if a date has yet been arranged for the planned visit to the United Kingdom of the Soviet Foreign Minister.

Mr. Rifkind: No. Dates are under discussion on diplomatic channels.

India

35. **Mr. Tom Clarke** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's relations with the Government of India.

Sir Geoffrey Howe: I refer the hon. Member to the reply which I gave earlier today to the hon. and learned Member for Leicester, West (Mr. Janner).

Indian Ocean (Ministerial Visit)

38. **Mr. Soames** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on political developments in the Indian ocean following the recent visit by the Minister of State, the hon. Member for Edinburgh, Pentlands (Mr. Rifkind).

Mr. Rifkind: We hope that progress can be achieved in regional co-operation and development now that the Indian Ocean Commission has been expanded to include not only Madagascar, Mauritius and Seychelles, but, as from January this year, Comoros. Member states also agreed in principle to the adhesion of Reunion (France), the details of which are still to be worked out.

The United Kingdom has good relations with the countries in the area as illustrated by the very successful visits which I paid to Mauritius and Madagascar in May this year and to Seychelles in July last year.

El Salvador (Refugees)

39. **Mr. Tony Banks** asked the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government have made to the United Nations High Commissioner on Refugees concerning the number of refugees in Honduras from El Salvador.

Mr. Renton: None.

Central American

40. **Mr. Tony Lloyd** asked the Secretary of State for Foreign and Commonwealth Affairs when he next intends to seek to visit Central America.

Mr. Renton: My right hon. and learned Friend has no plans at present to visit Central America.

South Africa

41. **Mr. Robert Hughes** asked the Secretary of State for Foreign and Commonwealth Affairs if he will seek a meeting of the United Nations Security Council to consider action under chapter 7 against South Africa to secure implementation of United Nations Security Council resolution 435.

Mr. Rifkind: No. We do not consider that chapter VII measures against South Africa would be effective in securing South African agreement to the implementation of Security Council resolution 435.

Guatemala

42. **Mr. Campbell-Savours** asked the Secretary of State for Foreign and Commonwealth Affairs if it is his intention to seek to re-establish diplomatic relations with Guatemala.

Mr. Renton: Discussions have been conducted with the Guatemalan Government about the possible resumption of consular relations which were broken off unilaterally by Guatemala in 1981. Nothing has yet been decided.

Common Agricultural Policy (Reform)

43. **Mr. Maxton** asked the Secretary of State for Foreign and Commonwealth Affairs what reforms of the common agricultural policy have been recently discussed by European Economic Community Foreign Ministers.

Mr. Rifkind: Since the adoption by the Council of Ministers of a text on budget discipline, my right hon. and learned Friend has discussed reform of the common agriculture policy at a number of bilateral meetings with Foreign Ministers of other member states.

Government Communication Headquarters

44. **Mr. Dalyell** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on current industrial relations at Government communications headquarters.

Mr. Renton: Following the election of officers and an executive committee the Government Communications Staff Federation came into being on 1 May 1985. An encouraging start has been made and discussions and negotiations are currently under way on a day-to-day basis between the federation and Government communications headquarters management on a wide variety of matters.

EC-Contadora Countries (Meeting)

45. **Mr. McCartney** asked the Secretary of State for Foreign and Commonwealth Affairs when he now expects the meeting of Foreign Ministers of the European Economic Community and Contadora countries to take place.

Mr. Renton: Contacts are taking place with a view to organising, in the course of this year, another ministerial meeting on the lines of the one which took place at San Jose in September 1984.

Geneva Disarmament Negotiations

46. **Sir Peter Blaker** asked the Secretary of State for Foreign and Commonwealth Affairs what recent consultations he has had with the United States Secretary of State about the disarmament negotiations between the United States and the Soviet Union in Geneva.

Sir Geoffrey Howe: I meet Mr. Shultz regularly. Our most recent meeting was in Vienna on 15 May during the celebration of the 30th anniversary of the Austrian State Treaty.

70. **Mr. Kirkwood** asked the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement on the prospects for the next stage of the arms negotiations at Geneva.

Mr. Luce: We hope that the next round will see a serious and businesslike approach by the Soviet Union towards achieving the agreed objectives of the talks, which we fully support. But it will be wrong to expect that the talks will produce swift results on these complex issues.

Anglo-Canadian Relations

47. **Mr. Colin Shepherd** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Anglo-Canadian relations.

Mr. Renton: Anglo-Canadian relations are close and harmonious. As partners in the Commonwealth and North Atlantic Treaty Organisation and participants in the summit seven, the United Kingdom and Canada share many interests. Trade and investment are also of major importance.

There are extensive contacts between the United Kingdom and Canada at all levels, including frequent ministerial visits and parliamentary and official consultations on many matters of mutual concern.

Ugandan Asians (Compensation Claims)

48. **Mr. Peter Bruinvels** asked the Secretary of State for Foreign and Commonwealth Affairs if he will report on progress to date in the various compensation claims outstanding since the expulsion of Ugandan Asians from Uganda in the early 1970s.

Mr. Renton: When my hon. Friend the Member for Edinburgh, Pentlands (Mr. Rifkind) visited Uganda in March, Ugandan Ministers told him that they were continuing to give priority to processing applications for repossession of property. They had received 1,700 such applications, of which over 800 were from claimants in Britain. Up to March they had made 131 offers of repossession to former owners, most of whom are in Britain.

The Ugandans told my hon. Friend that they intend to deal with claims for compensation at a later date. There are 3,000 such claims of which slightly over 1,000 are from persons in Britain.

My hon. Friend urged the Ugandans to speed up this work.

Moscow

49. **Dr. Godman** asked the Secretary of State for Foreign and Commonwealth Affairs when he next intends to visit Moscow.

Sir Geoffrey Howe: I have at present no plans to do so.

International Debt

50. **Mr. Barnett** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the foreign policy implications of the current debt problems of Latin American and African countries.

Mr. Rifkind: As my right hon. and learned Friend said on 20 March at column 526 to the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) the Latin American debt problem has led to an intensified dialogue between ourselves and the debtor countries of the area.

As the recent Bonn economic summit declaration noted, we also intend to intensify our co-operation with African countries to help them develop their economic potential.

Namibia

52. **Mr. Thorne** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on recent events in Namibia.

83. **Mr. Corbett** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on recent developments over Namibia.

Mr. Rifkind: I refer the hon. Member to the reply I gave earlier to the hon. Member for Bradford, West (Mr. Madden).

81. **Mr. Litherland** asked the Secretary of State for Foreign and Commonwealth Affairs if he will review the policy of not accepting the International Court of Justice advisory opinion on Namibia.

Mr. Rifkind: No. There are legal difficulties — which have been acknowledged by successive Governments — in accepting the International Court of Justice's advisory opinion of 1971. I do not believe that further examination would resolve these.

Central America (US Trade Policy)

53. **Mr. Sean Hughes** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the implications for the United Kingdom and the EEC of current United States trade policy with Central American countries.

Mr. Renton: The United States has not asked its allies to change their trade policies towards Central America.

Sudan (Ministerial Visit)

55. **Mr. Dickens** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent visit of the Minister of State, the hon. Member for Shoreham (Mr. Luce) to the Sudan.

Mr. Luce: I refer my hon. Friend to the answer I gave earlier today to the hon. Member for Derbyshire, South (Mrs. Currie).

Nigeria

56. **Mr. Stanbrook** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a further statement on relations with Nigeria.

Mr. Rifkind: I refer my hon. Friend to the reply I gave him on 24 April, at column 452. As my right hon. and learned Friend told the House on 25 April, at column 1014, we attach the utmost importance to the re-establishment of good relations with Nigeria, and we believe that the Nigerian Government share our desire to get back on course.

High Technology Research

57. **Mr. Andrew F. Bennett** asked the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with his EEC counterparts concerning an EEC programme for high technology research; and if he will make a statement.

Mr. Rifkind: The European Community already has a substantial research and development programme mainly dealing with industrial technology and management of energy resource. The French Government have recently proposed establishing a new European research co-ordinating agency which my right hon. and learned Friend has discussed informally with other European Community Foreign Ministers.

Spain

58. **Mr. Cartwright** asked the Secretary of State for Foreign and Commonwealth Affairs what advice he is giving to British residents intending to take holidays in Spain in the current year.

Mr. Renton: We are not at present advising British tourists who have booked holidays in Spain that they should consider changing their plans. It is, above all, for individuals to make their own holiday plans.

67. **Mr. John Mark Taylor** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about United Kingdom relations with Spain.

Sir Geoffrey Howe: We enjoy excellent relations with Spain. We are allies in the North Atlantic Treaty Organisation, and have strongly supported Spanish membership of the European Community. Last year our total trade stood at some £3 billion, and some 6 million British citizens visited Spain. We look forward to the development of even closer links as the plans for Spanish entry into the Community are carried into effect.

Warsaw Pact (Foreign Ministers)

59. **Sir Fergus Montgomery** asked the Secretary of State for Foreign and Commonwealth Affairs when he next expects to meet a Foreign Minister of a Warsaw Pact country.

Mr. Rifkind: My right hon. and learned Friend met Mr. Gromyko, Mr. Varkonyi and Mr. Chnoupek last week in Vienna. No doubt there will be other occasions during the year when he has the chance to meet Warsaw Pact Foreign Ministers. Dates for a visit to the United Kingdom by Mr. Gromyko are currently being discussed through diplomatic channels.

Contadora Group (Foreign Ministers)

60. **Mr. Benn** asked the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to seek to meet the Foreign Ministers of the Contadora group.

Mr. Renton: I have nothing to add to the reply I gave earlier today to the hon. Member for Clydebank and Milngavie (Mr. McCartney).

Lebanon (Christian Community)

63. **Mr. Lawrence** asked the Secretary of State for Foreign and Commonwealth Affairs whether he is contemplating any initiative to seek to relieve the plight of the Christian communities in the Lebanon following the Israeli withdrawal.

Mr. Luce: I refer my hon. and learned Friend to the answer which I gave earlier to the hon. Member for Bishop Auckland (Mr. Foster).

Human Rights Conference (Canada)

64. **Mr. Sumberg** asked the Secretary of State for Foreign and Commonwealth Affairs whether the United Kingdom delegation to the conference on security and co-operation in Europe human rights conference in Ottawa will seek an opportunity to raise the issue of the freedom of individuals to practise their chosen profession without being subjected to religious or racial discrimination.

Mr. Rifkind: It is not our practice to give commitments in advance to raise particular issues in discussions such as the Ottawa meeting. I can, however, assure the hon. Member that the matter to which he has referred will be borne in mind by our delegation there.

86. **Rev. Martin Smyth** asked the Secretary of State for Foreign and Commonwealth Affairs whether the issue of postal communications will be raised by the British delegation to the conference on security and co-operation in Europe experts' meeting on human rights and fundamental freedoms in Ottowa and, in particular, the right of all citizens of countries which are signatories to the Helsinki Final Act to send and to receive letters without interference or obstruction.

Mr. Rifkind: I can confirm that the general question of concern to the hon. Member has been raised at the Ottawa meeting by the United Kingdom delegation.

Soviet Jews

66. **Mr. Latham** asked the Secretary of State for Foreign and Commonwealth Affairs what recent action he has taken to draw to the attention of the Government of the Soviet Union the strong feelings held in the West about the imprisonment or other forms of ill-treatment of Soviet Jews wishing to emigrate to Israel.

Mr. Rifkind: During the visit of Mr. Gorbachev to Britain last December, both my rigt hon. Friend the Prime Minister and my right hon. and learned Friend drew attention to the widespread concern in this country at the problems faced by Soviet Jewry, particularly on the question of emigration. We have continued to monitor the situation closely, and remain committed to taking suitable opportunities to press the Soviet Union on these and other human rights issues.

EC (Policy Development)

68. **Mr. Knox** asked the Secretary of State for Foreign and Commonwealth Affairs what further proposals he intends to place before his European Community partners for the development of Community policies.

Sir Geoffrey Howe: I have nothing to add to the reply which I gave to my hon. Friend on 24 April at columns 452 and 453.

EC (Ministerial Discussions)

69. **Mr. Roy Hughes** asked the Secretary of State for Foreign and Commonwealth Affairs what matters he currently plans to discuss in the near future with his opposite numbers in the EEC.

Sir Geoffrey Howe: The agenda of the next Foreign Affairs Council on 18-19 June has not yet been fixed, though preparations for the European Council on 28-29 June will almost certainly be discussed. My next meeting with my European Community colleagues will be on 8-9 June to discuss political co-operation. The topics for that informal meeting have yet to be decided.

International Debt

71. **Mr. Fisher** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current debt position of Latin American and African countries.

Mr. Rifkind: A number of countries have made good progress in tackling their individual debt difficulties. The soundest way of easing the problem is to build on this progress. We will continue to co-operate with other Governments, international institutions and banks to tackle the problem in a flexible and effective manner.

Charter 77 (Prague Discussions)

72. **Mr. Geraint Howells** asked the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement on his Department's talks with representatives of Charter 77 in Prague.

Mr. Rifkind: During my right hon. and learned Friend's recent visit to Czechoslovakia, two senior members of the delegation had an informal meeting with a number of sympathisers and signatories of the Charter 77 movement. It is normal during visits of this kind to make contact with as wide a range of opinion as possible.

Foreign and Commonwealth Office officials made use of the meeting to make it clear that there is strong support in the United Kingdom for the full implementation of the

Helsinki final act in all the countries of Europe, particularly including its provisions relating to civil and political rights.

Tanzania

73. **Mr. Yeo** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about Britain's relations with Tanzania.

Mr. Rifkind: We have good relations with Tanzania and attach importance to them. President Nyerere's visit to Britain in March as a guest of Government provided an opportunity to hold discussions on a wide range of bilateral and international issues.

A major feature of our relations is our bilateral aid programme which amounted to over £16 million in 1984-85.

Radio Broadcasts (Interference)

Mr. Burt asked the Secretary of State for Foreign and Commonwealth Affairs whether he will make representations to the Soviet authorities about the level and intensity of jamming of BBC external services broadcasts and other interference including the Russian service and world service.

Mr. Renton: The Soviet authorities are well aware of our strong feelings about the continued jamming of BBC services in the Soviet Union and elsewhere, which contravenes the spirit and letter of the Helsinki final act as well as article 35 of the Convention of the International Telecommunication Union of which the Soviet Union is a signatory. We continue to take suitable opportunities to remind them of their commitments under these agreements, most recently at the Anglo-Soviet cultural talks in March.

Human Rights

75. **Mr. Maclennan** asked the Secretary of State for Foreign and Commonwealth Affairs what improvements to the protection of human rights under the European convention were agreed by Her Majesty's Government at the Vienna review conference in March; and what further initiatives he proposes to take in this area.

Mr. Renton: At the Vienna conference I signed the eighth protocol to the European Convention of Human Rights. This will have the effect of reducing delays. The conference discussed a number of proposals which will be considered further in Strasbourg. We support practical proposals for improving the procedures of the European Convention of Human Rights.

El Salvador

77. **Mr. Clay** asked the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to seek to visit El Salvador.

Mr. Renton: My right hon. and learned Friend has no plans at present to visit El Salvador.

Warsaw Pact Countries (Visits)

78. **Mr. Harris** asked the Secretary of State for Foreign and Commonwealth Affairs whether he plans to seek to visit any Warsaw pact country during the rest of the current year.

Mr. Rifkind: My right hon. and learned Friend has at present no plans to do so.

Christian Community (Lebanon)

79. **Mr. Leadbitter** asked the Secretary of State for Foreign and Commonwealth Affairs what political initiatives are being taken to seek to prevent further attacks on Lebanese Christians by Syrian-backed militia.

Mr. Luce: I refer the hon. Member to the answer which I gave earlier to the hon. Member for Bishop Auckland (Mr. Foster).

Soviet Research (Space Weapons)

80. **Mrs. McCurley** asked the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with NATO Foreign Ministers about the extent of Soviet research into space weapons.

Sir Geoffrey Howe: We remain in close touch with our allies about both the extent and the nature of Soviet research programmes which we believe the West must seek to balance.

British Council

82. **Mr. Freud** asked the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received about the level of funding of the British Council for 1985-86.

Mr. Renton: Since November a total of 24 letters have been received from Members of Parliament and members of the public. There have been three parliamentary questions.

Central America (Contadora Process)

84. **Mr. Michie** asked the Secretary of State for Foreign and Commonwealth Affairs what is the policy of Her Majesty's Government towards the Contadora process in Central America; and if he will make a statement.

Mr. Renton: I refer the hon. Member to the reply I gave earlier today to the hon. Member for Cynon Valley (Mrs. Clwyd).

European Integration

85. **Mr. Phillip Oppenheim** asked the Secretary of State for Foreign and Commonwealth Affairs whether he has received any proposals from the Commission about further European integration.

Mr. Rifkind: I refer my hon. Friend to the programme of the Commission for 1985, copies of which have been placed in the Library of the House.

PLO (Tunis Statement)

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs what report he has received from Her Majesty's ambassador in Tunis regarding the statement issued in Tunis on 4 May by the Palestine Liberation Organisation criticising Her Majesty's Ministers for refusing to meet Palestine Liberation Organisation representatives and describing the Balfour declaration as an unjust practice against the Palestinian

people; and what response has been made by Her Majesty's ambassador to the Tunisian Government concerning this incident.

Mr. Luce: We are aware of the statement referred to, which was based on a misunderstanding. The Palestine Liberation Organisation knows that meetings with British Ministers will remain difficult while its policies on the recognition of Israel's right to exist and the use of violence continue to be ambiguous. There has been no change in our policy.

Libya (Nuclear Energy)

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs what report he has had from Her Majesty's ambassador in Algiers regarding the report of the Arab Energy Conference on Algiers Radio on 4 May that Libya would start to generate electricity from nuclear energy in the coming decade; what checks are envisaged under the non-proliferation treaty to ensure that excess plutonium is not produced which could be used for nuclear weapons; and whether he intends that this matter should be raised at the United Nations.

Mr. Luce: As a non-nuclear weapon state party to the non-proliferation treaty, Libya has undertaken not to manufacture or otherwise acquire nuclear weapons, and to accept International Atomic Energy Agency safeguards on all its nuclear activities. In the event that Libya starts to produce nuclear-generated electricity, the question of safeguards on the plutonium arising would be a matter for the IAEA rather than the United Nations.

Iran-Iraq War

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs what report he has received from the head of the British interests section in the Royal Swedish embassy in Tehran of the address made at Tehran university on 10 May by the Speaker of the Iranian Parliament, Hojjat Oleslam Ali Akbar Hashemi-Rafsanjani, relating to the Arab deputation visiting London, and in which he accused the United Kingdom of supplying arms to Iraq and wanting the continuation of the Gulf war; and if he will instruct the head of section to register a strong protest about this accusation.

Mr. Luce: The British interests section in Tehran has reported on this address. The Iranian authorities are kept fully informed of the United Kingdom's policy with regard to the Iran-Iraq conflict, both through the British interests section in Tehran and the Iranian embassy in London. It has been made clear that we wish to see the earliest possible end to the conflict and supply no items of defence equipment to either side which might significantly prolong or exacerbate the conflict.

Afghanistan

Mr. Patrick Thompson asked the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has held with representatives of allied countries about events in Afghanistan.

Mr. Renton: We have full and frequent discussions about the Soviet occupation of Afghanistan with our friends and allies in the North Atlantic Treaty Organisation and the European Community.

SOCIAL SERVICES

Clatterbridge Hospital, Bebington

Mr. Alton asked the Secretary of State for Social Services what representations he has received from the relevant health authority regarding staff shortages and the amount of resources available at Clatterbridge hospital, Bebington; and what response he has made.

Mr. Kenneth Clarke: None.

Mr. Alton asked the Secretary of State for Social Services if he will make a statement about nursing shortages in the radiotherapy unit in Clatterbridge hospital, Bebington.

Mr. Kenneth Clarke: Responsibility for the management of Clatterbridge hospital rests with the Wirral health authority. The hon. Member may therefore wish to write to the chairman about this.

Mr. Alton asked the Secretary of State for Social Services how many patients have died within 24 hours of being moved between wards at Clatterbridge hospital, Bebington.

Mr. Kenneth Clarke: We do not collect this detailed information centrally. The hon. Member may therefore care to write to the chairman of the Wirral health authority.

Mr. Alton asked the Secretary of State for Social Services if he will make a statement about the funds made available to Clatterbridge hospital, Bebington, for radiotherapy treatment and intensive nursing care.

Mr. Kenneth Clarke: We allocate funds to the Mersey regional health authority and it allocates part of these funds to the Wirral health authority for the provision of all its services. These allocations are not usually broken down into resources for individual units because that is a matter for the management of each district health authority to determine according to national policy guidelines and their own judgment of local priorities. We allocated £503 million revenue expenditure to Mersey regional health authority for the year 1985-86 which is an increase of 4·9 per cent. over its 1984-85 funding.

Benefits (Cohabiting)

Mrs. Beckett asked the Secretary of State for Social Services if he will publish in the *Official Report* the numbers of *(a)* men and *(b)* women who have had their social security benefits stopped in the last five years on the grounds that they were cohabiting.

Mr. Whitney: The information requested is in the table:

Number of decisions made under the "Living Together" Rules which resulted in the disallowance or withdrawal of Social Security Benefits

	1980	1981	1982	1983	1984	Total
I. *Contributory Benefits*						
Widows Benefits	1,449	1,361	1,309	1,472	1,283	6,874
Industrial Death Benefit/Non-contributory Invalidity Pension	119	126	127	182	150	704
One-parent Benefit	3,045	4,311	4,874	4,418	3,851	20,499
War Widows Pension	21	14	20	16	12	83
Child's special allowance			Information not available			
Total	4,634	5,812	6,330	6,088	5,296	28,160
II. *Supplementary Benefit—Benefit disallowed at time of claim*	6,021	6,509	6,464	6,464	6,257	31,715
Benefit withdrawn when in payment	7,287	6,984	6,514	6,299	6,239	33,323
Total	13,308	13,493	12,978	12,763	12,496	65,038
I and II Grand Total	17,942	19,305	19,308	18,851	17,792	93,198

Notes:
1. Separate figures for men and women are not available.
2. Figures for contributory benefits include data for both disallowance and withdrawal cases.
3. Figures for contributory benefits are at 31 December each year.
   Figures for supplementary benefit are at 30 November.
4. Figures include cases where two or more decisions were made in respect of the same person in any one year.

Blind Persons

Mr. Thurnham asked the Secretary of State for Social Services if he will make a statement on the use of new technological developments to assist the blind.

Mr. Newton: Developments in new technology can be of great assistance to visually handicapped people. Examples are the use of synthetic speech in a range of equipment such as telephone switchboards, word processors, calculators and many household articles; the opportunity offered by microelectronics for translating print into Braille or speech, and Braille into print; the developments of "paperless Braille"; and the application of closed-circuit television as a reading aid for visually impaired people. We gave encouragement to the applications of new technology for the benefit of disabled people—including those with visual handicap—through the information technology awareness programme sponsored by the Department of Trade and Industry. About £5 to £6 million went towards projects to assist disabled people.

Hay Fever

Mr. Thurnham asked the Secretary of State for Social Services what assessments have been carried out in the National Health Service of recent Japanese advances in the treatment of hay fever.

Mr. John Patten: We have no knowledge of such advances. If any developments are reported, no doubt clinicians will take due account of them in deciding upon appropriate treatment for particular patients.

Cardiac Unit, Westminster Hospital

Mr. Knox asked the Secretary of State for Social Services whether a decision has been reached on the future of the cardiac unit at the Westminster hospital; and whether he will make a statement.

Mr. Kenneth Clarke: Following careful consideration of all the issues and the many representations made to us, we have decided to approve the proposals put forward by the North-West Thames regional health authority for changes in the pattern of cardiac surgery services in west central London. These proposals will involve the closure of the small unit at the Westminster hospital and a corresponding increase in open heart sugery at the Brompton hospital. We have taken steps to ensure that there will be no reduction in the level of service in London. There are three main reasons for our decision:

> the Westminster unit is too small to be able to continue to provide the sort of high quality service which can be provided at larter units such as the Brompton. It faces difficulties over staff recruitment and recognition of training posts;
>
> the service which at the moment costs £550,000 to provide at the Westminster unit can be reprovided at the Brompton hospital for less than half that sum. The savings will be used by the regional health authority for other priority patient services in the region; and
>
> the proposal is consistent with the longer-term plans of the North-West Thames regional health authority to concentrate cardiac surgery services in three units within the region, including the Brompton. We are quite satisfied that this will enable the regional health authority to provide services at a level sufficient to meet the needs of north-west Thames residents.

These changes therefore will not affect the total amount of open heart surgery available either to London residents or in the country as a whole. Nor do we consider that concern about the effects of the closure of this unit on other services at the Westminster hospital has any real foundation. The Brompton hospital, which is part of the national heart and chest hospitals group, is located less than three miles from the Westminster hospital. It can

provide the necessary support for other clinical services there together with all the facilities required for undergraduate and postgraduate medical teaching.

It has been clear for some time that the unit at the Westminster hospital had a doubtful future unless a means could be found to expand its role. Various attempts to find such a wider role have been made in the past 18 months. All have failed. The service has been provided by a locum consultant and the junior medical posts are not recognised for training purposes. It is only sensible to transfer the service to under-used facilities at the Brompton hospital.

Over the next few years we expect there to be a rapid expansion of cardiac services nationally which will largely take place outside London to enable patients to be treated nearer to their own homes. In addition, we have already given the go-ahead to £17 million of capital development at the Brompton site on the Fulham road to support the Brompton in its national and international role.

Hearing Systems

Mr. Alfred Morris asked the Secretary of State for Social Services, pursuant to the answer of 14 May, *Official Report*, column *116*, which of his Department's buildings have induction loops; how many other buildings of his Department to which hearing-impaired people may require access, either as employees or clients, are without induction loops; and if he has any plans to install induction loops in more buildings.

Mr. Newton: Buildings with induction loops or other hearing systems, excluding amplified telephones for which no central record is available, are:

Induction Loops
Bristol South ILO
Cambridge ILO
Exeter ILO
Hannibal House, London

Other Hearing Aid Systems
Cardiff East ILO
Deptford ILO
Dunstable ILO
Hendon ILO
London North Regional Office

I regret that my earlier reply to the right hon. Member indicated that all nine buildings were fitted with induction loops.

The Department occupies 1,074 buildings, including buildings shared with other Departments. There are at present no general plans to install further induction loop systems. Facilities provided for hearing-impaired people are under review, including assessment of experience with induction loop and other systems.

Jessop Accoustics

Mr. Alfred Morris asked the Secretary of State for Social Services what consideration he has given to the consequences for deaf children of the closedown of Jessop Accoustics of Bethnal Green; if there is any action he is taking; and if he will make a statement.

Mr. Newton: Jessop Accoustics produced radio microphone hearing aids which are used by many hearing-impaired children, mainly in an educational setting, although they were not the major supplier. I understand that the receiver who has been appointed for the company hopes to be able to sell it as a going concern, which should safeguard the interests of past and future customers.

Board and Lodging Payments

Mr. Gordon Brown asked the Secretary of State for Social Services how many persons receiving board and lodging payments will lose them by the end of May.

Mr. Whitney: This will depend on the number of people who cease to qualify for supplementary board and lodging allowance when their claims are reassessed, which cannot be precisely estimated.

Social Security Reviews

Mr. Gordon Brown asked the Secretary of State for Social Services (1) how much he expects the production of *(a)* video material and *(b)* publicity and explanatory material in support of his Green Paper on the future of the welfare state to cost;

(2) what he estimates to be the total cost of the social security reviews;

(3) if he will list all the payments made to individual members of the social security review teams, either in the form of expenses or fees;

(4) if he will list those individuals or organisations who received expenses for giving oral evidence to the social security reviews, and the cost involved.

Mr. Newton: I shall let the hon. Member have replies as soon as possible.

Cervical Screening

Mr. Winnick asked the Secretary of State for Social Services when the hon. Member for Walsall, North can expect a reply to his letter of 25 March concerning cervical cancer testing.

Mr. Kenneth Clarke: I have written to the hon. Member today.

Pensions

Mr. Tony Banks asked the Secretary of State for Social Services if he will provide figures for the number of pensioners who have each received state earnings-related pensions in *(a)* Brighton area and *(b)* Newham for each year since 1979; how many on present trends would be expected to benefit from the scheme for each year until the year 2000; and if he will estimate how much on average each beneficiary would expect to obtain from the scheme in additional weekly payments to the year 2000.

Mr. Whitney: Information about retirement pensions can be obtained for Great Britain or for England, Scotland and Wales separately but not for smaller areas of the country.

Legionnaire's Disease

Mr. Cash asked the Secretary of State for Social Services if he will now announce the composition, terms of reference and date of the independent public inquiry into the outbreak of legionnaire's disease in Stafford; and whether the inquiry will be held under the provisions of section 84 of the National Health Services Act 1977.

Mr. Kenneth Clarke: We have decided to establish a public inquiry under section 84 of the National Health Services Act 1977 and section 70 of the Public Health (Control of Infectious Diseases) Act 1984, with the following terms of reference:

— to inquire into the cause of the recent outbreak of legionnaire's disease in Staffordshire;
—to consider the adequacy of measures taken to investigate and to deal with the outbreak;
—to report to the Secretary of State for Social Services and make recommendations on any action necessary to reduce the danger of future outbreaks originating in hospitals, other buildings and elsewhere.

I am pleased to say that Sir John Badenoch, DM, FRCP, honorary consultant physician, Oxfordshire district health authority, and chairman of the joint committee on vaccination and immunisation, has agreed to chair the inquiry. Other members will include Professor Francis O'Grady, professor of microbiology at the University of Nottingham and Mr. Dan Hannah, chairman of Warrington district health authority. The names of two further members, a lawyer and an engineer, will be announced soon. Preliminary work will start straight away and the inquiry is expected to begin taking evidence early in July.

We have all been shocked by the scale of the outbreak of legionnaire's disease in Staffordshire. Our sympathy goes to all those who have lost relatives or friends. Our main concern must now be to ensure that the facts of this tragic outbreak are investigated as fully as possible so that we can take steps to reduce the danger of similar outbreaks occurring in the future. The wide range of expertise of the members and the terms of reference will enable the inquiry to adopt a very broad approach. They will be in no way confined to considering precautions in National Health Service premises. In addition to investigating the cause of this outbreak, they will be able to make recommendations on measures which could help to prevent further outbreaks wherever they might occur. They will be free to make interim recommendations to us on any matter as their work proceeds.

NHS Management Board

Mr. Knox asked the Secretary of State for Social Services whether he will make a statement about further appointments to, and relating to, the National Health Service management board.

Mr. Fowler: I have accepted the recommendation of the chairman of the NHS management board, Mr. Victor Paige, CBE, to appoint Mr. Ian Mills, a senior partner in Price Waterhouse, to the NHS management board as director of financial management.

Th role of the director will be to provide leadership in the initiation and implementation of improved financial planning and control throughout the National Health Service. Mr. Mills will take up his appointment, which is for three years, on 1 July. He will return to Price Waterhouse at the end of the three years.

I have also accepted Victor Paige's recommendation to appoint Mr. D. N. Idris Pearce, a senior partner in Richard Ellis, as part-time property adviser to the board. He will advise on the best use of land in line with health service needs and on the acquisition and disposal of property. This appointment will provide leadership and expertise in developing the property function in the National Health Service.

Drug Companies

Mr. Meadowcroft asked the Secretary of State for Social Services what was the return on capital allowed to pharmaceutical companies in the financial year 1984-85, and the figure he is assuming for 1985-86 in making the estimates for the current year.

Mr. Kenneth Clarke [*pursuant to his reply*, 16 May, c. *226*]: For the largest companies, the profit targets in 1984-85 ranged between 15 per cent. and 20·5 per cent. return on (historic) capital; for 1985-86 the range is 15 to 17 per cent. In certain circumstances, companies may be allowed to retain, within prescribed limits, profits in excess of the target rate.

NATIONAL FINANCE

EC (Own Resources)

88. **Mr. Teddy Taylor** asked the Chancellor of the Exchequer whether the conditions laid down by Her Majesty's Government for justifying an increase in the resources of the Common Market have now been met; and if he will make a statement.

Mr. Ian Stewart: Yes. The conditions which the Government laid down for agreeing to an increase in EC resources were the establishment of an effective system of budgetary discipline and of a lasting solution to the problem of budgetary imbalances. The Council of Ministers agreed the arrangements for budgetary discipline last December. On 8 May, they formally agreed to the text of the new own resources decision, which provides for the mechanism agreed at Fointainebleau for reducing our contributions as well as for the increase in the Community's VAT ceiling. The decision will be brought before the House for approval in due course.

Sub-Saharan Africa (Debt)

Mr. Norman Atkinson asked the Chancellor of the Exchequer what was the total value of official, and private, debt repayments to the United Kingdom by countries in sub-Saharan Africa in 1984; and what was the total estimated financial flow between the United Kingdom and countries in sub-Saharan Africa during 1984 or the last year for which figures are available.

Mr. Ian Stewart: The information is not readily available. I will write to the hon. Member as soon as possible.

Rates

Sir Hector Monro asked the Chancellor of the Exchequer what study he has made of the implications for tax on the benefits of a person occupying a company-owned property following the recent rating revaluation in Scotland; and if he will make a statement.

Mr. Moore: Where a person receives accommodation provided by reason of employment the tax charge on the benefit can in certain circumstances be based on the property's annual value. To avoid individual valuations, the Inland Revenue has in practice accepted that a property's gross ratable value may be taken as its annual value for tax purposes. The recent rating revaluation in Scotland will, however, mean that gross rateable values in Scotland will be considerably higher than those in England and Wales or Northern Ireland for equivalent properties.

To avoid unfairness as between taxpayers in different countries of the United Kingdom, the Inland Revenue has

decided not to follow the practice of assessing the benefit arising on property in Scotland in strict accordance with the recent rating revaluation figures while the future of rating revaluations is under consideration. Instead, the Inland Revenue will for the time being use figures which will produce broadly the same overall total tax burden for employees in Scotland as the 1978 figures. A statement of practice outlining the procedure to be adopted by the Inland Revenue will be issued in due course.

VAT (Hot Take-away Food)

Mr. Dover asked the Chancellor of the Exchequer, pursuant to the answer of 12 November 1984, *Official Report*, column *189*, when he will be in a position to give information on the estimated revenue received as a result of value added tax being imposed on hot take-away food.

Mr. Hayhoe [*pursuant to his reply*, 17 May 1985; Vol. 79, c. *247*]: In the autumn.

AGRICULTURE, FISHERIES AND FOOD

Agricultural and Livestock Output

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing the proportion of total United Kingdom output of cereals, sugar beet, oilseed rape, milk, sheep, beef, pigs and poultry accounted for by the largest 10 per cent. of holdings for the year 1984, together with the estimated cost of the EEC budget of that production, calculated pro rata, including subventions to sugar, sugar in the case of sugar beet and taking into account the cost of export restitutions.

Mr. MacGregor: The precise data on shares of output sought by the hon. Member is not readily available. I have however, set out below information on farms which account for approximately 10 per cent. of area in the case of crops and of herds or flocks in the case of livestock. It is not possible to calculate expenditure financed by the EAGGF for this production.

Commodity	*United Kingdom output in 1983**
Cereals	Top 11·0 per cent. of holdings by area accounted for 50·2 per cent. of output by area
Sugar	Top 9·3 per cent. of holdings by area accounted for 39·3 per cent. of output by area†
Oilseeds	Top 9·1 per cent. of holdings by area accounted for 30·5 per cent. of output by area‡
Sheepmeat	Top 10·1 per cent. of holdings by flock size accounted for 45·7 per cent. of total sheep
Beef	Top 9·1 per cent. of holdings by herd size accounted for 43·3 per cent. of total beef cows
Pigmeat	Top 7·5 per cent. of holdings by herd size accounted for 58·4 per cent. of total pigs
Poultrymeat	Top 7·5 per cent. of holdings by flock size accounted for 54·8 per cent. of total broilers
Eggs	Top 11·8 per cent. of holdings by batteries accounted for 97·8 per cent. of total laying fowls
Milk	Top 15·2 per cent. of holdings by herd size accounted for 39·4 per cent. of total dairy cows
Others	—

* Based on Agricultural Statistics United Kingdom 1983.
† Sugar beet production.
‡ Oilseed rape production.

Milk

Mr. Gould asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table comparing the European Economic Community quota for milk output with the amount required to meet domestic consumption of liquid milk and dairy products in 1984 and 1985; and what proposals are contemplated for bringing supply into balance with domestic demand.

Mr. MacGregor: The quota for deliveries to dairies in the Community for the 1984-85 quota year was 99,049 million tonnes. For 1985-86 the quota for deliveries to dairies is 98·177 million tonnes: the size of the Community reserve for both years has been agreed at 393,000 tonnes. The EC Commission estimates consumption in the Community, in milk equivalent terms, at about 84·5 million tonnes in 1984-85 and 85·0 million tonnes in 1985-86.

As part of the recent agreement on prices for 1985-86 the Commission have said that they will be submitting to the Council by 1 November 1985 a proposal designed to introduce Community arrangements for premiums for the cessation of milk deliveries.

Pesticides

Mr. Campbell-Savours asked the Minister of Agriculture, Fisheries and Food if he will outline his policy on the approval of pesticides for application by aerial spraying means, and what safeguards are required before the use of broad spectrum herbicides such as glyphosphate is approved for aerial application.

Mrs. Fenner: In clearing pesticides specifically for aerial use account is taken of their likely effect on people and animals, non-target crops and the environment in general. Clearance for aerial application on a commercial scale would not be granted for products where this assessment identified a potential risk. In this way only the less toxic, less active or less persistent chemicals have been granted clearance for aerial application. Broad spectrum herbicides, such as glyphosphate, have not been given commercial clearance for aerial application although limited clearances for aerial application in forestry areas have been granted from time to time subject to strict controls.

Following discussions in Committee on the Food and Environment Protection Bill the Advisory Committee on Pesticides has been asked to review the current list of products cleared for aerial application.

Intervention Stocks

Mr. Tony Lloyd asked the Minister of Agriculture, Fisheries and Food if he will indicate the locations of European Economic Community intervention stocks held in the north-west region of England.

Mr. Jopling: The locations of EEC intervention stores in the north-west region comprising the counties of Cheshire, Lancashire, Merseyside, Cumbria and Greater Manchester are:

Cereals
Birkenhead

Beef
Liverpool
Salford
St. Helens
Warrington

Skimmed Milk Powder
Bootle
Cockermouth
Kirkby
St. Helens
Warrington
Widnes

Butter
Chester
Fleetwood
Heywood
Liverpool
Manchester
Preston
Rochdale
Salford
St. Helens
Warrington
Wigan

HOUSE OF COMMONS

Pay and Allowances

Mr. Soley asked the Lord Privy Seal if he will give the latest available figures on the pay and allowances of parliamentarians in *(a)* European Economic Community countries and *(b)* the United States of America, Canada and Australia.

Mr. Biffen: The latest available figures on the pay and allowances of parliamentarians which have been compiled on a comparable basis are given in the 20th report of the Review Body on Top Salaries (May 1983). The figures for the countries referred to in the hon. Gentleman's question are as follows:

Country	*Salary*	*Allowances*
UNITED KINGDOM House of Commons	Basic salary of £14,510. Maximum salary of £15,362 for those who draw the London allowance of £852 per annum, which is taxable. Whole of salary taxable.	£8,752 secretarial allowance; £875 to meet cost of secretarial pension scheme; £4,376 to employ temporary assistance in event of illness of secretary; all maxima. £5,158 (max) subsistence allowance. £200 allowance to assist in drafting Private Member's Bill. £1,459 to assist in clearing up the affairs of a deceased, retired or defeated MP (year beginning April 1982).
AUSTRALIA Senate	A$38,500 (£21,389), all taxable	Electoral allowance of A$14,000 (£7,778). Effectively a general allowance.
House of Representatives	Same as Senator	Electoral allowance of A$14,000 (£7,778) for constituency of 5,000 sq km or less, A$20,000 (£11,111) for constituency of more than 5,000 sq km, and A$17,000 (£9,444) for constituency of less than 5,000 sq km, but with a population of more than 140,000.
BELGIUM Senate	BF1,685,441 (£20,233), half of which is tax free allowance for expenses, BF842,720·50 (£10,117).	Half the gross salary, BF842,720·50 (£10,117) is tax free and regarded as an allowance for expenses. Subsistence allowance of BF4,500 per day (£54) when Senate sitting.
Chamber of Representatives	BF1,700,648 (£20,416), half of which is a tax free allowance for expenses, BF850,324 (£10,208)	Half the gross salary BF850,324 (£10,208) is tax free and regarded as an allowance for expenses.
CANADA House of Commons	C$46,400 (£22,201), all taxable	General allowance of between C$15,500 (£7,416) and C$20,600 (£9,856) varying by size and distance of constituency from Ottawa. Staff allowance of C$86,600 (£41,435) of which a minimum of C$16,638 (£7,961) is to provide salaries for constituency employees. Allowance of C$9,200 (£4,402) for constituency office rental, furniture and equipment purchases or rental and cost of telephone equipment. Furniture and equipment transferred to newly elected MP. Further C$1,000 (£478) for equipment each Parliament. Allowance for travel within the constituency of between C$1,050 (£502) and C$5,250 (£2,512) according to type of constituency.
DENMARK Folketing	184,349·96kr (£12,208), all taxable	General allowance of between 17,653·68kr (£1,169) and 52,043·16kr (£3,447) according to location of constituency.
FEDERAL GERMAN REPUBLIC Bundestag	DM90,000 (£20,979), all taxable	Secretarial allowance of up to DM67,200 (£15,664), which is taxable. No other allowances are taxable. Subsistence allowance of up to DM54,000 (£12,587). Constituency office allowance of up to DM18,000 (£4,196). Allowance of up to DM18,000 (£4,196) for cost of car in constituency.
FRANCE National Assembly	335,200Fr (£27,702), of which $^{9}/_{20}$ths (150,840Fr=£12,466) is regarded as an expense allowance free of tax.	$^{9}/_{20}$ths of salary (150,840Fr=£12,466) is regarded as expense allowance free of tax. Staff allowance of 171,540Fr (£14,177), plus allowance of 204,776Fr (£16,924) for research assistants.
GREECE Chamber of Deputies	1,809,000drs (£14,950), half of which 904,500dr (£1,418) is tax free, plus family allowance of 21,984drs (£182) for wife and 10,992drs (£91) for child, half of which is tax free.	Although half the salary is tax free, it is not regarded as an expense allowance. Allowance of 155,064drs (£1,282) for MPs in Athens and Piraeus and 232,596drs (£1,922) for other MPs to pay for office rental. Postal allowance of 72,000drs (£595) per annum.
ITALY Senate	L.42,720,000 (£17,508), all taxable.	Subsistence allowance of L.7,200,000 (£2,951) per annum. Taxi allowance of L.4,000,000 (£1,639) per annum.

Country	Salary	Allowances
Chamber of Deputies	Same as Senator.	Same as Senator.
LUXEMBOURG Chamber of Deputies	LF1,137,474 (£13,655) half of which is tax free, LF568,737 (£6,828).	Half the salary is tax free, LF568,737 (£6,828), and is regarded as an allowance for expenses. Allowance of LF12,000 (£144) per annum towards the cost of car insurance premium.
NETHERLANDS Second Chamber	Variable salary ranging from minimum of FL59,762 (£12,770) to FL93,881 (£20,060), according to income from outside occupations, all taxable.	General allowance ranging from FL12,814 (£2,938) to FL5,476 (£5,476) according to distance of home from The Hague; intended to cover subsistence, administrative costs, postal and telephone costs etc. Travel allowance of FL9,460 (£2,021) per annum.
REPUBLIC OF IRELAND Dail Eireann	IR£13,902 (£10,954), all taxable.	Subsistence allowance of IR£17·50 (£13·89) per night for sittings of Dail or committees for MPs 20 miles or more from Dublin; IR£10 (£7·94) for Dublin MPs.
UNITED STATES Senate	US$60,662·50 (£35,684), all taxable. In 1977 a limit on outside earnings equivalent to 15 per cent. of the member's salary was imposed but this was increased to 30 per cent. in December 1982. Compared with Senators, members of the House of Representatives do not add substantially to their income by means of outside earnings.	General allowance ranging from US$33,000 (£19,412) to US$143,000 (£84,118)—average of US$55,000 (£32,353) to cover travel, telephone costs, stationery, postage, constituent mailings and computer services. Varies according to population of state and distance from Washington. Staff allowance, varying according to population of state, ranging from US$621,054 (£365,326) to US$1,247,879 (£734,046) per annum. From January 1983 the general allowance was increased to between US$36,300 (£21,353) and US$157,300 (£92,529). The staff allowance also increased but precise details are not yet available.
House of Representatives	Same as Senator from December 1982, however, members of the House of Representatives will receive US$69,800 (£41,059)—the first time since 1796 that Senators and Congressmen have received different salaries.	General allowance to cover same expenses as for Senator, ranging from $47,300 (£27,824) to US$233,000 (£137,059)—average US$103,000 (£60,588). Varies according to population of district and distance from Washington. Staff allowance of US$352,536 (£207,374), same for all members. Up to US$15,000 (£8,824) may be transferred to general allowance. From January 1983 the general allowance was increased to US$52,000 (£30,588). The staff allowance was also increased but precise details are not yet available.

Note:
Throughout this table the figures in £s given in brackets are converted from local currencies at the rates of exchange prevailing in October 1982.

TRANSPORT

Bridges

Mr. Stephen Ross asked the Secretary of State for Transport whether the pilot study of bridges, to assess the probable cost of strengthening necessary for the heaviest lorries, is now complete; when a nationwide bridge survey will begin; and when he proposes that strengthening work should start.

Mrs. Chalker: The sample survey which is investigating the implications of applying the new assessment code to bridges owned by local authorities and the other major public bodies is expected to be completed by the end of 1985. No decisions regarding any ensuing nationwide bridge survey and strengthening programme will be made until the results are available and have been considered by the various bridge owners.

Lorry Weighbridges

Mr. Stephen Ross asked the Secretary of State for Transport whether weighbridge sites for checkweighing lorries are to be provided *(a)* on the M25 or *(b)* elsewhere on the motorway system.

Mrs. Chalker: Yes. A weighbridge enforcement site should be completed at the Leatherhead Interchange, M25, this year. It is hoped to provide one at the M20/M25/A20 interchange at Swanley, Kent, at a later date. Other motorway sites in operation are as follows:

M62 (junction 24)	—Ailney Top, Yorkshire
M62 A627 (M)	—Thornham, Lancashire
M5/A449	—Warndon, Warwickshire
M45/A45	—Dunchurch, Warwickshire
M6 (between junctions 13 and 14)	—Quinton, West Midlands
M1 (junction 18)	—Doxey, Staffordshire
M1 (near junction 20)	—Crick, Northamptonshire
M4 (junction 24)	—Lutterworth, Leicestershire
M4 (A46)	—Coldra, Gwent
M1 (junction 14)	—Tormerton, Avon
M11 (junction 7)	—Harlow, Essex
M9/A54	—Craigforth, Stirling

Additionally, the following motorway sites are in the forward programme:

M1 (junction 36)	—Tankersley, Yorkshire
M180/A18	—Ermine Street, Lincolnshire
M6 (junction 23)	—Robb Lane, Cheshire
M5/A373	—Sampford Perevell, Devon
M1	—Haigh Roundabout, Yorkshire
M61/A58	—Westhoughton, Lancashire
M50 (junction 4)	—Ross-on-Wye, Hereford

Traffic Examiners

Mr. Stephen Ross asked the Secretary of State for Transport what is the full complement of licensing authority traffic examiners; how many are currently in post; and how the complement compares with that of 1975.

Mrs. Chalker: The traffic examiner complement is 235 posts; currently, 225 officers are in post.

The 1975 complement is not readily available, but the complement in 1976 was 245 posts.

Car Parking

Mr. George Gardiner asked the Secretary of State for Transport when he intends to publish proposals concerning car parking on footways, verges or the central reservations of urban roads, or to make a commencement order under section 7 of the Road Traffic Act 1974.

Mrs. Chalker: I have at present no such proposals.

Ports

Mr. Meadowcroft asked the Secretary of State for Transport (1) if he will publish in the *Official Report* statistics of the ports used in the United Kingdom by export tonnages originating within Yorkshire and Humberside for the most recent available year;

(2) if he will publish in the *Official Report* statistics for the tonnages of exports originating in other regions and passing by road through Yorkshire and Humberside for the most recent available year, giving details of United Kingdom ports through which the tonnages were shipped;

(3) if he will publish in the *Official Report* statistics on the export tonnages using Hull and other Humberside ports for the most recently available year, giving origins by region and destinations by continent.

Mr. David Mitchell: The origin and destination of freight traffic through ports is not collected routinely. An origin and destination survey was however carried out in 1978 of international freight traffic, excluding fuel. Table 2b of the report of that survey, "Inland Origins and Destinations of UK International Trade 1978", a copy of which is in the Library, shows the ports used by goods originating in each region. The following table gives information from table 2b for Hull and the other Humber ports, and is expanded to show destination by continent.

Origin and destination of non-fuel exports through Humberside ports, 1978

Thousand Tonnes

	Destination					
	Europe	*Africa*	*Asia*	*Australasia*	*America*	*All countries*
Port—Hull—Origin						
North	142	9	13	5	1	170
Yorkshire and Humberside	323	37	31	1	20	412
East Midlands	65	18	17	1	1	102
East Anglia	3	2	5	—	—	9
Greater London	14	13	4	—	—	31
South East remainder	14	19	11	6	2	51
South West	11	2	2	—	1	17
West Midlands	66	10	19	1	—	96
North West	186	38	26	3	2	254
Wales	21	4	3	1	—	29
Scotland	98	12	13	—	1	124
Northern Ireland	5	3	—	—	—	9
Multiple origins	9	2	—	—	—	12
Not specified	14	4	3	—	1	23
Total United Kingdom	972	172	148	18	30	1,339
Port—Goole—Origin						
North	13	2	—	—	—	15
Yorkshire and Humberside	65	4	—	—	1	70
East Midlands	26	—	—	—	1	27
East Anglia	2	—	—	—	—	2
Greater London	2	—	—	—	—	2
South East remainder	2	—	—	—	—	2
South West	3	—	—	—	—	3
West Midlands	12	—	—	—	—	12
North West	24	3	—	—	—	26
Wales	9	—	—	—	—	9
Scotland	6	—	—	—	1	7
Northern Ireland	—	—	—	—	—	—
Multiple origins	43	2	—	—	—	44
Not specified	10	—	—	—	—	10
Total United Kingdom	216	11	—	—	3	230
Port—Scunthorpe—Origin						
North	2	—	—	—	2	3
Yorkshire and Humberside	364	1	4	—	12	380
East Midlands	27	—	—	—	—	27
East Anglia	—	—	—	—	—	—
Greater London	—	—	—	—	—	—
South East remainder	—	—	—	—	—	—
South West	—	—	—	—	—	—
West Midlands	9	—	—	—	2	11
North West	8	—	—	—	—	8
Wales	1	—	—	—	—	1
Scotland	—	—	—	—	—	—
Northern Ireland	—	—	—	—	—	—
Multiple origins	245	1	—	—	—	246
Not specified	21	—	—	—	—	21
Total United Kingdom	677	2	4	—	15	696

	Destination					
	Europe	*Africa*	*Asia*	*Australasia*	*America*	*All countries*
Port—Grimsby—Origin						
North	6	—	—	—	—	6
Yorkshire and Humberside	56	2	6	—	1	65
East Midlands	26	1	7	—	—	35
East Anglia	2	—	—	—	—	2
Greater London	1	—	—	—	—	1
South East remainder	4	—	1	—	—	5
South West	1	—	—	—	—	2
West Midlands	24	—	—	—	—	24
North West	44	—	1	—	—	45
Wales	9	—	—	—	—	9
Scotland	6	—	—	—	—	6
Northern Ireland	2	—	—	—	—	2
Multiple origins	2	2	1	—	—	4
Not specified	5	—	—	—	—	5
Total United Kingdom	188	6	15	—	2	210
Port—Immingham—Origin						
North	21	1	15	—	2	39
Yorkshire and Humberside	299	66	217	—	128	709
East Midlands	91	14	16	—	—	120
East Anglia	7	1	5	—	—	12
Greater London	1	2	1	—	—	5
South East remainder	7	6	6	—	1	20
South West	16	5	2	—	—	22
West Midlands	45	2	31	—	3	81
North West	90	7	15	—	2	115
Wales	2	2	3	—	4	10
Scotland	13	10	2	—	2	28
Northern Ireland	—	—	—	—	—	—
Multiple origins	42	—	14	—	—	55
Not specified	35	2	1	—	—	38
Total United Kingdom	670	117	327	—	142	1,255

Details of road routes were not collected, but table 21 of the report provides some indication of the volume of exports which may have passed through Yorkshire and Humberside.

Mr. Meadowcroft asked the Secretary of State for Transport if he will publish in the *Official Report* statistics on the export tonnages handled *(a)* by the port of Hull, *(b)* by other Humberside ports and *(c)* by the 10 main British ports for each of the last 10 years.

Mr. David Mitchell: Export tonnages for 1974 to 1983, given in the table, are based on regular returns from port authorities and operators. The 10 "main" ports are here selected as those with the highest export tonnage in 1983. For most of these ports, the chief export is oil.

Export Tonnages Through Selected Ports

Thousand Tonnes

	Hull	**Other Humber*	*London*	*Dover*	*Southampton*	*Milford Haven*
1974	1,392	3,924	5,972	1,104	2,565	7,104
1975	1,436	4,700	5,758	1,248	2,573	5,499
1976	1,447	4,605	5,864	1,574	3,396	5,787
1977	1,487	5,806	7,309	1,967	2,645	4,293
1978	1,439	6,631	7,121	2,175	2,576	5,131
1979	1,224	6,459	6,318	2,393	2,652	5,364
1980	1,700	6,826	6,477	2,595	2,507	6,791
1981	1,931	10,046	6,152	2,569	1,909	5,022
1982	1,944	10,275	4,635	2,866	2,547	4,318
1983	1,557	10,507	5,056	3,061	3,827	4,125

* Comprises Ports of Grimsby and Immingham, Goole and Wharves on the Riverhouse, Trent and Hull and Humber

Export Tonnages Through Selected Ports

Thousand Tonnes

	Orkney	*Sullom Voe*	*Forth*	*Tees & Harlepool*	*Grimsby & Immingham*	*Felixstowe*
1974	—	—	1,468	2,590	2,231	1,197
1975	—	—	1,141	3,489	3,205	1,449
1976	—	—	4,226	11,852	3,533	1,625
1977	4,015	—	13,831	13,070	4,732	1,787

	Orkney	Sullom Voe	Forth	Tees & Harlepool	Grimsby & Immingham	Felixstowe
1978	5,827	18,398	15,586	5,317	2,003	
1979	9,973	13,356	17,274	18,497	5,263	2,753
1980	7,345	16,305	16,305	16,865	23,074	5,456
1981	8,102	27,119	14,359	18,638	8,561	2,661
1982	7,678	34,948	15,965	16,965	16,572	8,643
1983	10,319	39,157	15,942	14,811	8,939	3,461

HGV Driving Tests

Mr. Waller asked the Secretary of State for Transport how many heavy goods vehicle driving tests have been cancelled or postponed since 1 January at the Steeton heavy goods vehicle driving test centre *(a)* because no examiner was available or *(b)* because of weather conditions; and if he will make a statement.

Mrs. Chalker: Since 1 January, 12 heavy goods vehicle driving test appointments at the Steeton centre have been cancelled because of weather conditions, and eight by candidates themselves. Seven have been cancelled because no examiner was available. Over the same period four HGV test periods were not taken up.

747 Aircraft (Safety Exits)

Mrs. Dunwoody asked the Secretary of State for Transport if the Civil Aviation Authority will reconsider its assessment of British Airways' proposal to reduce the number of safety exits from 747s by two, in the light of the report by the United States National Transport Safety Board's view, that elimination of the mid-fuselage escape doors creates a serious risk that evacuation will not take place in an even manner and could significantly reduce the safety of the aircraft.

Mr. Ridley: The CAA informs me that when it granted the certificate of airworthiness for the Boeing 747 with five main emergency exits per side, it met its requirement that a full load of passengers should be evacuated in not more than 90 seconds, using only half the total number of exits. The aircraft with currently approved United Kingdom seating layouts, including the small increase requested by British Airways, also meets the requirement without the centre doors. Thus evacuation through the smaller number of exits can still be completed within the period specified for passenger aircraft in general, and there is no regulatory ground for refusing approval.

Fuel Flasks

Mr. Tony Banks asked the Secretary of State for Transport if there have been any contaminated leakages during the past five years from the Central Electricity Generating Board's irradiated fuel flasks.

Mr. David Mitchell: No. There has been no such incident.

Written Answers to Questions

Thursday 23 May 1985

CIVIL SERVICE

Recruitment Schemes (Surveys)

Mr. Janner asked the Minister for the Civil Service whether the Government have completed the evaluation of the surveys of the ethnic origins of applicants in Civil Service recruitment schemes held in the north-west and the county of Avon; and if he will make a statement.

Mr. Hayhoe: A report on the surveys is being published today. Copies have been placed in the Library. The surveys covered non-industrial recruitment during March to August 1984. A high response rate was achieved. The proportion of respondents classifying themselves as being of ethnic minority origin was, overall, close to the estimated proportion in the working population as a whole, but was lower for those in the younger age range. Because of the small numbers involved, it was not possible to draw firm conclusions from the results.

Building on this experience, a comprehensive 12-month survey of executive officer recruitment will be conducted nationally, starting at the end of this year; there will be a continuing programme of sample surveys in the main areas of departmental recruitment; and there will be a service-wide study to follow the long term progress of staff who enter some of the main recruitment grades during 1986. In addition, ways will be explored of giving further encouragement to ethnic minority school leavers, in particular, to apply for Civil Service posts.

ATTORNEY-GENERAL

Child Prostitutes (Contraceptives)

Mr. Dickens asked the Attorney-General on how many occasions in each of the last five years the Director of Public Prosecutions has instituted or taken over proceedings against a doctor who has issued a contraceptive to a child prostitute for either aiding and abetting the procurement of a child for immoral purposes or for enticement; and if he will make a statement.

The Solicitor-General: Records maintained by the Director of Public Prosecutions relate to categories of offence which are not further classified so as to permit identification of cases the facts of which correspond with those specified in the Question. But so far as can be ascertained, the Director of Public Prosecutions has not been responsible for any prosecution of this nature in the past five years.

Solicitor Schemes

Mrs. Renée Short asked the Attorney-General in which regions of the United Kingdom experiments in 24-hour duty solicitor schemes have taken place at police stations.

The Attorney-General: Experimental 24-hour duty solicitor schemes have taken place at police stations in Birmingham and Northamptonshire as part of the Law Society's planning for a national scheme.

TRADE AND INDUSTRY

Women in Business

Mrs. Rumbold asked the Secretary of State for Trade and Industry what information he has as to the number of women chief executives and general managers who are running high technology or related businesses in England and Wales.

Mr. Butcher: The information requested is not available.

Mrs. Rumbold asked the Secretary of State for Trade and Industry what information he has as to the percentage of women employed in industry and business management at each level compared with overall management structure in industry.

Mr. Butcher: Estimates from the 1983 labour force survey indicate that 7 per cent. of employed women in Great Britain were employers and managers. The comparable figure for the employed population as a whole was 13 per cent. and for employed men 17 per cent.

Mrs. Rumbold asked the Secretary of State for Trade and Industry what information he has as to the percentage of new businesses started up with women as the principals in the past year.

Mr. Butcher: I regret that the information requested could not be provided except at disproportionate cost.

Pirate Radio

Mr. Pendry asked the Secretary of State for Trade and Industry if he will give an estimate of the date by which he expects to have eliminated pirate radio broadcasting within the United Kingdom either as a result of steps currently being taken to enforce the law, or as a result of additional new measures to be introduced; and if he will make a statement.

Mr. Butcher: I cannot estimate when unlicensed broadcasting will be eliminated since the individual broadcaster, not I, takes the decision on whether to broadcast. What I can ensure is that breaking the law in this way is subject to rapid enforcement action and financially is never worthwhile. Since the start of 1985 the Department's radio investigation service has taken action on 76 occasions against 42 unlicensed broadcasting stations. In the same period, 48 people have been prosecuted and convicted for their involvement in the operation of unlicensed stations.

Small Firms Loan Guarantee Scheme

Mr. Bellingham asked the Secretary of State for Trade and Industry if any additional lenders can now offer facilities under the small firms loan guarantee scheme arrangements.

Mr. Trippier: I am now in a position to announce that the Trustee Savings Bank has been added to the list of participating banks and financial institutions which are able to offer facilities under the loan guarantee arrangements.

Satellite Master Antenna Television Systems

Mr. Tim Smith asked the Secretary of State for Trade and Industry what is the Government's policy towards the licensing of satellite master antenna television systems for the reception of programme services from low-powered satellites.

Mr. Pattie: My right hon. Friend, the Home Secretary and I have received considerable numbers of representations from cable operators, programme providers and equipment manufacturers in support of the liberalisation of satellite master antenna television systems. We have considered these representations at length particularly because of their implications for wideband cable systems and direct broadcasting by satellite.

We have now concluded that, subject to certain safeguards, some relaxation in the licensing of SMATV and other cable diffusion systems can be permitted. Systems which serve more than one dwelling house or single set of premises will require licences under the Cable and Broadcasting Telecommunications and Wireless Telegraphy Acts and the Cable Authority will be charged with the task of determining whether the licensing of a particular system is consistent with its primary duty of promoting wideband cable systems. For this reason these licences will be restricted in certain cases; the terms of such licences will be shorter; and the operator will be expected to give way in due course to any operator who is granted a wideband franchise by the Cable Authority covering the area in question. The "must carry" rule, involving an obligation to carry DBS and broadcast services, will apply. These principles are elaborated in a detailed guidance note which the Cable Authority is issuing today. All those wishing to operate SMATV and other cable diffusion systems, even if the particular system is confined to a single set of premises, should obtain a copy of that note.

We have further decided that direct reception of low-powered satellite services on a single set of premises may also be permitted. Such reception will require a licence under the Wireless Telegraphy Act, but this licence will not carry with it any guarantee that services will be able to be received without interference. Because of this, and the likely size and relatively high cost of a dish currently needed to receive these services, it seems unlikely that this facility will be taken up in the short term by many members of the general public, although some commercial organisations may wish to do so.

Moreover, all those wishing to operate SMATV and other cable diffusion systems should note that, in most circumstances, dishes also require planning permission at present. The Government published proposals in 1984 to amend the general development order to take account of a wide range of recent developments in the telecommunications field; but these changes have not yet been introduced and are unlikely to reduce controls on dishes of the size currently required for low-powered satellite reception.

The low-powered satellite services originating in the United Kingdom at present are primarily intended to be retransmitted by cable systems operating in the United Kingdom, so their content is regulated by the Cable Authority. We expect this pattern to continue. If future services should develop in this country which are intended exclusively for direct reception in the United Kingdom and clearly demonstrate the need for additional regulatory powers, the Government will consider what steps might be necessary to provide the appropriate regulation.

The Government are satisfied that these steps will provide a welcome boost to the cable industry and represent a significant opportunity, both domestically and eventually internationally, for our equipment and programme service industries.

Life Insurance Contracts (Traded Options)

Mr. Hayes asked the Secretary of State for Trade and Industry if he will seek to amend the insurance companies regulations to clarify whether options traded on the stock exchange are a permitted link for life insurance contracts.

Mr. Fletcher: Whilst it is my understanding that the insurance companies regulations do not make options traded on the Stock Exchange a permitted link, interpretation of the regulations on this point has given rise to some difficulty. I therefore intend to take an early opportunity to amend the regulations so as to put beyond doubt that traded options are not permitted links. Further consideration will be given to the suitability of traded options and other assets as permitted links within the new regulatory regime proposed in the White Paper on financial services.

OVERSEAS DEVELOPMENT

UNESCO

Mr. Tom Clarke asked the Secretary of State for Foreign and Commonwealth Affairs what progress has been made in relation to Britain's membership of the United Nations Educational, Scientific and Cultural Organisation; and if he will make a statement.

Mr. Raison: We will make a final review of our membership of UNESCO towards the end of 1985 after the general conference. Until then we shall continue in consultation with other member states, to pursue vigorously the reforms set out in my letters of 2 April and 4 July 1984 and that of my right hon. and learned Friend of 5 December 1984 to the Director-General of UNESCO.

SCOTLAND

Tayside Health Board (Finance)

Mr. Wilson asked the Secretary of State for Scotland if he will give in percentage terms the element of growth finance given to Tayside health board in each of the last 10 years.

Mr. John MacKay: In the years 1974-75 to 1977-78, resources were made available to health boards on the basis of the sums required to meet the cost of existing services and to fund approved new developments. Arrangements were introduced in 1978-79 — Scottish health auhority revenue equalisation formula — with a view to achieving a more equitable distribution of available resources among boards. Since then Tayside health board, which is the best funded board in Scotland in SHARE terms, has received annual increases in financial allocations intended to meet only expected increases in pay and prices.

Forth and Clyde Canal

Mr. Craigen asked the Secretary of State for Scotland (1) if he will make a statement on the extent of his Department's involvement in the promotion of the Forth and Clyde canal for leisure, recreation and amenity purposes;

(2) what consideration he has given to district council local plans within the Strathclyde region and Central region in respect of the Forth and Clyde canal.

Mr. Younger: My Department has not been involved directly in the promotion of the Forth and Clyde canal for leisure, recreation and amenity purposes. I am, however, aware that a number of local authorities, including Strathclyde regional council and Falkirk district council, and other bodies are at present involved in the preparation of a local plan dealing specifically with recreational, amenity and commercial uses which might be expected to develop on the canal. I understand that the authorities and bodies involved have agreed that the processing of the plan through its statutory stages should be the responsibility of Strathclyde regional council and Falkirk district council. Although my Department has been keeping abreast of progress on its preparation, the plan will not be formally submitted to me until such time as it has been finalised and an opportunity has been given to interested parties to make representations on its provisions. I am informed that the plan is not likely to reach that stage before the autumn of this year.

Mr. Craigen asked the Secretary of State for Scotland what assistance the Scottish Development Agency is providing in the development of amenity, leisure and recreational usage of the Forth and Clyde canal.

Mr. Allan Stewart: By way of land renewal schemes designed to bring about an overall environmental improvement to the canal, the agency has spent some £1·25 million. In the current financial year two further land renewal projects totalling £110,000 are planned. In addition, as a member of a working group led by the British Waterways Board, the agency will be contributing to the cost of a study of the development potential of the canal.

Education (Provision and Standards)

Mr. McQuarrie asked the Secretary of State for Scotland what has been the change in the levels of *(a)* provision and *(b)* standards in education in the years 1979 to 1985; and if he will make a statement.

Mr. Allan Stewart: Between 1979-80 and 1984-85, the provision made for education in the rate support grant settlements increased in real terms by 5·1 per cent. per pupil. In making this level of provision, the Government's aim has been to maintain standards and effect improvements in appropriate areas.

Schoolchildren (Behaviour)

Mr. McQuarrie asked the Secretary of State for Scotland if he has any plans to seek to make parents responsible for their children's behaviour at school such as a system of fines; and if he will make a statement.

Mr. Allan Stewart: I believe that the regulations governing exclusion from school are adequate to ensure the early involvement of parents when problems arise over their children's behaviour at school. Moreover, there is provision in existing legislation for the prosecution of a parent whose child fails to attend school regularly without reasonable excuse, notwithstanding that the child may have been required to discontinue his attendance at school for disciplinary reasons. I do not consider that it would be possible to make it an offence for a parent to fail to ensure that his child complies with school rules, since to define the offence adequately one would have to impose an undesirable uniformity on the disciplinary policies of individual schools.

Corporal Punishment

Mr. McQuarrie asked the Secretary of State for Scotland how many education authorities in Scotland have now banned corporal punishment in schools; what representations he has received about the consequences; and if he will make a statement.

Mr. Allan Stewart: Of the 12 education authorities in Scotland, six have completed the process of abolition and two others expect to do so by the end of this school session. Of the remainder, three authorities have abolished corporal punishment in all but secondary schools and only one authority has decided to retain corporal punishment in both the primary and secondary sector.

Such representations as I have received in this matter relate mainly to the effectiveness of the alternative sanctions, particularly the time spent in their administration.

Aluminium Mobilisation (Report)

Mr. Ron Davies asked the Secretary of State for Scotland what plans there are to publish the results of the research on aluminium mobilisation, commissioned by the Forestry Commission and the Department of the Environment with the Macaulay Institute of Soil Research, Aberdeen; what results the Foresty Commission has obtained in analysing the aluminium content of certain stands of stichless spruce growing in the south Wales coalfield; and if he will give the location of each study.

Mr. John MacKay: The research by the Macaulay Institute, the field part of which is being carried out at Loch Fleet in Galloway and Fetteresso in Grampian region, is only in its second year and results are not yet available. The Forestry Commission's work on sitka spruce is taking place in the Afan forest district, south Wales, and the indications so far are that the poor growth in some stands is due to a combination of climatic stress and infestation by green spruce aphis, rather than to aluminium toxicity.

Yew Trees (Research)

Mr. Ron Davies asked the Secretary of State for Scotland what estimates the Forestry Commission has made or plans to make, of *(a)* crown thinning, *(b)* pollution damage, *(c)* symptoms of decline and *(d)* other diseases, in yew trees, in the United Kingdom and abroad.

Mr. John MacKay: The Forestry commission has no plans for a systematic survey of the state of health of this species. The Commission's research division investigates reports of damage and disease in yew in the same way as it does for other tree species.

Acid Rain

Mr. Ron Davies asked the Secretary of State for Scotland what studies the Forestry Commission has made of forest decline and acid rain damage to trees in other countries.

Mr. John MacKay: The Forestry Commission keeps closely in touch with the situation in Europe and North America, and its scientists have made several visits to West Germany to study the problem. A Forestry Commission scientist, together with others from Britain, took part earlier this month in an advanced research workshop in Canada on the effects of acid deposition on forests, wetlands and agricultural ecosystems.

Ash Die-back

Mr. Ron Davies asked the Secretary of State for Scotland what estimates the Forestry Commission has made of the level of ash die-back in each of the counties of England, Scotland and Wales.

Mr. John MacKay: No estimates have been made by the Forestry Commission of the level of ash die-back on a national scale by counties.

The incidence of this condition in woodlands is minimal. It is, however, more significant in non-woodland trees and appears to be related to the intensity of agricultural activity, particularly in areas of arable farming. The census of woodlands and trees carried out by the Forestry Commission between 1979 and 1982, on a county basis in England and Wales and a Forestry Commission Conservancy basis in Scotland, provides some information on the health of non-woodland ash trees, but this does not differentiate between ash die-back and other causes of poor health, such as old age.

Rating Revaluation

Mr. Dixon asked the Secretary of State for Scotland what assessment has been made of the alteration caused by the Scottish rating revaluation to the competitive position of industry in Scotland compared with industry in other parts of the United Kingdom.

Mr. Ancram: We estimate that the general revaluation of all property in Scotland, taken together with the reduction in industrial derating from 50 per cent. to 40 per cent. both effective from 1 April 1985, leave the competitive position of Scottish manufacturing industry unchanged by comparison with England and Wales.

Coatbridge Project

Mr. Tom Clarke asked the Secretary of State for Scotland how many jobs he expects to become available arising from Scottish Development Agency involvement in the Coatbridge project.

Mr. Allan Stewart: The agency estimates that some 950 jobs have to date been created or safeguarded by the project. It is hoped that by the end of the project this figure will have risen to 1,500.

Heart Disease

Mr. Tom Clarke asked the Secretary of State for Scotland what figures are available about the numbers of persons suffering from heart disease in the Monklands/Cumbernauld district hospital area; and what comparisons are available at district, national and international level.

Mr. John MacKay: The number of patients suffering from heart disease and ischaemic heart disease who were discharged from hospital during 1983 in these areas were as follows:

	Numbers
(a) Monklands/Cumbernauld health district area	1,368
(b) Lanarkshire Health Board area	5,170
(c) Scotland	50,238

Comparable statistics about discharges from hospitals in other countries are not available.

Monklands District Hospital

Mr. Tom Clarke asked the Secretary of State for Scotland when the extension to the accident and emergency unit of Monklands district hospital is expected to be completed.

Mr. John MacKay: Detailed costing of the scheme to alter and extend the accident and emergency department at Monklands district general hospital are at present under discussion. Lanarkshire health board expects a start on site in late autumn 1985, with the construction period lasting some 18 months.

Mr. Tom Clarke asked the Secretary of State for Scotland what is the total number of personnel employed in Monklands district hospital compared with 1977.

Mr. John MacKay: At September 1984, 1,393·8 staff, whole time equivalent, were employed at Monklands district general hospital. The comparable figure for September 1977 was 900 staff WTE.

Mr. Tom Clarke asked the Secretary of State for Scotland how many patients were admitted to Monklands district general hospital in 1984 compared with 1977.

Mr. John MacKay: In the twelve months to 30 September 1984, Monklands district general hospital had 19,447 in-patients, compared to 12,305 for the year to September 1978, the first full year for which data are available following commissioning of the hospital in 1977.

Note: The figures quoted are for deaths, discharges and transfers to other hospitals.

Mr. Tom Clarke asked the Secretary of State for Scotland how many private patients have been admitted to Monklands district hospital; and in which departments.

Mr. John MacKay: Monklands district hospital is not authorised to treat private patients.

Police Forces (Strengths)

Mr. Henderson asked the Secretary of State for Scotland what is the actual strength of each of the Scottish police forces, and in total at the latest date for which figures are available; and how these figures compare with the comparable month in 1979.

Mr. Ancram: The information requested is set out in the following table:

Force	Actual Strength at 31 March 1979	Actual Strength at 31 March 1985	Percentage Increase
Central Scotland Police	477	548	14·9
Dumfries and Galloway Constabulary	298	309	3·7
Fife Constabulary	639	659	3·1
Grampian Police	903	954	5·6
Lothian and Borders Police	2,236	2,386	6·7
Northern Constabulary	595	604	1·5
Strathclyde Police	6,599	6,778	2·7
Tayside Police	928	951	2·5
TOTAL	12,675	13,189	4·1

The figures include officers who are employed at ports, airports and oil-related industrial sites and whose costs are not borne entirely by police authorities. Also included are officers on national training courses and those seconded to central service posts.

Assisted Places Scheme

Mrs. McCurley asked the Secretary of State for Scotland if he has decided the amount of fee remission grant to allocate to schools participating in the assisted places scheme in respect of session 1985-86.

Mr. Younger: The allocations of fee remission grant for 1985-86 are shown in the table below. As in 1984-85, forty-two schools will participate.

School	£
Dollar Academy	68,000
Kilquhanity House	26,000
St. Leonard's	40,000
Albyn School for Girls	14,000
Robert Gordon's College	60,000
Gordonstoun	59,000
St. Margaret's School for Girls, Aberdeen	18,000
Fort Augustus Abbey	95,000
Merchant Company Schools	750,000
Edinburgh Academy	66,000
Fettes	67,000
George Heriot's	275,000
Loretto	58,000
Merchison Castle	106,000
Rudolf Steiner	72,000
St. Denis and Cranley	32,000
St. George's	24,000
St. Margaret's Convent	15,000
St. Margaret's (Newington)	74,000
Belmont House	13,000
Craigholme	44,000
Glasgow Academy	58,000
High School of Glasgow	75,000
Hutchesons' Grammar	156,000
Keil	97,000
Kelvinside Academy	59,000
West of Scotland School Company	338,000
Lomond	62,000
St. Aloysius' College	140,000
Wellington	43,000
Convent of the Sacred Heart	58,000
High School of Dundee	195,000
Morrison's Academy	200,000
Rannoch	52,000
Strathallan	76,000
Glenalmond College	103,000
TOTAL	3,720,000

Boundary Commission

Mrs. McCurley asked the Secretary of State for Scotland if he has made any changes in the composition of the Boundary Commission for Scotland; and if he will make a statement.

Mr. Younger: The members of the Boundary Commission for Scotland are—

Mr. Speaker, *ex officio*, Chairman.

The Honourable Lord Ross, Deputy Chairman—appointed by the Lord President of the Court of Session on 14 January 1977 and re-appointed from 1 January 1985.

Professor Urlan A. Wannop—appointed by the Secretary of State for Scotland on 6 June 1983 and re-appointed from 1 January 1985.

Mr. Adam R. Napier—appointed by the Secretary of State for Scotland on 2 May 1985.

The appointed members' term of office expires on 31 December 1988.

NORTHERN IRELAND

Mentally Handicapped People

Mr. Kilfedder asked the Secretary of State for Northern Ireland what future help he intends to provide for the mentally handicapped in the North Down and Ards area.

Mr. Chris Patten: The Department of Health and Social Services is funding a 25-place extension to Ravara adult training centre, Bangor. The scheme is expected to be completed in the summer of 1986. In addition, a statutory residential home providing three places for mentally handicapped adults is expected to open later this year.

It is too early to say anything about the practical consequences in terms of service provision for North Down and Ards of the decision to transfer responsibility for the education of mentally handicapped children to the Department of Education and the Education and Library Boards.

Funds are being made available by the Department of Environment to Nih Housing Association Limited to provide, in conjunction with MENCAP, a 12-place hostel at Princetown road, Bangor, which is due to be completed shortly. Proposals from the association for an extension to its existing scheme at Bloomfield road, Bangor, which is managed jointly with the CROFT community, are currently under consideration.

Radioactive Waste

Mr. Frank Cook asked the Secretary of State for Northern Ireland by what means he ensures that the

licensed limits for activity and quantity of radioactive waste disposed of to air, land or water are adhered to in Northern Ireland.

Mr. Chris Patten: Disposals of radioactive waste are subject to controls under the Radioactive Substances Act 1960. The certificates of authorisation issued under it contain limitations and conditions designed to ensure that the effects of disposal are regulated in accordance with the internationally recommended standards of radiological safety. Officers appointed under the terms of the 1960 Act visit premises to check that conditions of authorisation are being complied with.

Hearing Aids

Mr. Andrew Bowden asked the Secretary of State for Northern Ireland how many outpatients in Northern Ireland are waiting to have a hearing aid fitted or exchanged; and what is the average waiting time.

Mr. Chris Patten: At 31 December 1984, the latest date for which figures are available, the total number for whom an appointment had been made or who were on the waiting list for the fitting of an aid, including replacements, was 742.

A recent departmental survey indicates that, in general, aids are issued within seven weeks of the first appointment with a consultant.

Personation

Mr. Peter Bruinvels asked the Secretary of State for Northern Ireland how many people were charged with vote stealing or personation during the recent council elections.

Mr. Scott: One.

Ross Lough (Drainage)

Mr. Archer asked the Secretary of State for Northern Ireland what consultations there have been between Northern Ireland Government Departments and the owner of the land concerned, about drainage works at Ross Lough, Lisnaskea, County Fermanagh; and if he will now take steps to protect the wildlife at this site.

Mr. Chris Patten: There have been recent consultations about these works between the Department of Agriculture for Northern Ireland and the Department of the Environment for Northern Ireland and the landowner concerned. It has been agreed that there is no reason for the works in question to stop.

Ross Lough was declared an area of scientific interest under the Amenity Lands Act (Northern Ireland) 1965 and this declaration remains valid under the terms of the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985, which came into operation on 14 April 1985. All Areas of Scientific Interest are being re-evaluated with a view to formal re-declaration as areas of special scientific interest under the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985. The Wildlife (Northern Ireland) Order 1985 which came into operation on 15 April 1985 also provides protection for wildlife.

Homes (Dampness)

Mr. Clifford Forsythe asked the Secretary of State for Northern Ireland how many homes administered by the Northern Ireland Housing Executive have been reported as suffering from dampness; and what methods are used to ascertain whether this dampness is attributable to bad design, condensation or disrepair.

Mr. Chris Patten [*pursuant to his reply*, 14 May 1985, c. *96-97*]: This is a matter for the chairman of the Housing Executive, who has advised me that information about the number of dwellings is not readily available and could only be obtained at disproportionate cost. Any reported dampness is inspected by a member of the Housing Executive technical staff in order to determine the cause, which is seldom attributable to any one factor.

DEFENCE

Cruise Missiles

Mr. Deakins asked the Secretary of State for Defence if regular checks of the electronic equipment on cruise missiles are undertaken, especially after each lorry journey outside the base.

Mr. Stanley: Regular checks are made to ensure the continuing efficiency and reliability of ground-launched cruise missiles.

Mr. Deakins asked the Secretary of State for Defence what technical evaluation there has been of the operating characteristics of cruise missiles based in the United Kingdom; if he is satisfied with the results of such evaluation; and if he will make a statement.

Mr. Stanley: These missiles have been subject to an extensive flight testing, and test and evaluation programme in the United States. The overall flight testing of the ground launched cruise missile has been satisfactory. Some details were given in the answer I gave to the hon. Member for Houghton and Washington (Mr. Boyes) on 30 January 1984, column *33*.

Defence Contractors

Mr. Willie W. Hamilton asked the Secretary of State for Defence if he is satisfied with current methods of controlling the profits of defence contractors; and if he will make a statement.

Mr. Butler: Yes, Sir. It is MOD policy to place contracts following competition whenever possible, since we believe that effective competition is the best method of ensuring that the MOD secures best value for money. Under the 1968 agreement between the Government and industry, the profit paid on non-competitive Government contracts is determined according to a profit formula which is subject to triennial general reviews and, from 1984, intermediate annual reviews, by an independent review board. Following consultation with industry, the implementation of its recommendations is a matter for the Government. My right hon. and learned Friend the Chief Secretary announced on 30 April—columns 97 and 98—the outcome of the first annual review by the review board, and I provided further details in my reply of 16 May—columns 207-8—to my hon. Friend the Member for Mid-Worcestershire (Mr. Forth).

The 1968 agreement provides also for equality of information between the parties up to the time the price is fixed and for post-costing to establish the actual cost of a contract. Post-costing acts as a check on the MOD's

pricing procedures, assists in the pricing for follow-on contracts and enables adjustments to be made to any price which was agreed on the basis of materially inaccurate or incomplete information.

European Fighter Aircraft

Sir Patrick Wall asked the Secretary of State for Defence what progress was made over the development of the European fighter aircraft during his talks on 15 May with his European colleagues.

Mr. Robert Atkins asked the Secretary of State for Defence if he will make a statement on the results of his discussions in Rome about the European fighter aircraft.

Mr. Butler [*pursuant to the reply*, 17 May 1985, c. 265]: Defence Ministers, including my right hon. Friend the Secretary of State for Defence and I, met in Rome on Thursday 16 May to discuss the European fighter aircraft project.

Progress was made by the potential partner nations, in particular in defining more closely the in service weight and engine thrust of the aircraft. It was agreed that the industries of the five nations should work closely together to take this work forward and report to Ministers ahead of their meeting in London next month.

However, there remains a good deal yet to be done before it will be possible to enter project definition on a collaborative programme.

Nuclear Weapons

Mr. Frank Cook asked the Secretary of State for Defence if he will publish a list of the nuclear weapons tests conducted by or for the United Kingdom at the Nevada test site in the United States of America or jointly conducted by or for the United Kingdom and United States of America at the Nevada site; if he will give code names and dates for these tests, and whether these were above ground or underground.

Mr. Butler: The United Kingdom, jointly with the United States of America, has conducted 17 nuclear test explosions at the Nevada test site; all tests were conducted underground. A list of the tests, detailing the event name, date and yield range is as follows:

Joint UK/US Underground Nuclear Tests conducted at the Nevada Test Site

Event	*Date*	*Yield (kT. = kilotons)*
Pampas	1 March 1962	low (less than 20 kT)
Tendrac	7 December 1962	low (less than 20 kT)
Cormorant	17 July 1964	low (less than 20 kT)
Charcoal	10 September 1965	20-200 kT
Fallon	23 May 1974	20-200 kT
Banon	26 August 1976	20-150 kT
Fondutta	11 April 1978	20-150 kT
Quargel	18 November 1978	20-150 kT
Nessel	29 August 1979	20-150 kT
Colwick	26 April 1980	20-150 kT
Dutchess	24 October 1980	low (less than 20 kT)
Serpa	17 December 1980	20-150 kT
Rousanne	12 November 1981	20-150 kT
Gibne	25 April 1982	20-150 kT
Armada	22 April 1983	low (less than 20 kT)
Mundo	11 May 1984	20-150 kT
Egmont	9 December 1984	20-150 kT

Falkland Islands

Mr. Foulkes asked the Secretary of State for Defence whether any contribution towards the cost of expenditure on the Falkland Islands has been made by foreign Governments or organisations.

Mr. Stanley: There has been no contribution by a foreign Government or organisation to defence expenditure on the Falkland Islands.

Log Books and Signals

Mr. Dalyell asked the Secretary of State for Defence if he will publish in the *Official Report* his letter dated 20 May to the hon. Member for Linlithgow about log books and signals of HMS Superb, HMS Warspite, HMS Courageous and HMS Splendid.

Mr. Heseltine: Yes. It is as follows:

Dear Tam

On 4th April, I said that I would write to you about the log books and signals of HMS Superb, HMS Warspite and HMS Courageous. Can I at the same time deal with your outstanding enquiry about HMS Splendid's signals log (Hansard Vol. 68, column 335) on which, due to an oversight, you were not told that we would be replying by letter.

As I told the House on 15th November, signals logs are not retained permanently: HMS Splendid's signals log for the Falklands Campaign was destroyed on 2nd October 1982 in accordance with standing instructions.

I assume that your questions about HMS Submarines Superb, Warspite and Courageous relate to your allegation, reported in The Times on 3rd April, that they were protecting a Polaris submarine in the South Atlantic. In fact, of the three submarines, only HMS Courageous was involved in the conflict (as stated in both the Falklands White Paper and Admiral Fieldhouse's Despatch). As the Prime Minister told George Foulkes (in her letter of 19th September 1984 which was published in Hansard on 22nd October), there was no change in the standard deployment pattern of our Polaris submarines during the conflict; moreover, the Government gave a categorical assurance at the time that nuclear weapons would not be used in the Falklands conflict.

As to the logs of these submarines, I can confirm that my Department has in its possession the control room logs covering the period of the Falklands Campaign for Superb, Warspite and Courageous. I have given careful consideration to providing the information on signals logs which you requested and which overlapped a request from George Foulkes for similar information concerning all naval vessels which participated in

the Falklands Campaign. I have concluded that no useful purpose would be served in checking whether each has destroyed its signals in accordance with standing instructions.

Yours ever,
Michael

RAF Trainer Aircraft

Sir Patrick Wall asked the Secretary of State for Defence, pursuant to the answer of 8 May to the hon. Member for Kingston upon Hull, North (Mr. McNamara) *Official Report*, column *386*, if he will make a further statement on the exchange of telephone calls between the commercial director of British Aerospace and the principal director of contracts (air) on 13 March concerning the new trainer aircraft for the Royal Air Force.

Mr. Butler: I am aware that the group commercial director of British Aerospace, Mr. Alan Smith, denies that in the telephone call made to him by the Ministry of Defence's Principal Director of Contracts (Air) on 13 March, he was told that an end point of midday on 14 March had been set for improved offers in respect of the new trainer aircraft for the Royal Air Force.

The Government regret that such a misunderstanding should have arisen. This matter has been fully discussed in a debriefing given to British Aerospace by the Ministry of Defence on the competition. While each side maintains its position on what was said during the telephone call, both now regard the matter as closed.

HOUSE OF COMMONS

Parliamentary Questions

Mr. Peter Bruinvels asked the Lord Privy Seal what has been the daily average of starred and unstarred questions for such of the last 10 parliamentary sessions as figures are available and the current session to date.

Mr. Biffen: Over the last 10 sessions the daily average numbers of questions appearing on the Order Paper were as follows:

	Oral	*Written*
1974-75	59	138
1975-76	63	167
1976-77	59	163
1977-78	68	170
1978-79	69	153
1979-80	64	164
1980-81	63	139
1981-82	65	135
1982-83	66	149
1983-84	79	188
1984-85*	106	185

* To 26 April 1985.
Note: Figures relating to oral questions exclude Friday sittings.

ENVIRONMENT

Local Authorities (Construction and Maintenance Work)

Dr. Cunningham asked the Secretary of State for the Environment in respect of which local authorities he has used his powers under *(a)* section 17(4) of the Local Government, Planning and Land Act 1980 and *(b)* section 17(5) of the Local Government, Planning and Land Act 1980.

Mr. Patrick Jenkin: I have recently exercised my powers under section 17 (4) of the Local Government, Planning and Land Act 1980 to direct the London boroughs of Brent, Haringey, and Greenwich, and the metropolitan district of St. Helens, to submit special reports on new building work carried out by their direct labour organisations. I have not yet exercised my powers under section 17(5) of the Act.

Wildlife and Countryside Act 1981

Sir Hugh Rossi asked the Secretary of State for the Environment whether he is yet in a position to respond to the "First Report of the Environment Committee on the Operation and Effectiveness of Part II of the Wildlife and Countryside Act 1981", published in January; and if he will make a statement.

Mr. Patrick Jenkin: The Government have already implemented several of the recommendations made by the Select Committee. We feel this area is of sufficient importance to publish our formal response today as a Command Paper, issued jointly by my Department, the Welsh Office and the Ministry of Agriculture, Fisheries and Food. Copies have been placed in the Libraries of both Houses. Although the Committee's report did not deal directly with Scotland, the Secretary of State for Scotland wishes to be closely associated with the approach set out in response.

The Committee clearly recognised the major contribution of the Wildlife and Countryside Act to the valuable developments that have taken place in our drive to conserve the resources of the countryside. We are especially encouraged by their firm endorsement of the voluntary approach to conservation. We would like to record a special tribute to the vast majority of those who live on and work the land for the constructive way in which they have responded to the policy for consent and co-operation embodied in the Act.

The Government response deals with the detailed recommendations, and sets these in the context of its overall policies. It makes it clear that we will continue to support voluntary co-operation with the selective use of more rigorous measures. The Wildlife and Countryside (Amendment) Bill, which we are supporting through Parliament, will provide useful improvements in the effectiveness of the 1981 Act.

The Committee expressed concern about the balance of the Government's priorities between agriculture and conservation. The Government's policies are not of course those of a single Department or Minister but represent a balance of the Departmental objectives of the various Departments involved. My Department works closely with MAFF and the Welsh and Scottish Offices and other Government Departments to seek to ensure this balance. The agriculture industry and those concerned with the ownership and management of the countryside are becoming much more aware of the importance of conservation and the changing policies of agriculture departments both foster and reflect these changing attitudes. As examples, I would mention the changes to the farm capital grant scheme to achieve a closer integration of conservation and agricultural policies, and the Government's success in negotiating a provision in the new structures regulation for special payments to farms in environmentally sensitive areas. The joint MAFF —

Countryside Commission three-year experiment to conserve the unique landscape of the Broads is a very positive example of this approach.

Many of these initiatives meet criticisms made by the Committee and represent a real attempt by the Government to pull together the various aspects of policy in this area. There has, for example, been a move away from providing support for operations such as hedge removal and land reclamation in favour of assistance for positive conservation measures. And we broadly accept the Committee's recommendation that ADAS staff should give greater priority to advisory effort related to conservation of the natural beauty and amenity of the countryside.

The Government are grateful to the Environment Committee for its hard work, which has resulted in a very valuable report. We welcome it as an important contribution to the emerging consensus on how best to safeguard our precious countryside and its wildlife. Our Command Paper sets out in detail the many actions we have already taken to meet recommendations made by the Committee. We intend to press ahead with our policies, reviewing them where necessary to cope with changing circumstances.

Water (Aluminium Levels)

Mr. Ron Davies asked the Secretary of State for the Environment whether there have been any occasions in recent years when aluminium levels in water supplies in the United Kingdom have not been within the limits laid down by the European Community directive on the quality of water intended for human consumption.

Mr. Macfarlane: Aluminium levels in some United Kingdom water supplies do exceed the limit laid down by the European Community. Derogation or delay applications have been received by the competent national authorities in the United Kingdom in respect of 179 water supply zones in which the maximum admissible concentration for aluminium of 0·2 mg per litre is exceeded on the basis of a three-monthly average. These applications are under consideration.

Oil Refineries (Sulphur Dioxide Emissions)

Mr. Ron Davies asked the Secretary of State for the Environment what emission factors are used in calculating the emissions of sulphur dioxide from oil refineries; and in which year these were last reviewed.

Mr. Waldegrave: Oil refinery fuel is a mixture of very low sulphur gas oil and high sulphur fuel oil. Emissions are therefore calculated on the basis of three quarters of total fuel consumption assuming a sulphur content as for fuel oil. Account is taken of the fact that the sulphur content varies from year to year.

The method of calculation is currently under review.

Mr. Ron Davies asked the Secretary of State for the Environment what percentages of sulphur dioxide emissions in the United Kingdom are calculated by his Department to have originated in oil refineries in each of the last 20 years for which figures are available; and what forecasts his Department has made of such emissions.

Mr. Waldegrave: The percentage of United Kingdom sulphur dioxide emissions originating from oil refineries, were as follows:

	Per cent.
1964	3
1965	3
1966	4
1967	4
1968	4
1969	4
1970	4
1971	4
1972	5
1973	5
1974	6
1975	5
1976	6
1977	5
1978	6
1979	5
1980	6
1981	5
1982	5
1983	4

The figures for 1973-83 are published in my Department's "Digest of Environmental Protection and Water Statistics No. 7 1984". Earlier figures are available from Warren Spring laboratory, Department of Trade and Industry. Specific forecasts of emission levels are not available, but I am not aware of any reason to expect any significant increase in sulphur dioxide emissions from oil refineries over the next 10 to 15 years.

Pesticides

Mr. Ron Davies asked the Secretary of State for the Environment what advice is given by his Department and the Nature Conservancy Council regarding the application of organochlorine pesticides to timber in roof spaces and other enclosed situations.

Mr. Waldegrave: The Department of the Environment participates in the pesticides safety precautions scheme under which organochlorine pesticides used in timber treatment are evaluated and cleared for safety in use. Advice on the application of pesticides cleared under the scheme is issued by the Health and Safety Executive, and recommended precautionary measures are included on the label of products offered for sale. Technical advice on the use of these pesticides in buildings is provided by the Department's Building Research Establishment.

The Nature Conservancy Council's advice on the application of pesticides in timber treatment was summarised in my answer to the hon. Member's question on 4 March 1985, column *347*.

Local Government Reform

Mr. Tony Banks asked the Secretary of State for the Environment if he will list for each of the residuary bodies to assume responsibility in the event of abolition of the Greater London council and metropolitan county councils the names of the people who have been appointed as shadow chairmen and core members of each body.

Mr. Waldegrave: No such appointments have been made.

Mr. Tony Banks asked the Secretary of State for the Environment (1) if he will take steps to retain skilled Greater London council computer staff in a temporary body divorced from executive functions;

(2) if he will take steps to ensure that successor bodies continue to use the computer systems of the Greater London council.

Mr. Waldegrave: The future of the GLC's computer services and their staff is a matter for the successor authorities, but we expect that the operation of general purpose computers will pass initially to the residuary body. My noble Friend Lord Elton has undertaken to bring forward an amendment to the Local Government Bill in another place providing for residuary bodies to take an active part in identifying and securing the future of worthwhile centres of expertise.

Council Spending

Mrs. Renée Short asked the Secretary of State for the Environment if he will list the total amount which his Department acquired resulting from penalties which were imposed on councils for spending in excess of required amounts during the 1984-85 financial year.

Mr. Waldegrave: The total amount of block grant held back by the exchequer from local authorities in England which budgeted to exceed their expenditure guidance in 1984-85 was £455 million.

Water Charges

Mr. O'Brien asked the Secretary of State for the Environment whether the Government's consideration of changes in the rating system will include consideration of any consequent changes in the present system of water charges to domestic consumers.

Mr. Macfarlane: I refer the hon. Member to the answer given by my right hon. Friend the Prime Minister to the hon. Member for Leeds Central (Mr. Fatchett) on Tuesday 30 April, column *85*.

Stolport

Mr. Tracey asked the Secretary of State for the Environment whether he is now in a position to announce his decision on the proposed stolport development in London's dockland.

Mr. Patrick Jenkin: I have today granted planning permission for the proposed stolport in the Royal Docks, Newham, subject to a number of conditions. I have placed a copy of the decision letter in the Library of the House.

Basildon Development Corporation

Mr. Amess asked the Secretary of State for the Environment when he expects the Basildon development corporation to be wound up.

Sir George Young: Although the Development Corporation has been vigorously pursuing the tasks which must be completed before it is wound up, the target date of 30 June 1985, which my right hon. Friend announced on 21 December 1983, has not proved attainable. We now consider that the corporation's remaining assets and liabilities should transfer to the Commission for the New Towns in April 1986. The Department will initiate consultations with the Essex county council and the Basildon district council as soon as possible, with a view to the making of an order under section 41 of the New Towns Act 1981, winding up the corporation.

Departmental Cars (Cost)

Mr. Tony Banks asked the Secretary of State for the Environment, pursuant to the Answer of 9 May, *Official Report*, column 467-8, if he will give resasons for the annual increases of £2,600 between 1981-82 and 1982-83 in respect of costs to provide cars for the Secretary of State and five of the departmental Ministers; why the increases were uniform; why the costs of car provision for one of the Parliamentary Under-Secretaries of State declined by £8,060 between 1980-81 and 1981-82 when costs were increasing for all other Ministers; what caused the annual increase in car costs of £4,680 for all Ministers between 1982-83 and 1983-84 except one; and why the costs remained stable for the Secretary of State's car between 1983-84 and 1984-85 whilst over the same period it declined by a uniform £2,600 per annum in respect of four of his departmental Ministers.

Mr. Patrick Jenkin [*pursuant to his answers*, 22 May 1985, c. *441*, and 9 May 1985, c. *267-8*]: The costs identified for 1980-81, 1981-82 and 1982-83 were those incurred by PSA Supplies on behalf of DOE in providing ministerial cars as described. The annual increase in cost for those years reflects increases in the cost of provision, including increases in drivers' wages and overheads, fuel, maintenance, management and garaging. It is coincidental that the sum of these increases were uniform for these two years. The cost of provision of a car for one Parliamentary Under-Secretary of State reduced between 1980-81 and 1981-82 because he was in office for only six months in 1981-82. His successor does not use an allocated car. In 1983, the property repayment services scheme was introduced whereby Government Departments paid PSA Supplies, subsequently the Crown Suppliers, direct according to tariffs reflecting different levels of service provided, such as different models and different periods of time for which the cars were available. The increase in cost of provision of cars for all Ministers, except one who was in office for only nine months of 1983-84, reflects the levels of service provided and increases in operating costs as detailed above. In 1984-85, the Secretary of State required the same level of service as provided in 1983-84, four of his departmental Ministers required a lower level of service, while one departmental Minister required a higher level of service.

Asbestos (Faslane)

Mr. Tom Clarke asked the Secretary of State for the Environment further to his reply to the hon. Member for Greenock and Port Glasgow (Dr. Godman) on 13 May, *Official Report*, column 26, what public bodies were consulted about the transportation of asbestos contaminated material from Faslane; what form the consultation took; and how they responded.

Sir George Young: I will answer this question shortly.

Woodlands

Mr. Ron Davies asked the Secretary of State for the Environment (1) what estimates he has as to the percentages of broadleaved woodland in England, Scotland and Wales, respectively, which are contained within sites of special scientific interest;

(2) if he will estimate for England, Scotland and Wales respectively, the percentages of total woodland and the areas represented by *(a)* ancient semi-natural woodlands, *(b)* ancient woodland sites, *(c)* recent semi-natural and *(d)* other broadleaved woodlands.

Mr. Waldegrave: I will answer this question shortly.

Water Industry (Privatisation)

Mr. O'Brien asked the Secretary of State for the Environment what responses he has had to the Government's discussion paper on the privatisation of the water industry.

Mr. Gow: The discussion paper was sent to all water authority chairmen and to the chairman of the Water Companies Association. The water authorities' collective response is expected by the end of this month. We have received individual responses from a number of authorities.

HOME DEPARTMENT

Repatriation

Mr. Rooker asked the Secretary of State for the Home Department how many persons identified as families and single persons have been voluntarily repatriated and to which countries, by name, under section 29 of the Immigration Act 1971 in each of the past five years.

Mr. Waddington: The scheme operated under section 29 of the 1971 Act on behalf of the Government by International Social Services of Great Britain provides financial assistance to non-British citizens who wish to return permanently overseas but do not have the means to do so. The available information about persons who have been so assisted in the period 1980 to 1984 is as follows:

Persons travelling as part of a family

	*1980**	*1981**	*1982**	*1983†*	*1984†*	*Total*
Australia	—	2	—	—	—	2
Argentina	—	5	—	—	—	5
Bangladesh	—	3	3	—	—	6
Barbados	7	4	10	3	7	31
Canada	6	—	—	—	—	6
Dominica	—	8	2	—	—	10
Grenada	10	—	6	2	—	18
Guyana	—	—	2	4	—	6
India	—	—	6	2	—	8
Jamaica	52	34	75	61	14	236
Malaysia	—	—	3	—	—	3
Mauritius	6	8	6	—	—	20
New Zealand	—	—	—	—	7	7
Nigeria	7	8	2	3	—	20
Pakistan	—	—	—	—	4	4
St. Lucia	2	2	—	3	—	7
St. Vincent	—	—	4	2	4	10
Trinidad	5	—	4	4	4	17
United States	—	3	6	4	—	13
Zimbabwe	—	20	55	6	—	81
Total	95	97	184	94	40	510

*Shows departures by the year in which they were confirmed to the Home Office by International Social Service of Great Britain.
†Shows departures by number of persons who travelled during that year, as confirmed to the Home Office by International Social Service of Great Britain.

Persons travelling singly

	*1980**	*1981**	*1982**	*1983†*	*1984†*	*Total*
Barbados	1	1	1	2	—	5
Dominica	2	1	1	1	2	7
Fiji	1	—	—	—	—	1
Gambia	—	—	—	1	—	1
Grenada	2	2	2	1	—	7
Guyana	—	1	—	—	—	1
India	—	2	2	1	—	5
Jamaica	15	11	26	31	14	97
Kiribati	—	—	—	—	2	2
Mauritius	—	—	2	2	—	4
Nigeria	—	5	1	1	—	7
Pakistan	1	1	—	—	—	2
Seychelles	—	—	—	—	1	1
Sierra Leone	1	—	—	—	—	1
Somalia	1	—	—	1	—	1

	1980*	1981*	1982*	1983†	1984†	Total
Sri Lanka	—	—	—	1	—	1
St. Lucia	—	1	1	2	—	4
St. Vincent	—	—	1	—	—	1
Trinidad	1	—	2	1	—	5
Zimbabwe	—	[illegible]	3	3	—	14
Total	25	33	42	48	19	167

*Shows departures by the year in which they were confirmed to the Home Office by International Social Service of Great Britain.
†Shows departures by number of persons who travelled during that year, as confirmed to the Home Office by International Social Service of Great Britain.

Lion Intoximeter

Mr. Alex Carlile asked the Secretary of State for the Home Department whether he has received any reports on the performance and reliability of the Lion intoximeter; and if he will make a statement.

Mr. Giles Shaw: My right hon. and learned Friend has received the report of the forensic science service on the operation of the Lion intoximeter and Camic breath analyser evidential breath testing instruments, which will be published in due course.

Interviews (Tape Recording)

Mr. Spencer asked the Secretary of State for the Home Department what are the results of pilot schemes to tape-record interviews between police officers and persons suspected of criminal offences; and if he will make a statement.

Mr. Giles Shaw: I would refer my hon. Friend to the answer I gave to a Question from my hon. Friend the Member for Leicester, East (Mr. Bruinvels) on 10 January, at columns 529-530. Since that time, the field trials have been continuing, and it is hoped shortly to extend them to an additional police station in the Metropolitan police district, and to establish a new scheme in Gloucestershire. The continuing picture from all the field trial areas is of a favourable police response to tape recording, and the earlier signs of a general increase in pleas of guilt have also continued. The lessons to be learned from the field trials are being assessed in the planning now under way for the transition to a national tape recording scheme as provided for by the Police and Criminal Evidence Act 1984.

Featherstone Prison (Suicides)

Mrs. Renée Short asked the Secretary of State for the Home Department how many suicides have occurred in Her Majesty's Prison Featherstone situated near Wolverhampton since the prison was opened.

Mr. Mellor: One—in October 1980.

Abduction and Kidnapping

Mr. Peter Bruinvels asked the Secretary of State for the Home Department (1) what is the recommended and average sentence for *(a)* child abduction and *(b)* child kidnapping; and if he will make a statement;

(2) how many people have been convicted of (i) child abduction and (ii) child kidnapping in each of the past five years and the current year to date.

Mr. Mellor: The maximum penalty for child abduction, for merely child stealing, is seven years imprisonment, for kidnapping life imprisonment and for abduction of an unmarried girl two years imprisonment. The Child Abduction Act 1984 introduced from October 1984 the offence of child abduction in place of child stealing. The sentences imposed within these maxima for the courts to decide. Information on sentencing for offences of child stealing—offence classification 13—abduction—offence classification 25—and kidnapping, etc. — offence classification 36 covering kidnapping, hijacking, and false imprisonment — is published annually in 'Criminal Statistics, England and Wales, Supplementay Tables'. In the latest issue for 1983, tables 1.1(A) and 2.1(A) give convictions and sentences and tables 2.3-2.5 lengths of custodial sentences. Information on convictions is summarised in the following table.

Offenders found guilty of certain offences
England and Wales *Number of persons*

Offence	1979	1980	1981	1982	1983
Child stealing	15	10	9	7	19
Abduction	27	26	21	17	19
of which, abduction of unmarried girl under 16	19	11	8	9	6
Kidnapping	22	39	44	45	40

Ian Brady and Myra Hindley

Mr. Mark Carlisle asked the Secretary of State for the Home Department whether he has yet reached a decision on the cases of Ian Brady and Myra Hindley.

Mr. Brittan: On 1 March I informed the House that I was asking the local review committees at the prisons in which Ian Brady and Myra Hindley are held and the parole board to consider these cases—column *311*. The parole board has now recommended to me that neither Ian Brady nor Myra Hindley should be released and that the case of Ian Brady should be considered again by the local review committee where he is then held in ten years' time and that that of Myra Hindley should be similarly considered in five years' time. I have accepted these recommendations. I would repeat that the review then of these cases does not mean either that the periods of detention necessary to meet the requirements of retribution and deterrence will have been completed or be near completion; or that the parole board will recommend the release of either prisoner; or that the then Home Secretary would necessarily accept such a recommendation if it were made.

SOLICITOR-GENERAL FOR SCOTLAND

Defence Policy

Mr. Canavan asked the Solicitor-General for Scotland what complaints have been submitted to procurators fiscal

that a British defence policy based on the threatened use of nuclear weapons is illegal; what action has been taken as a result; and whether he will arrange to meet the complainants concerned to discuss their evidence.

The Solicitor-General for Scotland: Such a complaint was submitted to the procurator fiscal at Stirling on 29 March 1985 by a delegation of students from the University of Stirling. The matter was referred to Crown counsel who instructed "no proceedings" and I do not think that any further purpose would be served by meeting the complainers.

I am not aware of any other complaints of a similar nature having been made.

FOREIGN AND COMMONWEALTH AFFAIRS

Foreign Affairs Council

Sir Antony Buck asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Foreign Affairs Council of 20-21 May.

Mr. Rifkind: My right hon. and learned Friend and I represented the United Kingdom at the Foreign Affairs Council which met in Brussels on 20 May.

The Council briefly discussed some of the few remaining issues in the enlargement negotiations still to be resolved before the treaty of accession is signed on 12 June.

There was also a brief discussion of progress in following up the proposals in the first report of the "People's Europe" Committee. The Commission urged member states to speed up implementation of some of these recommendations.

There was further consideration of the negotiating mandate for the second EC-Yugoslavia financial protocol. Discussion of this will continue at the June meeting of the Council.

The Council agreed a declaration on relations with the United States in the steel sector, stressing the need to find satisfactory solutions to outstanding problems as soon as possible and reiterating the declaration agreed by the Council of Industry Ministers on 26 March that the Community would react strongly to any unilateral restrictions on trade imposed by the United States. Copies of the declaration are being placed in the Library of the House.

Ministers of the Ten briefly discussed the situation in the Lebanon, and issued a short statement. Copies of this are also being placed in the Library of the House.

Colombo Commission

Mr. David Atkinson asked the Secretary of State for Foreign and Commonwealth Affairs when he expects the Colombo commission to report.

Mr. Renton: We expect the Colombo commission to make an interim report in mid-June.

Israel (Boycott)

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs what information he has received from Her Majesty's Ambassador in Saudi Arabia regarding the meeting of the Islamic bureau for the boycott of Israel in Jeddah on 27 April, in which the Secretary-General of the Islamic Conference Organisation called for a strengthening of the boycott; and whether Her Majesty's Ambassadors in Islamic conference nations have stressed to their host Governments that the United Kingdom does not recognise or observe the boycott in any way.

Mr. Luce: It is well know that we are strongly opposed to all attempts by third parties to restrict our trade with Israel.

Palestine Liberation Organisation

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs what reports he has had from Her Majesty's ambassadors in Baghdad or Tel Aviv relating to the claim made by the Palestine Liberation Organisation on Palestine Liberation Organisation Central Radio in Baghdad at 16.36 hrs Greenwich mean time on 12 May that they had been responsible for explosions in Jerusalem during Mr. Shultz's visit and describing violent action of this kind as a major national option; and whether Her Majesty's ambassador has made any protest to the Iraqi Government about continuing violence and its effect on peace negotiations.

Mr. Luce: All concerned in the Arab-Israeli dispute are well aware that we condemn the use of violence from whatever quarter. We continue to believe that a just and lasting settlement can only be achieved through negiotiations at which the voice of the Palestinians would be heard. We therefore welcome the agreement between King Hussein and Mr. Yasser Arafat to work for a peaceful, negotiated settlement.

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs what report he has received from Her Majesty's Ambassador in Tunis about the statement on 13 May on Radio Monte Carlo by the leading member of the central committee of Al-Fatah, known as Abu Iyad, that the Palestine Liberation Organisation would be mistaken to approve an initiative by King Hussein which involved a Jordanian-Palestinian confederation and which would negotiate an Israeli withdrawal from the West Bank and Gaza; and whether he has received any confirmation from other ambassadors in Arab countries that this is the official view of Yasser Arafat's branch of the Palestine Liberation Organisation.

Mr. Luce: We are aware of the statement referred to, and of the commitment by King Hussein and Mr. Yasser Arafat on 11 February that the Jordanian Government and the Palestine Liberation Organisation should work together for a negotiated settlement.

Abduction

Mr. Peter Bruinvels asked the Secretary of State for Foreign and Commonwealth Affairs on how many occasions his Department has been involved following the abduction of British children from the United Kingdom to other foreign countries in 1982, 1983, 1984, and 1985 to date; and if he will detail the ages of the children and the other countries involved.

Mr. Renton: The information is not readily available. I shall arrange for it to be published in the *Official Report* as soon as possible.

Anglo-Irish Encounter Group

Rev. Martin Smyth asked the Secretary of State for Foreign and Commonwealth Affairs whether the Anglo-Irish encounter group has published the report of its third conference on increasing the appreciation of our cultural heritage.

Mr. Renton: The report of the third encounter conference is expected to be available towards the end of June 1985.

Namibia

Mr. Stan Thorne asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on recent events in Namibia.

Mr. Corbett asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on recent developments over Namibia.

Mr. Rifkind [*pursuant to his reply*, 22 May 1985, column 459]: The following is the information:

We remain concerned at the situation in Namibia. The new administrative arrangements announced by the South African Government have no status under the United Nations plan. It remains the South African Government's responsibility to permit the implementation of the United Nations plan.

EDUCATION AND SCIENCE

Science and Engineering Research Council (Exhibition)

Mr. Coombs asked the Secretary of State for Education and Science if he will arrange for an exhibition relating to the Science and Engineering Research Council to be displayed in the Upper Waiting Hall.

Mr. Brooke: I understand that arrangements have been made with the authorities of the House for the exhibition to be held in the Upper Waiting Hall from Monday 17 to Friday 21 June.

Student Grants

Mrs. Rumbold asked the Secretary of State for Education and Science what work has been done, in the context of assessment of the impact of the various alternative forms of student financial support, to update the research in 1983 on the impact of grants on the rate of increase in participation in higher education.

Mr. Brooke: The 1983 paper "Future Demand for Higher Education in Great Britain" (DES report on education 99) was updated in July 1984 by "Demand for Higher Education in Great Britain 1984-2000" (report on education 100). The variant Y projection of demand in ROE 100 reflected the student support levels then current and the effects of any changes in student support arrangements should be shown by revisions to that projection.

Mrs. Rumbold asked the Secretary of State for Education and Science what assessment has been made of the impact of replacing the grant system by a students loan scheme on access to higher education in both universities and polytechnics to social classes below A and B.

Mr. Brooke: None, but in the review of student support, attention will be given to loans in place of grants, in part at least, as one possibility for change in the present student support arrangements.

Teachers (Pay)

Mr. McQuarrie asked the Secretary of State for Education and Science why the decision was taken to restrict salary increases for teachers to 4 per cent. in England and Wales; and if he will make a statement.

Sir Keith Joseph: The teachers' pay increase for 1985 has not yet been decided. The Burnham committee adjourned last week but negotiations will continue when the committee reconvenes today.

School Meals

Mrs. Renée Short asked the Secretary of State for Education and Science how many families living in the west midlands region are presently receiving assistance for their children to have free school dinners.

Mr. Dunn: The number of pupils taking a free school meal in schools in the local education authorities in the west midlands region on the day of the annual school meals census in October 1984 is shown in the report on the 1984 school meals census, which is available in the Library.

Pupil-Teacher Ratio

Mr. Andrew F. Bennett asked the Secretary of State for Education and Science what has been the pupil-teacher ratio in special schools, excluding hospital schools, for each year since 1979-80.

Mr. Dunn: The pupil-teacher ratios in maintained and non-maintained special schools in England from January 1980 to January 1984 were:

January	*Pupil-teacher ratios**
1980	7·7
1981	7·7
1982	7·5
1983	7·4
1984	7·1

* Excluding hospital schools.

Special Education (Expenditure)

Mr. Andrew F. Bennett asked the Secretary of State for Education and Science what is the projected rate of expenditure on special education, expressed in *(a)* cost and *(b)* real terms for each year from 1984-85 to 1987-88.

Mr. Dunn: The following are the figures requested in respect of education in special schools in England over the period 1984-85 to 1986-87; the sum provisionally allocated in the Government's Cmnd. 9428 plans to local authority current expenditure on education in 1987-88 has not been divided between sectors. Information is not available on expenditure on pupils with special needs outside special schools, or on students with special needs in further education.

Expenditure on special schools

£ million

	Financial years 1984-85	1985-86	1986-87
Cash	420	404	420
Real terms	439	404	402

Notes:

1. The 1984-85 cash figure is an estimate based on local authority budgets, and those for 1985-86 and 1986-87 are projections.

2. The 1984-85 figure is not directly comparable with that for 1985-86 because the former may include, and the latter excludes, expenditure from the unallocated margin of local authority expenditure. There is no unallocated margin for 1986-87, but the split between services of planned local authority current expenditure for that year is provisional.

3. To produce the real terms line the cash figures have been adjusted to 1985-86 prices for general inflation as measured by the GDP deflator. Cmnd. 9428 explains that this process is now referred to as an adjustment to "real terms" rather than "cost terms".

4. The number of pupils in special schools is projected to decline by around 2 per cent. between 1984-85 and 1986-87.

Education (Expenditure)

Mr. Madel asked the Secretary of State for Education and Science when he expects to make available the report of Her Majesty's Inspectorate on the effects of local authority expenditure policies on the education service in England in 1984.

Sir Keith Joseph: The Her Majesty's Inspectorate report on the observed effects of local authority expenditure policies on the education service in England in the autumn of 1984 has been published today. Copies are available in the Vote Office. This report, the fifth since this Government decided that Her Majesty's Inspectorate's findings should be published, should be read with attention by all of us concerned with the provision of education.

Bursaries

Mrs. Renée Short asked the Secretary of State for Education and Science if he will list the numbers of bursaries which have been allocated to individual students in each academic year since 1978-79 for postgraduate study in the faculties of mechanical and electrical engineering.

Mr. Brooke [*pursuant to his reply*, 23 April 1985, c. *439*]: I regret that the information given in my earlier answer was incorrect. I understand from the Science and Engineering Research Council that studentships do not divide simply into either mechanical or electrical engineering. Consequently, the numbers of research and advanced course postgraduate studentships have been re-examined and a fuller presentation should be as follows:

	Mechanical engineering*	*Electrical† engineering*
1978-79	117	177
1979-80	109	182
1980-81	65	167
1981-82	61	151
1982-83	86	176
1983-84	101	499
1984-85	125	541

* Includes Production Engineering.

† Includes Electronic Engineering and those Specialist and Conversion Advanced courses supported by SERC's Information Engineering Committee.

Comparable figures are not yet available for 1985-86.

Class Sizes

Mr. Andrew F. Bennett asked the Secretary of State for Education and Science if he will publish a table showing the number of classes and of pupils in classes in each local education authority with 30 and under, 31 to 35, 36 to 40 and over 40 pupils per class for primary and secondary schools in 1979, 1981 and 1984 respectively.

Mr. Dunn [*pursuant to his reply*, 29 April 1985, c. *5*]: The information for 1979 was set out in my reply of 6 July 1984 to my hon. Friend the member for Nuneaton (Mr. Stevens) at columns 315-28. The information for both 1981 and 1984 could be provided only at disproportionate cost. The latest information for January 1984, however, is set out in the following table.

Number of classes and pupils in them by size of class in January 1984 (Primary schools)

	Size of class taught by one teacher: 0-30		31-35		36-40		41 and over	
	Classes	Pupils	Classes	Pupils	Classes	Pupils	Classes	Pupils
Barking	520	12,185	23	753	5	188	0	0
Barnet	790	17,069	70	2,252	3	116	0	0
Bexley	425	10,506	158	5,135	8	294	2	115
Brent	765	15,735	32	1,070	1	36	0	0
Bromley	610	14,942	129	4,118	3	108	0	0
Croydon	726	16,751	155	5,069	5	180	0	0
Ealing	841	17,965	80	2,558	6	216	0	0
Enfield	622	14,716	148	4,840	2	75	1	41
Haringey	655	14,307	2	62	1	37	0	0
Harrow	506	10,961	120	3,919	7	257	0	0
Havering	612	14,920	119	3,823	0	0	1	43
Hillingdon	557	12,849	116	3,764	15	568	0	0
Hounslow	573	11,849	69	2,229	9	336	1	46
Kingston upon Thames	271	5,995	79	2,598	6	222	0	0
Merton	260	5,932	46	1,500	6	223	1	43
Newham	721	16,744	29	923	1	36	1	60
Redbridge	428	9,737	143	4,666	7	263	0	0
Richmond upon Thames	314	7,059	33	1,061	1	36	1	64
Sutton	245	5,866	109	3,582	21	770	0	0
Waltham Forest	570	12,754	70	2,276	4	144	1	42
Inner London	6,360	127,637	166	5,308	4	148	1	43

	Size of class taught by one teacher							
	0-30		31-35		36-40		41 and over	
	Classes	Pupils	Classes	Pupils	Classes	Pupils	Classes	Pupils
Birmingham	2,519	58,339	844	27,693	38	1,420	1	51
Coventry	728	16,375	227	7,373	27	991	0	0
Dudley	834	19,009	194	6,262	9	340	2	112
Sandwell	870	19,703	187	6,057	11	412	2	236
Solihull	500	11,512	140	4,588	12	440	1	91
Walsall	906	18,960	79	2,553	7	256	2	83
Wolverhampton	918	18,704	52	1,673	4	150	2	84
Knowsley	501	11,533	92	2,994	9	327	2	99
Liverpool	1,514	33,982	199	6,421	19	704	2	83
St. Helens	514	11,565	125	4,082	25	945	3	125
Sefton	744	17,536	183	5,945	8	289	0	0
Wirral	862	20,181	206	6,701	20	737	0	0
Bolton	596	13,796	218	7,098	41	1,540	8	405
Bury	422	9,504	119	3,880	14	513	0	0
Manchester	1,173	27,385	220	7,144	24	895	3	139
Oldham	560	12,542	187	6,133	27	997	5	213
Rochdale	559	13,014	110	3,571	7	259	1	41
Salford	760	17,372	69	2,225	6	224	3	149
Stockport	697	17,197	155	5,040	15	551	0	0
Tameside	552	12,993	159	5,171	19	713	2	85
Trafford	465	10,588	126	4,110	12	438	2	94
Wigan	854	19,234	153	4,967	37	1,388	2	137
Barnsley	696	16,091	59	1,874	3	110	0	0
Doncaster	951	21,355	64	2,044	7	271	0	0
Rotherham	779	18,257	99	3,196	9	351	0	0
Sheffield	1,645	36,818	83	2,666	14	525	3	124
Bradford	1,119	25,593	99	3,155	7	263	0	0
Calderdale	625	14,040	98	3,176	4	148	0	0
Kirklees	966	21,741	257	8,366	37	1,369	2	186
Leeds	1,423	33,227	283	9,154	48	1,814	9	417
Wakefield	740	17,162	120	3,844	13	486	1	41
Gateshead	762	16,168	18	568	2	77	2	96
Newcastle upon Tyne	792	16,113	38	1,204	2	72	2	83
North Tyneside	610	12,183	34	1,085	3	114	0	0
South Tyneside	507	11,336	34	1,095	2	73	0	0
Sunderland	948	21,862	133	4,325	3	109	1	97
Isles of Scilly	9	123	0	0	0	0	0	0
Avon	1,690	39,919	825	26,857	75	2,750	1	42
Bedfordshire	984	22,773	270	8,754	33	1,236	3	173
Berkshire	1,551	36,555	431	14,011	50	1,831	2	87
Buckinghamshire	1,480	34,871	549	17,852	80	2,957	6	279
Cambridgeshire	1,436	34,479	414	13,425	37	1,361	0	0
Cheshire	2,232	51,377	642	20,862	91	3,371	9	393
Cleveland	1,811	42,382	189	6,115	32	1,224	1	42
Cornwall	963	21,857	327	10,633	40	1,484	2	84
Cumbria	1,442	31,372	176	5,645	11	400	0	0
Derbyshire	2,271	51,273	511	16,629	71	2,625	3	132
Devon	1,999	46,083	520	16,949	113	4,206	0	0
Dorset	898	20,334	338	11,047	80	2,964	2	82
Durham	1,697	39,932	275	8,910	14	514	2	131
East Sussex	1,411	32,413	274	8,879	12	440	1	41
Essex	3,254	79,952	1,127	36,105	19	691	2	98
Gloucestershire	1,105	25,121	380	12,356	32	1,171	2	87
Hampshire	3,035	73,028	1,280	41,773	106	3,899	2	85
Hereford and Worcester	1,065	25,205	474	15,484	54	1,987	0	0
Hertfordshire	2,352	54,226	538	17,453	42	1,544	4	171
Humberside	2,447	54,519	237	7,603	17	635	7	307
Isle of Wight	186	4,629	27	869	7	254	0	0
Kent	2,763	66,521	1,212	39,497	112	4,117	2	104
Lancashire	3,166	73,902	934	30,512	154	5,701	9	405
Leicestershire	2,447	55,849	349	11,271	17	645	7	343
Lincolnshire	1,214	28,062	416	13,603	61	2,251	1	42
Norfolk	2,002	45,335	372	12,077	13	472	1	41
North Yorkshire	1,635	35,670	330	10,734	44	1,634	1	41
Northamptonshire	1,492	34,068	243	7,839	22	822	1	42
Northumberland	489	10,821	214	7,007	5	186	0	0
Nottinghamshire	2,833	63,834	280	8,959	34	1,311	3	159
Oxfordshire	950	23,095	313	10,152	12	440	1	46
Shropshire	1,117	24,715	144	4,677	14	515	1	44
Somerset	772	18,171	345	11,259	29	1,053	0	0
Staffordshire	2,709	61,514	339	10,967	56	2,069	5	255
Suffolk	1,425	32,418	174	5,617	8	294	2	98
Surrey	2,289	53,052	531	17,235	36	1,327	2	83
Warwickshire	1,281	29,064	359	11,781	28	1,030	1	42

	Size of class taught by one teacher							
	0-30		31-35		36-40		41 and over	
	Classes	Pupils	Classes	Pupils	Classes	Pupils	Classes	Pupils
West Sussex	1,293	30,404	429	13,955	28	1,027	0	0
Wiltshire	1,202	28,562	378	12,155	10	366	0	0
England	114,379	2,606,929	24,525	796,447	2,359	87,368	159	7,747

Size of class taught by one teacher	Secondary Schools							
	0-30		31-35		36-40		41 and over	
	Classes	Pupils	Classes	Pupils	Classes	Pupils	Classes	Pupils
Barking	535	10,538	6	187	0	0	0	0
Barnet	894	15,744	41	1,309	0	0	0	0
Bexley	781	15,856	31	978	0	0	1	57
Brent	770	13,286	16	503	0	0	0	0
Bromley	898	16,903	56	1,805	0	0	0	0
Croydon	986	18,831	67	2,123	2	72	0	0
Ealing	688	12,850	22	691	0	0	0	0
Enfield	871	15,787	85	2,750	5	184	0	0
Haringey	604	11,018	14	443	0	0	0	0
Harrow	497	8,952	23	736	0	0	0	0
Havering	887	16,461	60	1,908	2	78	0	0
Hillingdon	742	14,268	32	1,021	0	0	0	0
Hounslow	682	12,559	28	889	0	0	0	0
Kingston upon Thames	367	6,860	40	1,272	0	0	0	0
Merton	543	10,905	77	2,470	0	0	0	0
Newham	747	14,401	13	411	0	0	0	0
Redbridge	677	12,896	40	1,286	2	73	0	0
Richmond upon Thames	298	6,180	17	538	0	0	0	0
Sutton	443	8,317	83	2648	0	0	0	0
Waltham Forest	772	13,703	17	544	0	0	1	49
Inner London	6,280	112,385	193	6,114	8	301	1	41
Birmingham	3,280	65,784	350	11,172	9	330	2	160
Coventry	1,012	20,644	104	3,272	2	73	0	0
Dudley	984	19,109	55	1,750	0	0	0	0
Sandwell	1,171	22,788	64	2,034	0	0	0	0
Solihull	764	15,543	67	2,142	4	147	0	0
Walsall	1,240	22,769	51	1,604	0	0	0	0
Wolverhampton	981	18,847	32	1,017	1	36	0	0
Knowsley	646	12,612	28	905	0	0	2	93
Liverpool	1,674	32,353	161	5,110	2	73	1	44
St Helens	676	12,854	71	2,276	0	0	0	0
Sefton	1,041	20,328	91	2,935	0	0	0	0
Wirral	1,142	22,256	84	2,675	1	36	0	0
Bolton	914	18,197	88	2,820	1	38	0	0
Bury	563	10,782	59	1,875	0	0	0	0
Manchester	1,532	28,915	89	2,835	4	149	1	43
Oldham	706	14,192	70	2,254	5	186	0	0
Rochdale	834	15,604	32	1,025	0	0	0	0
Salford	902	17,649	18	575	0	0	0	0
Stockport	1,020	20,298	64	2,055	1	36	0	0
Tameside	786	14,865	49	1,569	1	38	0	0
Trafford	708	14,302	19	596	0	0	0	0
Wigan	1,325	26,106	61	1,932	1	39	1	42
Barnsley	885	18,070	13	406	1	40	0	0
Doncaster	1,111	22,302	73	2,308	3	110	0	0
Rotherham	968	19,044	80	2,564	4	145	0	0
Sheffield	1,658	33,002	67	2,122	2	76	0	0
Bradford	1,913	38,643	179	5,775	14	510	4	192
Calderdale	675	13,315	66	2,109	3	108	0	0
Kirklees	1,396	27,507	130	4,194	7	263	0	0
Leeds	2,646	50,583	324	10,538	15	556	2	91
Wakefield	1,143	22,756	112	3,598	6	219	0	0
Gateshead	692	13,084	42	1,322	0	0	0	0
Newcastle upon Tyne	1,034	19,195	23	731	0	0	0	0
North Tyneside	888	15,829	29	930	1	37	0	0
South Tyneside	570	10,875	23	719	0	0	1	44
Sunderland	1,069	20,979	80	2,530	0	0	0	0
Isles of Scilly	10	152	0	0	0	0	0	0
Avon	2,739	54,443	222	7,121	9	339	0	0
Bedfordshire	2,045	42,187	135	4,291	1	37	2	100
Berkshire	2,251	42,298	230	7,360	9	332	0	0
Buckinghamshire	1,607	30,715	96	3,036	5	182	1	42
Cambridgeshire	1,760	34,928	145	4,649	4	145	2	141
Cheshire	3,206	62,310	326	10,502	15	549	2	106
Cleveland	2,155	42,743	84	2,662	1	37	1	42
Cornwall	1,346	26,778	130	4,169	4	147	1	39

Size of class taught by one teacher	Secondary Schools 0-30		31-35		36-40		41 and over	
	Classes	Pupils	Classes	Pupils	Classes	Pupils	Classes	Pupils
Cumbria	1,799	34,213	75	2,373	2	72	0	0
Derbyshire	2,967	58,980	285	9,149	7	257	0	0
Devon	2,598	52,601	287	9,204	5	181	0	0
Dorset	1,735	34,417	188	6,036	6	220	3	139
Durham	1,906	37,894	206	6,600	5	182	2	183
East Sussex	1,548	30,926	152	4,834	4	146	1	44
Essex	4,906	99,027	378	12,014	11	403	1	43
Gloucestershire	1,569	30,692	183	5,859	7	259	0	0
Hampshire	4,304	87,554	345	11,050	9	328	4	180
Hereford and Worcester	2,187	42,855	300	9,658	10	367	0	0
Hertfordsire	3,518	65,416	220	7,006	1	36	1	46
Humberside	3,588	68,799	236	7,592	12	451	1	42
Isle of Wight	458	9,093	47	1,525	1	36	0	0
Kent	5,154	103,852	320	10,123	4	153	2	211
Lancashire	4,368	85,959	391	12,528	18	658	2	93
Leicestershire	3,010	60,274	128	4,074	2	76	3	152
Lincolnshire	1,775	34,826	107	3,437	6	228	1	41
Norfolk	2,047	40,929	102	3,255	4	154	1	64
North Yorkshire	2,210	42,188	216	6,934	7	256	2	126
Northamptonshire	2,154	42,061	137	4,393	3	112	0	0
Northumberland	1,199	23,585	137	4,433	15	548	1	41
Nottinghamshire	3,685	71,591	156	4,961	3	109	3	133
Oxfordshire	1,654	33,254	108	3,455	2	74	1	57
Shropshire	1,383	26,389	96	3,070	4	149	0	0
Somerset	1,226	25,310	154	4,960	5	190	0	0
Staffordshire	3,783	73,676	354	11,414	6	221	1	45
Suffolk	2,214	44,341	145	4,607	8	291	2	98
Surrey	2,355	44,335	167	5,340	6	219	1	45
Warwickshire	1,379	27,512	108	3,435	2	74	0	0
West Sussex	1,874	36,031	239	7,667	14	516	2	87
Wiltshire	1,701	33,988	126	4,028	3	108	0	0
ENGLAND	153,884	2,999,803	11,370	363,704	347	12,795	61	3,216

EMPLOYMENT

Live Animals (Experiments)

Mr. Cohen asked the Secretary of State for Employment if he will seek powers to permit the Health and Safety Commission to include in the test guidelines associated with the notification of new substances regulations, a requirement that in vitro alternatives to living animals are used to determine eye irritancy, particularly with reference to known or suspected severe irritants; and if he will make a statement.

Mr. Peter Bottomley: The notification of New Substances Regulations 1982 implement in Great Britain the notification reqirements of European Commission directive 79/831/EEC and lay down a regime for the testing prior to marketing of new chemical substances so as to permit an assessment to be made of the risks to man and the environment. The test methods to be used are given in EC directive 79/831/EEC and detailed in EC directive 84/449/EEC. The eye test specified there is one of a set of test guidelines drawn up by the Organisation for Economic Co-operation and Development and agreed internationally.

An in vitro test for eye irritancy is currently being evaluated by the OECD. If such a test is found to be acceptable, the United Kingdom will seek a change in the European requirements which may then be carried forward into United Kingdom legislation.

Where possible, for example where the substance is known to be irritant by virtue of it corrosive nature or has been shown to be a skin irritant, the test guidelines accompanying the regulations already make it clear that an eye test on living animals may be omitted.

Retail Trades (Report)

Mr. Evans asked the Secretary of State for Employment when the first version of the report finally entitled "Pay and Employment in Four Retail Trades" was submitted to his Department.

Mr. Peter Bottomley: A first draft of this report was received in November 1983.

Pesticides

Mr. Campbell-Savours asked the Secretary of State for Employment what steps his Department or the Health and Safety Executive takes to inform the public of the risks arising from the pesticides used in wood treatment.

Mr. Peter Bottomley: The Health and Safety Executive participates in the pesticides safety precautions scheme, which provides for all pesticides to be cleared for safety before being introduced into the United Kingdom. Where the product is to be offered for sale, clearance also includes agreement on a suitable label reflecting risks and recommended precautionary measures. Information on risks and necessary precautions arising from wood treatment is also contained in the recommendation sheets in the 'Chemical Compounds used as Pesticides' series. These are available from the Health and Safety Executive.

Clothing Industry

Mr. Evans asked the Secretary of State for Employment why the report on pay in the clothing industry was not commissioned from an external body.

Mr. Peter Bottomley: Resources and data were available internally for a study of employment determination in the clothing industry to be carried out in a cost-effective manner.

Mr. Evans asked the Secretary of State for Employment when he decided to produce a report on pay in the clothing industry.

Mr. Peter Bottomley: The employment market research unit, which has a general aim to further understanding of the employment consequences of various labour market practices, started a project on wage floors during 1983. A reference to the work is contained in "Department of Employment Research 1983-84" published by HMSO.

Waddon Skillcentre

Mr. Tom Cox asked the Secretary of State for Employment if he will make a statement about the future of the Waddon and Waddon annexe skillcentre; and if he will make a statement.

Mr. Peter Morrison: Under the skillcentre training agency's plans for the reorganisation of the skillcentre network, Waddon skillcentre and its annexe at Sydenham are to close. My right hon. Friend has asked the chairman of the Manpower Services Commission to make sure that satisfactory alternative provisions have been identified before any individual skillcentre closure takes place. The chairman is expected to announce his decision in each case shortly. The skillcentre reorganisation has to be seen in the context of adult training strategy which will provide many more training opportunities overall. In 1986-87, we shall help to train more than twice as many people as in 1983-84 including up to 5,900 adults in south-east London. Both employed and unemployed people will benefit from this expansion.

Wages Councils (Waltham Forest)

Mr. Deakins asked the Secretary of State for Employment how many employees in Waltham Forest are covered by the operation of wages councils; how many visits were made by the inspectorate to firms in Waltham Forest in 1984; and how many firms were visited.

Mr. Peter Bottomley: Estimates of the number of workers covered by wages councils are available only on a national basis. Statistics relating to the number of visits made by wages inspectors are not collected for areas smaller than wages inspectorate divisions.

Warehouse Fire (Sheffield)

Mr. Caborn asked the Secretary of State for Employment, in each successive week since the National Carriers' warehouse fire in Sheffield, *(a)* how many man hours health and safety inspectors have spent investigating the incidents in Sheffield, *(b)* how many hours of paid overtime have been worked by inspectors involved in the Health and Safety Executive's investigation of the incident and *(c)* what jobs have been done during the paid overtime worked by the inspectors.

Mr. Peter Bottomley: A breakdown of man hours and overtime spent by health and safety inspectors investigating the incident in Sheffield is not available without disproportionate cost. The jobs done during the overtime worked by inspectors have been exclusively concerned with interviewing firemen and taking statements.

Unemployment Benefit

Mr. Adley asked the Secretary of State for Employment if, pursuant to the answer of 29 April, *Official Report*, column *45*, he will indicate in which areas statistics obtained from the European Economic Community or Organisation for Economic Co-operation and Development member states nullify direct comparability between them.

Mr. Alan Clark: Statistics from administrative sources, rather than from household surveys, are not directly comparable because of differences in definitions, administrative practice and methods of compilation. In particular, the coverage of the figures may differ in respect of age limits or the type of work sought by the unemployed, for example whether permanent or temporary, or full-time or part-time. Differences in conditions of entitlement to benefits also affect comparisons of registered unemployment. A detailed summary of the treatment of data on registered unemployment in EC countries is given in "Definitions of registered unemployed, 1984" published by the statistical office of the European Communities, a copy of which is available in the Library.

Mr. Adley asked the Secretary of State for Employment what information he has as to the percentage increase in the population eligible for unemployment benefit for each of the last three years in each of the European Economic Community and Organisation for Economic Co-operation and Development countries.

Mr. Alan Clark: International comparisons of unemployment are not available in the form of estimates of the population eligible for unemployment benefits.

Labour Statistics

Mr. Adley asked the Secretary of State for Employment what information he has as to the change in the number of people in employment in each of the European Economic Community and Organisation for Economic Co-operation and Development countries for each of the last three years.

Mr. Alan Clark: The available information for Organisation for Economic Co-operation and Development member states, including those in the European Communities, is given in the following table:

Civilian Employment, Thousand

	Change 1981-82	*Change 1982-83*	*Change 1983-84*
Canada	−362	90	266
United States	−871	1,308	4,171
Japan*	570	950	330
Australia	39	−114	182
New Zealand	16	na	na
Austria*	98	−30	na
Belgium	−49	−36	na
Denmark	−1	21	na

	Change 1981-82	Change 1982-83	Change 1983-84
Finland	23	13	24
France	15	−145	na
Germany	−466	−410	−41
Greece	−38	17	na
Iceland	1	na	na
Ireland	2	−22	na
Italy	−64	53	339
Luxembourg	0	0	na
Netherlands	−21	−55	na
Norway*	14	11	13
Portugal*	−10	na	na
Spain	−55	−71	−423
Sweden*	−6	5	31
Switzerland*	−21	−39	na
Turkey	124	na	na
United Kingdom	−419	−299	375

* Figures include Armed Forces.
na = not available.
Source: OECD 'Labour Force Statistics' and 'Quarterly Labour Force Statistics', SOEC 'Employment and Unemployment', and for United Kingdom 'Employment Gazette'.

Community Programme

Mr. Haselhurst asked the Secretary of State for Employment (1) what steps he has take to initiate discussions with charitable groups in order to secure additional community programme placements as indicated in his recently published White Paper, "Employment: the Challenge to the Nation"; and if he will make a statement; (2) if an invitation to charitable bodies to submit proposals for new placements for the enhanced community programe in 1985-86 will extend to groups not at present participating in the programme.

Mr. Peter Morrison: The White Paper "Employment: The Challenge to the Nation" (Cmnd. 9474) explains that as well as increasing the community programme by 100,000 places to 230,000 places, £10 million will be made available to explore new approaches to helping long-term unemployed people. My right hon. Friend has asked the Manpower Services Commission to develop detailed proposals for these experiments as quickly as possible. Many charities and voluntary organisations aready make a invaluable contribution to the success of the community programme. All suggestions, whether from charities or other bodies about how to build on that success are both welcomed and carefully considered.

"Chemicals in Agriculture"

Mr. Ron Davies asked the Secretary of State for Employment what plans he has to publish the work of the working group "Chemicals in Agriculture"; and if he will list the membership of the group and their qualifications.

Mr. Peter Bottomley: A summary of the working group's activities is contained in the Health and Safety Commission's report which is published annually.

The membership of the working group is as follows:
Mr N Finch—Country Landowners Association
Mr T Horsfield—National Farmers Union
Mr W J Taylor—National Farmers Union
Mr T D McLean—British Agrochemicals Association
Mr A H Jones—Timber Growers Association
Mr M Cunningham—National Union of Public Employees
Mr A Watterson — General Municipal, Boilermakers and Allied Trade Union
Mr C Kaufman—
Agriculture and Allied Workers National Trading Group
Mr D V J Thomas—
Agriculture and Allied Workers National Trading Group
Mr M Housden—
Agriculture and Allied Workers National Trading Group
Dr C Clutterbuck—
Agriculture and Allied Workers National Trading Group

Information on the qualifications of individual members of the working group could only be obtained at disproportionate cost.

Pesticides

Mr. Ron Davies asked the Secretary of State for Employment what studies his Department has made of information regarding the application of organochlorine pesticides to timber in roof spaces and other enclosed situations; and what action his Department has taken as a result.

Mr. Peter Bottomley: The Health and Safety Executive, as a participant in the pesticides safety precautions scheme, studies all relevant information when considering a pesticide for clearance. Clearances are reviewed in the light of any significant new information. As a result, the clearance for use of certain organochlorine pesticides has been withdrawn and the use of others severely restricted.

Health and Safety Executive (Library and Information Service)

Mr. Proctor asked the Secretary of State for Employment for what reasons the Health and Safety Executive library and information service has reduced public access time.

Mr. Peter Bottomley: The hours of public telephone access have been reduced by one hour daily — now 10.00 am to 3.00 pm—so that library staff can cope more efficiently with a growing number of written as well as telephoned enquiries. The impact of this move is being closely monitored by the Health and Safety Executive.

Wages

Mr. Skinner asked the Secretary of State for Employment what is the average minimum wage for a 39-hour week in retail non-food shops *(a)* in London and *(b)* outside London for (i) 19-year-olds, (ii) 18-year-olds, (iii) 17-year-olds and (iv) those aged under 17 years at the latest available date.

Mr. Peter Bottomley: The minimum weekly rates of pay for employees at various ages covered by the Retail Trades (Non-Food) Wages Council (Great Britain) Wages Order are shown on page 172 of the regularly updated publication, "Time Rates of Wages and Hours of Work" (Department of Employment), a copy of which is in the Library.

Mr. Skinner asked the Secretary of State for Employment whether he has any information on the approximate changes in the level of wages of cleaners since the abolition of the fair wages resolution in 1983.

Mr. Peter Bottomley: No. The fair wages resolution applied only to workers, other than cleaners, on Government contracts. Terms and conditions of cleaners on Government contracts were dealt with under separate Treasury arrangements.

Mr. Skinner asked the Secretary of State for Employment what percentage of *(a)* retail food shops and *(b)* retail non-food shops visited by wages inspectors were found to be illegally underpaying their staff in 1982, 1983 and 1984, respectively.

Mr. Peter Bottomley: The information requested is given in the following table:

	1982 *Per cent.*	*1983* *Per cent.*	*1984* *Per cent.*
Percentage of establishments covered by the Retail Food Trade Wages Council visited by Wages Inspectors and found to be underpaying one or more workers	43·9	45·9	43·9
Percentage of establishments covered by the Retail Non-Food Trades Wages Council visited by Wages Inspectors and found to be underpaying one or more workers	36·1	38·0	38·8

These figures cannot be taken as an indication of the general level of compliance with wages councils orders as the inspectorate tends to concentrate visits on establishments which are more likely to be underpaying.

A better indication of the overall level of compliance is the extent to which workers are found to be paid less than the legal minimum. This is shown for the retail trades in the table below:

Workers	*1982* *Per cent.*	*1983* *Per cent.*	*1984* *Per cent.*
Percentage of workers in the retail food trade whose pay was checked by all methods who were found to have been underpaid	9·7	6·7	3·3
Percentage of workers in the retail non-food trade whose pay was checked by all methods who were found to have been underpaid	5·2	3·1	3·3

These figures compare favourably with the picture for Great Britain as a whole where the proportions were 6·2 per cent., 6·3 per cent. and 4·3 per cent. in 1982, 1983 and 1984 respectively.

Mr. Skinner asked the Secretary of State for Employment what is the average minimum wage for a 39-hour week in retail food shops in *(a)* London and *(b)* outside London for (i) 19-year-olds, (ii) 18-year-olds, (iii) 17-year-olds and (iv) those aged under 17 years at the latest available date.

Mr. Peter Bottomley: The minimum weekly rates of pay for employees at various ages covered by the Retail Food and Allied Trades Wages Council (Great Britain) Wages Order are shown on page 168 of the regularly updated publication, "Time Rates of Wages and Hours of Work" (Department of Employment), a copy of which is in the Library.

Shop Workers (Hours)

Mr. Skinner asked the Secretary of State for Employment what was the average number of hours worked by part-time shop workers in *(a)* retail food shops and *(b)* retail non-food shops in 1979 and 1984.

Mr. Peter Bottomley: The available information on a broadly comparable basis in 1979 and 1984 relates to the average weekly hours of part-time female employees covered by pay-as-you-earn schemes and whose pay was not affected by absence in the survey week in April. Details for the main sectors of retail distribution are published in table 177 of the reports of the new earnings survey for 1979 and for 1984 respectively, copies of which are in the Library.

EC (Social Fund)

Mr. Foulkes asked the Secretary of State for Employment what regions and projects in the United Kingdom will be excluded as a result of the revision in the terms of the European Economic Community social fund; what is the expected loss in the United Kingdom share of the fund following the revision; if he will place a copy of the revised terms in the Library; and if he will make a statement.

Mr. Peter Bottomley: The European Commission recently published its fund management guidelines indicating which types of project and which regions will be given priority for support from the European social fund in 1986. I have placed a copy in the Library. The main changes in priority projects are that all training schemes must include an element of new technology training, and that priority will no longer be given, except in Northern Ireland and other absolute priority regions, to temporary job creation schemes or to wage subsidy schemes for people over 25.

The main changes to priority regions in the United Kingdom are that the Western Isles, Powys, Warwickshire, parts of Devon, north Yorkshire, most of Cumbria, Grampian and the Borders have lost their previous priority status, while Derbyshire, Nottinghamshire, Lincolnshire and the Isle of Wight have gained priority status. Non-priority areas continue to qualify for support under some parts of the fund.

Most member states will be experiencing a greater reduction in areas with priority status than the United Kingdom. We are continuing to pursue with the Commission a number of anomalies in their selection of priority areas. It is too soon to say how these changes will affect United Kingdom allocations from the fund.

WALES

School Meals

Mr. Gareth Wardell asked the Secretary of State for Wales if he will publish in the *Official Report* the percentage of school meals which have been provided free of charge to pupils in each education authority in Wales for each year from 1979 to the latest available date.

Mr. John Stradling Thomas: The number of pupils receiving a free school meal expressed as a percentage of the total number of pupils taking meals, at all maintained schools on a specific day in the autumn of each year, was as follows:

Per cent.

	1979	*1980*	*1981*	*1982*	*1983*	**1984*
Clwyd	21·2	21·0	27·9	30·8	30·4	30·8
Dyfed	19·4	12·6	15·0	18·8	21·4	23·2
Gwent	30·4	30·6	34·0	39·9	41·5	47·5
Gwynedd	29·1	19·9	23·4	27·6	30·7	31·8
Mid Glamorgan	21·3	25·2	29·5	33·4	37·7	47·9
Powys	14·5	12·5	13·9	17·7	19·7	22·1
South Glamorgan	31·7	35·5	39·2	49·8	49·2	48·3
West Glamorgan	21·9	27·4	29·4	35·2	35·8	42·1

* Provisional estimate.

The number of pupils receiving a free school meal expressed as a percentage of the total number of pupils present was as follows:

Per cent.

	1979	*1980*	*1981*	*1982*	*1983*	**1984*
Clwyd	12·5	8·6	11·3	13·4	15·6	16·5
Dyfed	13·9	8·4	10·5	13·5	15·2	17·5
Gwent	15·4	15·0	17·7	20·6	22·8	27·3
Gwynedd	21·4	12·3	15·1	17·2	19·6	20·5
Mid Glamorgan	12·7	13·0	16·5	18·9	21·6	29·7
Powys	10·6	7·1	9·7	11·8	13·8	14·5
South Glamorgan	16·2	14·6	17·2	18·8	20·5	21·4
West Glamorgan	12·0	11·4	14·7	17·3	19·8	23·9

* Provisional estimate.

Rates

Mr. Heddle asked the Secretary of State for Wales if he will publish in the *Official Report* the number of domestic hereditaments in Wales on an authority-by-authority basis with a rateable value of under £400.

Mr. Wyn Roberts: The information is given in the following table:

Domestic hereditaments with rateable values under £400 at April 1984

	Number
Alyn and Deeside	25,858
Colwyn	21,485
Delyn	23,572
Glyndwr	14,808
Rhuddlan	20,948
Wrexham Maelor	42,100
Carmarthen	17,102
Ceredigion	22,044
Dinefwr	12,829
Llanelli	29,364
Preseli	23,965
South Pembrokeshire	14,683
Blaenau Gwent	31,003
Islwyn	24,696
Monmouth	25,088
Newport	49,503
Torfaen	34,285
Aberconwy	20,987
Arfon	22,483
Dwyfor	12,016
Meirionnydd	14,660
Ynys Mon	25,910
Cynon Valley	26,184
Merthyr Tydfil	22,916
Ogwr	47,445
Rhondda	31,676
Rhymney Valley	37,824
Taff-Ely	34,070
Brecknock	14,073
Montgomery	17,491
Radnor	7,815
Cardiff	102,917
Vale of Glamorgan	39,231
Afan	20,165
Lliw Valley	23,207
Neath	25,529
Swansea	70,035
Total	1,049,967

X-ray Examinations (Ysbyty)

Mr. Best asked the Secretary of State for Wales what is the longest delay in providing an X-ray examination at Ysbyty, Gwynedd, following a doctor's request.

Mr. Wyn Roberts: This information is not held centrally.

Ambulance Service

Mr. Wigley asked the Secretary of State for Wales if he will list the number of occasions on which his Department has referred problems concerning aspects of the ambulance service in Wales to the ambulance service advisory committee.

Mr. Wyn Roberts: The ambulance service advisory committee ceased to exist in 1974.

Disabled People

Mr. Wigley asked the Secretary of State for Wales how many disabled persons have been taken into employment in Wales under the job introduction scheme during the past 12 months.

Mr. Nicholas Edwards: Statistics are available only from 10 September 1984. Between that date and 8 March 1985 there have been 96 placings.

Mentally Ill People

Mr. Wigley asked the Secretary of State for Wales, where in Wales there now exists a formal joint team between district health authorities and county social service departments, in relation to the development of services for mentally ill people; and if he is satisfied with the rate of progress in this area.

Mr. Wyn Roberts: All health authorities, local authorities and family practitioner committees are required by statute to form joint consultative committees, which include representation of voluntary sector interests. The arrangements below the level of JCCs for ensuring effective joint working are for authorities locally to decide.

Much remains to be done to achieve the decentralised patterns of mental illness services which are our objective. None the less, we are taking steps to ensure the co-ordinated development of services. These include monitoring health authorities' strategic plans; the requirement placed on health authorities to reinvest the proceeds of the first 0·5 per cent. of efficiency savings on developments in continuing care services for mentally ill, mentally handicapped and elderly people; special funding of mental illness developments in the NHS in 1985-86 of almost £1 million; and Welsh Office contributions to jointly financed developments in social services of over £2 million in 1985-86.

We have arranged for a further independent review of mental illness services jointly by the NHS health advisory service and the social work service of the Welsh Office between 1985-86 and 1987, the reports of which will be published.

Fluoridation

Mr. Best asked the Secretary of State for Wales if he will estimate *(a)* the initial capital cost of equipment and *(b)* the continuing cost of labour and materials in Wales as a result of the addition of fluoride to water supplies.

Mr. Wyn Roberts: The initial capital cost of equipment for the addition of fluoride to water supplies in the Welsh water authority area was £32,800 and the continuing cost of labour and materials is approximately £25,000 per annum, based on the 12 months ending 31 March 1985.

House Prices

Mrs. Clwyd asked the Secretary of State for Wales to what factors he attributes the fall in the level of house prices in Wales compared with the rest of the United Kingdom in the last year.

Mr. Wyn Roberts: No meaningful conclusion can be drawn from the fact that average Welsh house prices rose more slowly in 1984 than in United Kingdom as a whole. The most recent *Building Societies Association Bulletin* explains that, although over time Welsh prices move in line with the United Kingdom average, the pattern year by year is different.

PRIME MINISTER

Sheffield

Q13. **Mr. Flannery** asked the Prime Minister if she has any plans to pay an official visit to Sheffield.

The Prime Minister: I have at present no plans to do so.

Rating Reform

Q22. **Mr. Latham** asked the Prime Minister if she will make a statement on the recent representations she has received on the reform of the rating system.

The Prime Minister: I am well aware of the objections which many people have to the present rating system. Alternative forms of local taxation are among the issues being considered by the Government's studies on local government finance now in progress.

Anti-Fouling Paints

Q35. **Sir John Wells** asked the Prime Minister if she is satisfied with co-ordination between the Departments of the Environment and Trade and Industry the Ministry of Agriculture, Fisheries and Food and the Northern Ireland Office on the consultation prior to the publication of draft regulations restricting the use of anti-fouling paints on boats; and if she will make a statement.

The Prime Minister: Yes. My right hon. Friends are now considering representations made on these draft regulations during the period of public consultation which has just ended.

Rented Dwellings

Q108. **Mr. Heddle** asked the Prime Minister if Her Majesty's Government have plans to seek to increase the supply of homes to rent.

The Prime Minister: The Government's public expenditure plans already allow for over £3 billion of public investment in housing in 1985-86. We have encouraged local authorities to concentrate their resources on those in special need. We are also considering whether further steps, in addition to those in the Housing Act 1980, should be taken to encourage private landlords to meet the demand for homes to rent.

Nicaragua

Mr. Deakins asked the Prime Minister what is the policy of Her Majesty's Government towards United States policies towards Nicaragua, especially its economic and trade boycott.

The Prime Minister: We share with the United States Administration the common objectives of promoting stability, security and peaceful development in central America. Like them we want to see progress in Nicaragua towards the establishment of genuine pluralist democracy,

the scaling down of armaments and an end to support for subversion of neighbouring states. We have not been asked to participate in the United States economic boycott.

Engagements

Mr. Meadowcroft asked the Prime Minister if she will list her official engagements for Thursday 23 May.

Mr. Marlow asked the Prime Minister if she will list her official engagements for Thursday 23 May.

Mr. Greenway asked the Prime Minister if she will list her official engagements for Thursday 23 May.

Mr. Leigh asked the Prime Minister if she will list her official engagements for Thursday 23 May.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in this House I shall be having further meetings later today.

Missing Children

Mr. Peter Bruinvels asked the Prime Minister if Her Majesty's Government will initiate a nationwide campaign to assist distressed parents in locating their missing children.

The Prime Minister: I can well understand the distress of parents in such circumstances but doubt whether a Government campaign would provide the answer. The information which is necessary operationally for the police is already available; in addition the Metropolitan police missing persons bureau, which is a measure of the particular problem experienced in London, provides some statistical indication of the numbers of children involved. The views of the Association of Chief Police Officers were sought on whether a more comprehensive facility was required but the police considered that arrangements for recording vulnerable missing persons on the police national computer were adequate and effective.

TRANSPORT

Driving Examinations

Mr. Stephen Ross asked the Secretary of State for Transport if he has any plans to privatise the examination of learner drivers; and if he will make a statement.

Mrs. Chalker: My right hon. Friend has no proposals to privatise the driving test organisation.

Mr. Stephen Ross asked the Secretary of State for Transport if he will make a statement on the continuing delays in the examination of learner drivers.

Mrs. Chalker: I refer the hon. Member to the last paragraph of my reply about L test waiting periods to his hon. Friend the Member for Colne Valley (Mr. Wainwright) on 19 February at column *437*.

Speed Governors

Mr. Stephen Ross asked the Secretary of State for Transport whether his Department is monitoring the use of vehicle speed governors such as the Lucas road speed limiter; and whether he is considering making their use mandatory on coaches and lorries.

Mrs. Chalker: As the hon. Member is aware the House of Commons Transport Committee, in its report on road safety, recommended that the development of speed limiters should be monitored closely with the possibility of mandatory fitment in due course. We shall be responding to the report shortly.

Drink-drive Campaign

Mr. Best asked the Secretary of State for Transport when he expects to announce the date on which the next Christmas drink-drive campaign will start; what slogan will be used; and if he will make a statement.

Mrs. Chalker: Decisions as to the content and timing of future publicity on drinking and driving will need to take account of a number of factors, not least our evaluation of the results of the Christmas 1985 campaign, which is not yet completed. It will therefore be some time before I am in a position to make a firm statement of our future plans.

Service Stations (M1)

Mr. Harrison asked the Secretary of State for Transport on what dates his officials last carried out an annual inspection of each service station on the nine service stations between London and Leeds on the M1; and what was the conclusion of their inspection of the telecommunications systems at that time.

Mr. Ridley: The motorway service areas on the M1 between London and Leeds were inspected on the dates given in the following table:

Motorway service area	*Date*
Scratchwood	14 November 1984
Toddington	28 June 1983
Newport Pagnell	26 February 1985
Rothersthorpe	7 March 1984
Watford Gap	7 March 1984
Leicester Forest East	10 February 1983
Trowell	11 July 1983
Woodall	4 July 1984
Woolley Edge	4 July 1984

At all sites the telecommunications system were found to be satisfactory.

An inspection at Toddington has been deferred pending the completion of alterations. Those of Leicester Forest east and Trowell have been delayed due to a heavy volume of work in my Eastern regional office, but arrangements have been made for these sites to be inspected at an early date.

Rural Bus Grant

Mr. Batiste asked the Secretary of State for Transport when he will make available maps relating to the rural bus grant referred to in the Transport Bill.

Mr. David Mitchell: The maps are available from the Office of Population Censuses and Surveys.

Severn Bridge

Mr. Mark Robinson asked the Secretary of State for Transport what recommendation was made by the inspector who held a public inquiry into proposed tolls increases at the Severn bridge; and when he expects to announce his decision.

Mrs. Chalker: The proposal before the inspector was that the toll for cars should be increased from 20p to 50p and for lorries and coaches from 40p to £1 but that the present 10p toll for motor cycles should cease. The Inspector recommended that the order necessary to give effect to this proposal be made, subject to a minor modification to clarify the definition of motor cycles. My right hon. Friend has accepted the inspector's recommendation. The Severn Bridge Tolls Order 1985 (SI 1985/726) has been made and is being laid today. The order will come into effect on Sunday 23 June. It should be noted that this is the first toll increase since August 1979. Copies of the inspector's report and the formal decision letter sent today to all objectors have been placed in the Library.

Aerial Crop Spraying

Mr. Ron Davies asked the Secretary of State for Transport how many Civil Aviation Authority inspectors are employed to investigate aerial crop spraying incidents; how many are employed to make spot checks unannounced on aerial crop spraying contractors; and how many are employed routinely to monitor aerial crop spraying.

Mr. Michael Spicer: The Civil Aviation Authority employs eight investigators to deal with alleged breaches of civil aviation regulations, including those relating to aerial spraying. The authority also employs three inspectors who examine all operators and the adequacy of their staff, premises, equipment and aircraft before granting aerial application certificates. The inspectors make regular checks on all the operators including unannounced spot checks.

Dual Carriageways (Safety Barriers)

Mr. Steen asked the Secretary of State for Transport what is the average cost per mile of erecting safety barriers on the central reservations of dual carriageways.

Mrs. Chalker: The average cost is approximately £48,000 per mile, but it can vary considerably according to local circumstances.

Section 20 Rail Services

Mr. Snape asked the Secretary of State for Transport what arrangements will be made in passenger transport executive areas for the continuation of financial support to section 20 rail services in the event that one or more district councils secede from the joint board arrangements.

Mr. David Mitchell: The arrangements would depend on the circumstances of the individual case. The Local Government Bill recognises this by providing for secession to be approved on the basis either that a district council would remain a member of the Passenger Transport Authority for certain services such as section 20 agreements, whilst taking over responsibility for public transport in other fields, or that it would secede for all purposes.

Boeing 747 (Safety Standards)

Mrs. Clwyd asked the Secretary of State for Transport (1) if he will urge the chairman of the Civil Aviation Authority to set up new trials to test proposed safety standards for escaping passengers in Boeing 747s;

(2) if the Civil Aviation Authority is satisfied that safety standards for passengers will be maintained on British Airways' Boeing 747s modified to seal up two of the escape exits.

Mr. Michael Spicer: I refer the hon. Member to my right hon. Friend's reply to the question put by the Member for Crewe and Nantwich (Mrs. Dunwoody) on 22 May.

ENERGY

Power Stations (Flue Gases)

Mr. Ron Davies asked the Secretary of State for Energy if he will estimate the likely costs to the domestic electricity consumer in each of the first 10 years of implementing the requirements of the draft EEC directive on combustion from large plants, acid rain, by retro-fitting 12 major power stations with flue gas-desulphurisation equipment.

Mr. Goodlad: Such estimates are a matter for the Central Electricity Generating Board and I am asking the chairman to write to the hon. Member.

Domestic Electricity Bills

Mr. Ron Davies asked the Secretary of State for Energy what is the average annual domestic electricity bill.

Mr. Goodlad: I understand from the Electricity Council that the average bill in 1984-85 for domestic consumers in England and Wales on standard tariffs is estimated to have been £194—6·03p per kilowatt hour. The estimated average bill for those on Economy 7 tariffs was £309 — 3·82p per kilowatt hour. The resulting overall average electricity bill for all domestic consumers was £206—5·37p per kilowatt hour.

CEGB (Environmental Performance Targets)

Mr. Ron Davies asked the Secretary of State for Energy if he will list the responsibilities of the Central Electricity Generating Board with regard to caring for the environment in its operations; and what performance targets it has to meet in this respect.

Mr. Goodlad: The Central Electricity Generating Board's responsibilities with regard to the environment are set out in section 37 of the Electricity Act 1957. While I do not set specific performance targets in this area, the board is required, in common with the rest of industry, to comply with any general statutory environmental limits applicable to its operations.

Onshore Licensing

Mr. Portillo asked the Secretary of State for Energy when he will make an announcement about on-shore licensing arrangements.

Mr. Buchanan-Smith: I hope to be able to make an announcement about the first round onshore licensing round by the end of June.

Offshore Licensing

Mr. Needham asked the Secretary of State for Energy when he expects to announce licence awards under the ninth round of offshore licensing.

Mr. Buchanan-Smith [*pursuant to the reply*, 23 January 1985, c. *418*]: I have today announced the conditional awards of petroleum production licences for a further 80 blocks in the ninth round. These lie in all the areas in which blocks were offered. They include the deep water frontier areas of the Rockall and Faeroes troughs; the other frontier areas of the central and extreme southern North sea and the Celtic sea; the intermediate areas of the English Channel and West Shetlands basin; and mature areas in the northern and southern North sea and Morecambe bay.

On January 23 of this year my right hon. Friend announced awards for 13 cash tender blocks applied for in the auction part of the round, bringing in a total of £121·3 million. Today's awards bring the ninth round to a very successful conclusion. A record number of applications were received, and the extent of the work obligations involved is high.

The total of 93 awards is significantly greater than the maximum of 80 we originally expected to be able to make. We also achieve our objective of opening up new frontier areas, including some in deeper water than we have previously licensed. The awards also reflect the continuing high level of interest in gas exploration and development.

Some of the blocks which I am licensing today lie close to the coast. In inviting applications for these blocks I made two matters clear. First, that there will need to be special arrangements because of the sensitivity of these areas for fishing, wildlife and navigation. Secondly, I expect the licensees, if and when they come to consider development plans for such blocks, to carry out a study into the implications and impact of the proposed development.

I would also expect the study to be carried out in consultation with all interested parties including the relevant local authorities, and with fishing and environmental bodies. I emphasise the importance of these matters.

More particularly, I have requested and obtained from all applicants, including the successful companies, confirmation of their acceptance of the special arrangements. I have set out certain essential elements which must be included in the contingency plans to be considered by my Department before drilling can take place. The purpose of these plans is to ensure a rapid response to any oil spill, access to adequate resources in reserve, and good liaison with the relevant local and other authorities.

A copy of the list of awards and the list of elements has been lodged in the Libraries of both Houses.

SOCIAL SERVICES

Licences

Mr. Ashdown asked the Secretary of State for Social Services if he will list in the *Official Report* all the different types of licences operated or granted by his Department and the year in which they first came into operation.

Mr. John Patten: The information is as follows:

	Year
Therapeutic Substances Act 1956 (and previous legislations):	
Research Licences	1927
Medicines Act 1968:	
Product Licences	1971
Product Licences of Right	1971
Manufacturer's Licences	1971
Wholesale Dealer's Licences	1971
Licences for the manufacture of medical equipment:	
Endoscope dual viewing device	1975
Blood Flow Detector	1976
Radiation detector	1978
Ultra sound equipment	1982
Licences for computer software products:	
Fortran IV programs for digitising and processing single beam echocardiograms	1977
Echocardiogram system (Brompton)	1979
Radiotherapy Dose planning (Addenbrooke)	1979
Phoenix Pathology System)	1979
Dietary Analysis (Stoke)	1981
WIMS (Works Information Management System	1981
Radiology (East Anglia)	1982
Master Index and Out-patient Appointments (East Anglia)	1982
Coral Phoenix (Oxford)	1982
Regional Standard System (West Midlands)	1983
Primary Care System (Exeter)	1983
Standard Equipment Scheduling	1984
DHSS-DATA (Library Data base)	1984
Bloodbank (Wolfson)	1985

Junior Hospital Doctors

Mr. Hoyle asked the Secretary of State for Social Services (1) if he will assess the effect on patient care of the hours worked by junior hospital doctors;

(2) how many junior hospital doctors currently work in excess of the agreed maximum of 84 hours per week;

(3) how many junior hospital doctors currently work in excess of 60 hours per week.

Mr. Kenneth Clarke: We do not have information in the form requested. The average number of hours for which junior hospital doctors are contracted is 87·3. This comprises a basic working week of 40 hours, plus additional times spent working, standing-by in hospital, or available on-call at home, and includes provision for covering the annual and study leave of colleagues where appropriate. The hours spent actually working will be considerably fewer than those contracted; a survey commissioned by the Review Body on Doctors' and Dentists' Remuneration in 1981 and published in its 12th report (1982, Cmnd. 8550) indicated an average of 55·3 hours.

For some time we have accepted that the long hours required of some junior doctors are not in their interests, nor those of patients. It is for this reason that in 1983 we banned rotas requiring any junior doctor to be on duty on average for more than one night and one weekend in every two. At the same time we asked health authorities to conduct a major review of rotas more onerous than one in three, which are roughly equivalent to 84 hours a week. By the end of that year, the number of such rotas had fallen or was planned to fall by 20 per cent. from 5,000 to 4,000. We expect authorities to keep the need for the most onerous rotas under continuing review, and have set rotas of one in three or better as the target maximum commitment for the future. This year we have asked

authorities to take steps to relieve the pressure on those doctors likely to have a heavy burden of out-of-hours work where there is no immediate prospect of improving their rotas. We estimate that the number of doctors in this category is unlikely to be more than 2,000 or under 10 per cent. of all juniors.

The Government are committed to the aim of reducing the excessive hours of some junior doctors and we have the support and agreement of the leaders and representatives of the medical profession. We will continue to make progress if we can secure the co-operation of the profession at local level in every Authority.

Consultant Vacancies

Mr. Hoyle asked the Secretary of State for Social Services how many consultant vacancies are currently unfilled; and how many of these have been unfilled for more than 12 months.

Mr. Kenneth Clarke: Information in the form requested by the hon. Member is in the following table:

NHS consultant posts not occupied by a permanent holder at 30 September 1984 (All figures. England and Wales)

	Total	*Medical*	*Dental*
Wholly unoccupied	729	705	24
Occupied by locums	269	269	3
Wholly unoccupied on 30 September 1984 and not occupied by a permanent holder for 12 months or more	345	334	11
Occupied by locums on 30 September 1984; and not occupied by a permanent holder for 12 months or more	117	115	2

Care is required in interpreting the figures given in the table which use a definition of consultant vacancies including new posts not yet advertised or filled. Regions are quite free to determine that their service needs do not require them to appoint to such consultant posts.

Consultant staff in post have increased by about 300 a year since 1979. This reflects generally good recruitment and the priority given by health authorities to these appointments in maintaining and developing their services.

From 1985, vacancy figures will not include posts not yet advertised or filled.

Consultant Posts

Mr. Hoyle asked the Secretary of State for Social Services how many consultant posts there are; and how this compares with 1980.

Mr. Kenneth Clarke: The numbers of medical and dental consultant posts in the hospital service in England at 30 September 1984, and at the comparable date in 1980, are given in the following table.

	Medical posts	*Dental posts*	*Total posts*
30 September 1984	14,117	529	14,646
30 September 1980	13,240	506	13,746

EC (Retirement Pensions)

Mr. Austin Mitchell asked the Secretary of State for Social Services if he will set out the basic retirement pension, in £ sterling, and the basic rate of unemployment benefit in each of the EEC countries; and if he will express the figures in each case as a percentage of the national average wage.

Mr. Whitney: For the first part of his question I refer the hon. Member to sections IV and VII of the Department's publication, "Tables of Social Benefit Systems in the Member States of the European Communities, Portugal and Spain, (position at 1 January 1984)", a copy of which is in the Library. As to the second part of the hon. Member's question, the data available do not allow reliable comparisons with the national average wage in each member State of the European Community.

NHS (Theft and Fraud)

Mr. Ralph Howell asked the Secretary of State for Social Services what was the number of cases of theft or fraud which were *(a)* reported to management, *(b)* reported to the police and *(c)* in which prosecutions took place in the National Health Service in England in 1980, 1981, 1982, 1983 and 1984.

Mr. John Patten: The number of cases of theft, fraud and arson etc. reported to the Department was as follows:

	Number
1979-80	3,540
1980-81	3,923
1981-82	4,049
1982-83	4,289
1983-84	4,181

We do not collect centrally the other information requested.

Widows (Pensions)

Mrs. Beckett asked the Secretary of State for Social Services if he will publish in the *Official Report* the latest estimate of the number of widows in receipt of widows' pension who have underlying entitlement to invalidity pension *(a)* with and *(b)* without invalidity allowance.

Mr. Whitney: The information requested is not available.

Mrs. Beckett asked the Secretary of State for Social Services how many widows are currently in receipt of additional component to widows' pension; and what is the average additional component in payment.

Mr. Whitney: At September 1983, the latest date for which information is available, there were 77,300 widows in receipt of additional component to their widow's pension. The average amount of notional additional component — before deduction of any guaranteed minimum pension — was £2·85 per week. The comparable figures for widows in receipt of widowed mother's allowance were 39,250 and £3·21 per week, giving a total of 116,550 recipients of widows' benefit receiving additional component averaging £2·97 per week.

Mrs. Beckett asked the Secretary of State for Social Services if he will publish in the *Official Report* the latest estimate of the number of widows who are currently in receipt of both invalidity allowance and additional component to widows' pension.

Mr. Whitney: The information requested is not available.

Teachers

Mr. Alan Williams asked the Secretary of State for Social Services what information he has as to how many full-time teachers have been in receipt of benefits of any form including in relation to dentist or optician charges in 1984, or in any period for which figures are available.

Mr. Whitney: I regret that benefit statistics are not kept according to the occupation of the claimant.

Unemployment Benefit

Mr. Adley asked the Secretary of State for Social Services what information he has as to the criteria in each European Economic Community country whereby people offered employment and refusing it relinquish their right to unemployment benefit; and how frequently checks are made on individual claims in each country.

Mr. Whitney: I refer my hon. Friend to section VII of the Department's publication, "Tables of Social Benefit Systems in the Member States of the European Communities, Portugal and Spain, (position at 1 January 1984)", a copy of which is in the Library. This outlines the qualifying conditions for entitlement to unemployment benefit in each country of the European Community. I have no information regarding the frequency of checks made on individual claims.

Mr. Adley asked the Secretary of State for Social Services what information he has as to the level of benefit available in each European Economic Community country for unemployed people in the following categories *(a)* school leavers aged 16 years, living at home, *(b)* school leavers aged 16 years, estranged from home, *(c)* school leavers aged 17 years living at home, *(d)* school leavers aged 17 years, estranged from home, *(e)* school leavers aged 18 years living at home, *(f)* school leavers aged 18 years, estranged from home, *(g)* married men with no dependants, *(h)* married women with no dependants, *(i)* married men with two children and *(j)* married women with two children.

Mr. Whitney: Section VII of the Department's publication, "Tables of Social Benefit Systems in the Member States of the European Communities, Portugal and Spain, (position at 1 January 1984)", a copy of which is in the Library, outlines the information available regarding rates of benefit provided specifically for the unemployed in each country. Section IX of the tables contains information on additional cash benefits which may be available to unemployed people.

Mr. Adley asked the Secretary of State for Social Services what information he has for each EEC country as to the categories of people entitled to draw unemployment benefit.

Mr. Whitney: I refer my hon. Friend to Section VII of the Department's publication, "Tables of Social Benefit Systems in the Member States of the European Communities, Portugal and Spain, (position at 1 January 1984)", a copy of which is in the Library.

Mr. Adley asked the Secretary of State for Social Services what information he has for each European Economic Community country as to its criteria whereby people in the following categories are entitled to draw unemployment benefit *(a)* married women who have been in work, but are now unemployed, *(b)* married women who have never been employed, but who are on the unemployment register, *(c)* people voluntarily retired, but under pensionable age and *(d)* school leavers who have not been in employment.

Mr. Whitney: To qualify for unemployment benfit in EC countries a person needs to have been an insured worker. Section VII of the Department's publication, "Tables of Social Benefit Systems in the Member States of the European Communities, Portugal and Spain, (position at 1 January 1984)", a copy of which is in the Library, sets out details of entitlement.

Mr. Adley asked the Secretary of State for Social Services what information he has as to the different categories in each European Economic Community country of those eligible to receive unemployment benefit; and if he will indicate the time limit in each country.

Mr. Whitney: I refer my hon. Friend to section VII of the Department's publication, "Tables of Social Benefit Systems in the Member States of the European Communities, Portugal and Spain, (position at 1 January 1984)", a copy of which is in the Library.

Mortgage Interest (Unemployed Persons)

Mr. Adley asked the Secretary of State for Social Services what information he has as to how long in each European Economic Community country benefit is available to pay mortgage interest for people who become unemployed.

Mr. Whitney: We have no information on this particular point.

Unemployed People (Assistance)

Mr. Adley asked the Secretary of State for Social Services what information he has for each of the European Economic Community countries as to the level of assistance available to the unemployed and low paid with the following payments *(a)* telephone, *(b)* gas, *(c)* electricity and *(d)* other fuels.

Mr. Whitney: We have no worthwhile comparative information on these matters.

Stanley Royd Hospital, Wakefield (Inquiry)

Mr. Fatchett asked the Secretary of State for Social Services why the chairman of the Wakefield district health authority has refused to give oral evidence to the public inquiry on the outbreak of food poisoning at Stanley Royd hospital, Wakefield; and if he will take steps to ensure that such evidence is now provided.

Mr. John Patten: The chairman of Wakefield Health Authority, along with many others, provided written evidence to the public inquiry. I understand that he indicated that he was willing to appear before the inquiry panel to give oral evidence, but that it was not considered necessary to ask him to do so.

Public Health Laboratory Service

Mrs. Renée Short asked the Secretary of State for Social Services when he intends to reach a decision on the recommendations contained in the report of his

Department's review of the public health laboratory service; and whether he intends to introduce an amendment to subsection 2(c) of section 5 of the National Health Service Act 1977 to transfer to health authorities responsibility for the administration and funding of the public health laboratory service's regional and area laboratories.

Mr. John Patten: Consultation is now taking place on the recommendations contained in the report of the review of the public health laboratory service. We have asked for comments by 15 August. We shall consider our own response to the review in the light of the comments we receive.

Nurses (Pay)

Mrs. Renée Short asked the Secretary of State for Social Services if he will list the levels of pay which have been made to student nurses, nurses and ward sisters employed by National Health Service hospitals in each year since 1979.

Mr. Kenneth Clarke: The table shows for the years 1979 to 1984 the minimum and maximum points of the pay scales for the grades of student nurse, enrolled nurse, staff nurse and ward sister. Pay rates for 1985 will be determined in the light of the recommendations of the Review Body for nursing staff, midwives, health visitors and professions allied to medicine.

Grades	Pay Scales at:— 1 April 1979 Minimum £	1 April 1979 Maximum £	1 April 1980 Minimum £	1 April 1980 Maximum £	1 April 1981 Minimum £	1 April 1981 Maximum £	23 August 1982 Minimum £	23 August 1982 Maximum £	1 April 1984 Minimum £	1 April 1984 Maximum £
Nursing Sister II (Ward Sister)	3,888	4,949	5,309	6,807	5,628	7,215	6,321	8,103	6,827	8,751
Staff Nurse	3,150	3,813	4,198	5,119	4,450	5,426	4,998	6,094	5,398	6,582
Enrolled Nurse	2,850	3,411	3,781	4,561	4,008	4,835	4,501	5,430	4,861	5,864
	1st Year £	3rd Year £	1st Year £	3rd Year £	1st Year £	3rd Year £	1st Year £ 7	3rd Year £	1st Year £	3rd Year £
Student Nurse	2,452	2,667	3,104	3,390	3,290	3,593	3,695	4,035	3,917	4,277

Surplus Hospital Land

Mrs. Renée Short asked the Secretary of State for Social Services if he will list the total financial gains which have been made by the National Health Service resulting from the sale of surplus hospital land in each year since 1979 and the organisations which made purchases.

Mr. John Patten: The information in respect of the National Health Service in England is as follows:

Year ending 31 March	£ million
1979	7·5
1980	9·9
1981	15·2
1982	19·4
1983	18·0
1984	31·5

Figures for the year ending 31 March 1985 are not yet available. Information about the organisations which made the purchases is not held centrally and could not be obtained without disproportionate expenditure.

Heart Transplants

Mrs. Renée Short asked the Secretary of State for Social Services if he has yet made a definite decision to open another heart transplant centre.

Mr. John Patten: No. A gradual expansion of heart transplantation was recommended in the report* evaluating its costs and benefits copies of which are in the Library, and my right hon. Friend has asked the supra regional services advisory group to make recommendations as to how its development might best be taken forward. These recommendations are not expected before the late autumn, and no decision on the extent and nature of any expansion in the service will be taken until they have been fully considered and account taken of all the other competing demands on the resources available.

* Costs and Benefits of the Heart Transplant Programmes at Harefield and Papworth Hospitals, HMSO £7·50.

Ex-Service Men (Benefits)

Mrs. Renée Short asked the Secretary of State for Social Services what benefits are currently paid out to second world war ex-service men who suffered the loss of (a) one leg, (b) two legs, (c) an arm, (d) both arms, (e) one eye or (f) both eyes and to war widows.

Mr. Newton: The second world war ex-service men disabled as a result of that service and war widows are eligible for pensions and allowances under the war pensions scheme. The rate of disablement pension depends upon the assessed degree of disablement. Minimum assessments for the injuries quoted are:-

	Percentage assessment	Weekly pension
(a) amputation of leg through hip joint	90	£52·56
(b) amputation of both legs	100	£58·40
(c) amputation of arm through shoulder joint	90	£52·56
(c) amputation of both arms	100	£58·40
(e) loss of one eye	40	£23·36
(f) loss of both eyes	100	£58·40

In addition to the basic disablement pension a range of supplementary allowances may also be payable, usually for the more severly disabled.

The standard rate of war widows pension is £46·55 a week, which may also attract additional allowances.

NHS Contracts (Competitive Tendering)

Mrs. Renée Short asked the Secretary of State for Social Services if he will invite the chairmen of regional health authorities to discuss with him the effects of

enforced competitive tendering for National Health Service contracts on the manpower and wage levels of ancillary workers, caterers, cleaning and laundry staff.

Mr. Kenneth Clarke: We discuss competitive tendering at regular meetings with chairmen of regional health authorities. I see no purpose in raising the particular point to which the hon. Member refers.

Children in Care

Mrs. Renée Short asked the Secretary of State for Social Services what proportion of the number of children who have been placed into care during the past six years in the west midlands region have been placed with foster parents.

Mr. John Patten: The available information is given in the table which relates to each local authority in the West Midlands region.

Local Authorities (West Midlands Region)

	Percentage of children in care who were boarded out in foster homes at 31 March						
	1979	*1980*	*1981*	*1982*	*1983*	*1984*	*1979-84*
Hereford & Worcester	42·9	41·3	39·2	41·5	45·1	47·5	42·8
Shropshire	45·3	44·6	44·8	46·7	48·4	54·6	47·3
Staffordshire	33·4	34·8	37·9	41·5	45·8	48·1	39·9
Warwickshire	62·3	63·5	67·2	68·2	85·6	74·9	70·2
Birmingham	21·0	23·0	27·1	31·7	35·3	37·8	28·5
Coventry	40·9	44·2	47·8	54·8	54·5	60·0	50·0
Dudley	42·4	45·0	54·2	56·2	59·7	58·7	52·3
Sandwell	28·2	29·9	34·3	43·9	30·4	33·2	33·5
Solihull	33·0	43·3	40·0	35·1	41·3	46·5	39·0
Walsall	33·2	35·4	36·3	38·9	44·4	48·0	38·9
Wolverhampton	32·3	35·0	35·4	40·2	41·6	48·4	38·5

District General Hospitals

Mrs. Renée Short asked the Secretary of State for Social Services if he will list the number of newly constructed district general hospitals which have been completed in each single year since 1979; and in what regions these have been located.

Mr. John Patten: 33 major phases of district general hospitals have been completed since 1979 and are listed by year and region as follows:

Region	*1979*	*1980*	*1981*	*1982*	*1983*	*1984*	*Total*
Northern	—	—	1	—	1	1	3
Yorkshire	—	—	—	1	—	—	1
Trent	—	—	—	—	3	1	4
E. Anglian	1	—	1	—	2	—	4
N.W. Thames	—	—	—	—	—	1	1
N.E. Thames	—	—	—	1	—	2	3
S.E. Thames	—	—	—	—	2	—	2
S.W. Thames	—	—	—	2	—	—	2
Oxford	—	—	—	—	1	—	1
Wessex	1	—	1	—	—	—	2
S. Western	—	1	—	—	—	—	1
West Midlands	—	—	—	1	1	—	2
Mersey	—	—	1	1	1	1	4
North Western	—	2	—	—	1	—	3
Total	2	3	4	6	12	6	33

Correspondence

Mr. Latham asked the Secretary of State for Social Services when the hon. Member for Rutland and Melton may expect a reply to his letter to the hon. Member for Braintree (Mr. Newton) of 28 March regarding his Department's contributions towards charges for nursing homes, accompanied by a letter from a constituent of the hon. Member for Rutland and Melton.

Mr. Whitney: I have written to my hon. Friend today.

Mr. Meadowcroft asked the Secretary of State for Social Services whether he will set out the rules governing the use of the name of a hospital by doctors resident at health authority premises when writing to hon. Members.

Mr. Kenneth Clarke: There are no set rules although no doctor should put himself forward as any kind of spokesman for a hospital unless authorised to do so. I have no knowledge of any instance which the hon. Member has in mind when he refers to the use of the name of a hospital.

Smoking (Diseases)

Mr. Meadowcroft asked the Secretary of State for Social Services, pursuant to the reply of 17 April, *Official Report*, column *215*, if he will break down the figure of £170 million per annum cost to the National Health Service of diseases to which smoking is a major

contributory factor into the cost of *(a)* inpatient treatment, *(b)* outpatient and inpatient treatment and *(c)* family practitioner services.

Mr. John Patten: I shall let the hon. Member have a reply as soon as possible.

Acute Beds (Bloomsbury)

Mr. Dobson asked the Secretary of State for Social Services on what criteria he based his conclusion that the Bloomsbury health district has a surplus of acute beds.

Mr. Kenneth Clarke [*pursuant to his reply*, 16 May 1985, c. *226*]: In 1979 the London health planning consortium advised of the need for

"a major shift in the balance of services within the Thames Regions"

and in particular for a significant reduction in the number of acute beds in London's hospitals. Changes in population, medical advances and improvements in the efficiency with which hospital facilities were used were cited as the main reasons for arriving at this conclusion, together with the need to release resources to improve services for elderly, mentally ill and mentally handicapped people in London and elsewhere. These findings were confirmed in 1980 by the London Advisory Group which considered that

"the order of change identified by the London Health Planning Consortium is broadly correct ie a reduction of 15 per cent. in the total number of acute beds in London between 1979 and 1988".

Between 1979 and 1983 (the latest year for which we have information) the number of acute beds in London has reduced by just under 10 per cent. It is for the district and regional health authorities to determine the precise level of services in each district within this overall framework.

Pensions

Mr. D. E. Thomas asked the Secretary of State for Social Services how many pensioners in Wales drew an additional pension of some kind under the 1975 scheme in September 1984.

Mr. Whitney [*pursuant to his reply*, 20 May 1985 c. *330*]: At September 1983, the latest date for which figures are available, there were 40,460 retirement pensioners receiving an earnings-related additional pension in Wales.

NATIONAL FINANCE

Public Expenditure (Interest Rates)

15. **Mr. Fatchett** asked the Chancellor of the Exchequer what is the estimated change in public spending attributable to a 1 per cent. increase or decrease in interest rates.

Mr. Peter Rees: The precise effect depends on such matters as the size and structure of Government debt and changes in relative interest rates.

European Monetary System

16. **Mr. Geraint Howells** asked the Chancellor of the Exchequer whether he will make a statement on the practicability of the United Kingdom joining the exchange rate mechanism of the European monetary system.

Mr. Hayhoe: Present conditions are not appropriate for United Kingdom membership , but we keep the matter under continuing review.

Personal Taxation

20. **Mr. Wareing** asked the Chancellor of the Exchequer whether his review of personal taxation will extend to consideration of benefits payable by the Department of Health and Social Security; and if he will make a statement.

Mr. Moore: As my right hon. Friend the Chancellor explained in his Budget speech, the Green Paper on personal taxation will discuss a range of options including closer integration between the tax and benefit systems.

Johnson Matthey Bankers

21. **Mr. Skinner** asked the Chancellor of the Exchequer if he is satisfied that the Price Waterhouse report into Johnson Matthey Bankers fully covers the events leading up to the rescue operation; and if he will make a statement.

Mr. Peter Rees: I have nothing to add to the answers which my hon. Friend gave the hon. Member on 25 April, column 975, and to the hon. Member for Sedgefield (Mr. Blair) on 8 May, column 401.

VAT (Soccer)

22. **Mr. Tony Banks** asked the Chancellor of the Exchequer what recent representations he has received about the levying of value added tax on professional soccer.

Mr. Hayhoe: Only a few letters. Since the Bradford tragedy, there have been suggestions that VAT is a hindrance to ground improvements; but professional football clubs are registered for the tax, and subject to the normal rules can recover any VAT incurred on such works.

Capital Transfer Tax

24. **Mr. Maude** asked the Chancellor of the Exchequer what is the total annual cost of collecting capital transfer tax.

Mr. Moore: The estimated cost for 1984-85 of collecting both capital transfer tax and residual estate duty is £18·2 million. The cost of collecting capital transfer tax alone is not available.

Inland Revenue South-West Region

25. **Mr. Ashdown** asked the Chancellor of the Exchequer if he is satisfied with the efficiency of management in Inland Revenue south-west region; and what are the reasons for the present state of work in the tax offices of that region.

Mr. Moore: Yes. In most of the 39 tax offices in the south-west region, the state of work does not give cause for special concern. In some offices there are serious arrears; these are mainly attributable to the loss of trained staff, and in some instances also to transitional problems caused by reorganisation.

Money Supply

26. **Mr. Kirkwood** asked the Chancellor of the Exchequer if he will make a statement on the increase in April's money supply figure.

Mr. Peter Rees: I refer the hon. Member to my right hon. Friend's earlier reply to the Member for Rutland and Melton (Mr. Latham).

Budget Proposals (Pensions)

27. **Mr. Thurnham** asked the Chancellor of the Exchequer what recent representations he has received from pensioners following his Budget proposals.

Mr. Moore: We have received a number of representations from pensioners about various aspects of the Budget proposals.

State Earnings-Related Pension Scheme

28. **Sir William van Straubenzee** asked the Chancellor of the Exchequer if he will estimate the effect on the revenue of the abolition of the state earnings-related pension scheme.

Mr. Moore: Estimates of the effect on revenue of the abolition of the state earings-related pension scheme would depend on the assumptions made about any consequential changes in the numbers of contributions made to pension schemes, and in their level.

Public Sector Borrowing Requirement

29. **Mr. Wallace** asked the Chancellor of the Exchequer what is his estimate of the public sector borrowing requirement at the end of 1984-85; and what is the effect on its level of the sale of publicly owned enterprises during the year.

Mr. Peter Rees: The latest estimate of the public sector borrowing requirement for 1984-85 is £10·1 billion. That is 3·1 per cent. of GDP, which is as low as it has been for well over a decade. The PSBR benefited in the year by an estimated £2·1 billion from the special sales of assets programme.

Parliamentary Questions

30. **Mr. Dalyell** asked the Chancellor of the Exchequer what is his practice concerning the signing by Ministers in his Department of written answers to parliamentary questions before they are sent to hon. Members.

Mr. Hayhoe: My right hon. Friend requires draft answers to be approved and initialled by Ministers before they are re-typed and sent to hon. Members.

Workplace Crèche Facilities

31. **Mr. Holt** asked the Chancellor of the Exchequer whether he has any plans to review the present arrangements for taxing workplace crèche facilities.

Mr. Moore: I have nothing to add to the reply given to my hon. Friend the Member for Wealden (Sir G. Johnson Smith) on 24 April, column 481.

Black Economy

32. **Mr. Heathcoat-Amory** asked the Chancellor of the Exchequer what estimate is made for the black economy in computing gross domestic product.

Mr. Peter Rees: The allowances made for the black economy were described in the October 1983 issue of *Economic Trends*, pages 77 and 78, and in the notes section of the 1984 edition of *United Kingdom National Accounts*, page 113. These publications are available in the Library of the House of Commons.

Public Expenditure

33. **Mr. Simon Hughes** asked the Chancellor of the Exchequer what action he is taking with regard to public expenditure control in the light of the report of the Audit Commission on capital spending.

Mr. Peter Rees: My right hon. Friend the Secretary of State for the Environment has welcomed the Audit Commission's report on capital expenditure controls in local government in England—Vol. 78, column 786. Account will be taken of it in his review of the local authority capital control system and any action will follow the conclusion of that review.

Sugar (Taxation)

34. **Mr. Gregory** asked the Chancellor of the Exchequer if Her Majesty's Government have any plans to seek to tax sugar; and if he will make statement.

Mr. Hayhoe: No.

Licences

Mr. Ashdown asked the Chancellor of the Exchequer if he will list in the *Official Report* all the different types of licences operated or granted by his Department and the year in which they first came into operation.

Mr. Hayhoe: Her Majesty's Customs and Excise issue excise licences for the following purposes:

Still User
Beer Primer
Brewer for Sale
Compounder
Distiller
Rectifier
Producers of Wine and Made Wine
Match Manufacturer
Mechanical Lighter Manufacturer
Methylator
Limited Licence to Brew
Gaming
Gaming Machines

The Department also administers import and export licences on behalf of other Government Departments. The Treasury licenses the melting down or breaking up of United Kingdom coins.

Most of these licensing systems have been in operation for many years and it would not be possible to determine the year in which they first came into operation without disproportionate cost.

The Inland Revenue operates and grants no licences.

Balance of Payments

Mr. Gould asked the Chancellor of the Exchequer if he will publish in the *Official Report* a table showing for

each year since 1978 and 1985 to date the change in the balance of payments on current account together with his estimate of the effect each year on *(a)* the United Kingdom money supply and *(b)* the level of domestic credit.

Mr. Peter Rees: Figures showing the accounting relationship between the balance of payments and the external and foreign currency counterpart to changes in the money stock together with the components of changes in domestic credit up to the end of 1984 are given in "Financial Statistics" tables 11.5 and 11.6. Similar figures are not yet available for the first quarter of 1985.

Manual Earnings

Mr. Maclean asked the Chancellor of the Exchequer if he will state the number of minutes of work a male manual worker on average earnings needed to complete in 1973 and 1984, respectively, to earn the equivalent in the years in question of the average retail price of the following food items: *(a)* one pint of milk, *(b)* one dozen eggs, *(c)* one pound of beef, *(d)* one pound of pork, *(e)* one pound of lamb, *(f)* one pound of back bacon, *(g)* three pounds of chicken, *(h)* one pound of butter, *(i)* one pound of cheese, *(j)* one pound of potatoes, *(k)* two pounds of sugar, *(l)*one pound of tomatoes and *(m)* a 800 gramme white loaf.

Mr. Peter Rees: The information requested is provided in the following table. The calculations, presented in minutes, are based on the average net hourly income (gross earings less NIC's and income tax) of a full-time manual man (single) on adult rates, excluding those whose pay was affected by absence and draws on information in "New Earnings Surveys". The price data come from information collected for the retail prices index.

Working time (minutes)

	April of each year	
	1973	*1984*
One pint of milk	5·5	5·3
One dozen eggs (large)	32·3	24·3
1 lb of beef (chuck)	53·5	42·3
1 lb of pork (leg)	39·9	26·9
1 lb of lamb (best end of neck, home-killed)	42·1	31·7
1 lb of back bacon (smoked)	50·3	38·3
3 lb of chicken (frozen)	54·4	46·1
1 lb of butter (home-produced)	23·8	22·4
1 lb of cheese (Cheddar type)	31·8	29·3
1 lb of potatoes (old, white, sold loose)	2·4	3·7
2 lb of sugar	19·7	24·0
1 lb of tomatoes	34·4	14·3
800 gramme white loaf (sliced)	10·3	9·7

EC (Financial Guidelines)

Mr. Deakins asked the Chancellor of the Exchequer if the European Economic Community financial guideline relates to calendar years or to financial years.

Mr. Ian Stewart: The Community's financial year is the calendar year. The guideline thus relates to the calendar year.

Manufacturing Investment

Mr. Strang asked the Chancellor of the Exchequer what estimate he has made of the annual level of investment in manufacturing industry in each of the next five years; and if he will make a statement.

Mr. Moore: Both Government and CBI surveys indicate an increase of 7 to 8 per cent. in manufacturing investment this year.

Share Schemes

Dr. Godman asked the Chancellor of the Exchequer how many save-as-you-earn share option schemes under the Finance Act 1980 have been *(a)* submitted to the Inland Revenue and *(b)* approved in each year since 1980.

Mr. Moore [*pursuant to his reply*, 21 May 1985, c. *413-14*]: The information requested is as follows:

	(a) Schemes submitted	*(b) Schemes approved*
1980*	33	7
1981	133	113
1982	77	76
1983	87	74
1984	150	100
1985†	53	46
Total	533‡	416

* The start date for the schemes was 15 November 1980.
† Up to 30 April.
‡ Of this total, 33 are schemes which companies have not proceeded with, for a variety of reasons.

Dr. Godman asked the Chancellor of the Exchequer how many approved deferred share trust profit sharing schemes under the Finance Act 1978 (as amended) have been *(a)* submitted to the Inland Revenue and *(b)* approved in each year since 1979.

Mr. Moore [*pursuant to his reply*, 21 May 1985, c. *414*]: The information requested is as follows:

	(a) Schemes submitted	*(b) Schemes approved*
1979*	186	78
1980	120	106
1981	77	77
1982	73	67
1983	68	49
1984	83	69
1985†	34	20
Total	641‡	466

* The start date for the scheme was 6 April 1979.
† Up to 30 April.
‡ Of this total, 120 are schemes which companies have not proceeded with, for a variety of reasons.

AGRICULTURE, FISHERIES AND FOOD

Cocoa Agreements

Dr. Twinn asked the Minister of Agriculture, Fisheries and Food if he will seek to secure that the price objectives of international cocoa agreements are in future denominated in a representative basket of currencies.

Mrs. Fenner: Negotiations for a new International Cocoa Agreement are within the competence of the European Community. Her Majesty's Government are seeking, together with our EC partners and other consuming countries, a new agreement based on a realistic view of the market and taking account of the problems caused by currency fluctuations.

Dr. Twinn asked the Minister of Agriculture, Fisheries and Food if he will take steps to seek amendment of the International Cocoa Agreement 1980 so as to permit adjustment of the price objectives to compensate for fluctuations in international currency markets.

Mrs. Fenner: The 1980 Agreement expires this September. The question of its further extension, including the application of any price range, is linked to the prospects for further negotiation of a successor Agreement and cannot be determined at this stage. I fully appreciate, however, the need to take into account in this context the effect of currency fluctuations.

US Quotas

Mr. Gregory asked the Minister of Agriculture, Fisheries and Food what action he has taken since the United States Government imposed quotas on certain imported goods under section 22 of the Agricultural Act 1933 in January.

Mrs. Fenner: On hearing of this action, my Department raised it with the European Commission, within whose competence such matters lie, and the Commission transmitted our concern to the United States authorities. My right hon. Friend, the Secretary of State for Trade and Industry, also raised the issue, when he visited Washington DC on 7-9 May, with the United States trade representative.

On 17 May, the United States Government decided, with effect from 19 May, to exclude from the restrictions imports of certain goods containing sugar, pending an investigation by the US International Trade Commission.

These goods are:

—articles in retail packages, if not dry mixtures;
—articles in retail packages, if dry mixtures containing 10 per cent. or less sugar by dry weight;
—articles in bulk, whether or not dry mixtures, containing 10 per cent. or less sugar by dry weight;
—certain cake decorations (ie those to be used in the same condition as imported without any further processing other than the direct application to individual pastries or confections) containing 65 per cent. or less sugar by dry weight;
—crushed coconut meat or juice preparations with added sugar, containing 65 per cent. or less sugar by dry weight;
—minced sea food preparations containing 20 per cent. or less sugar by dry weight.

Brown Tail Moth

Mr. Hancock asked the Minister of Agriculture, Fisheries and Food (1) what action he is taking to protect the fruit-growing areas of south Hampshire from the brown tail moth caterpillar;

(2) what information he has about the incidence of serious infestations of the brown tail moth; and what is his policy towards its control.

Mrs. Fenner: The brown tail moth caterpillar occurs mainly in the coastal areas of Hampshire, Sussex, Kent, Essex and Suffolk. The moth is not regarded as an agricultural pest and responsibility for any necessary control rests with the growers. I have no knowledge of any serious orchard infestation.

The Agricultural Development and Advisory Service provides information on the habitat and control of this caterpillar in leaflet 40—"Web-forming Caterpillars"—copies of which have been placed in the library of the House.

EC (Agricultural Expenditure)

Mr. Foulkes asked the Minister of Agriculture, Fisheries and Food (1) what estimate he has made of the extra expenditure in the European Economic Community budget resulting from each 1 per cent. cut in cereal prices up to 3·6 per cent.; and whether the inter-governmental agreement for 1985 will be modified to take account of this increased expenditure;

(2) which year's expenditure counts as the base for future agricultural spending as specified by the European Economic Community document on budgetary discipline; and what estimate he has made of the effect on future budgets of a cut in cereal prices below the 3·6 per cent. on which the budget was based.

Mr. Jopling: The European Commission has estimated that each 1 per cent. increase in the intervention price for cereals, after taking account of consequent changes in payments for the carryover of end-of-season stocks, would increase EAGGF expenditure by about 3 mecu in 1985 and 60 mecu in 1986. The draft budget for 1985, including the additional finance to be provided through an inter-governmental agreement, has been drawn up on the basis of the Commission's original price-fixing proposals. Any increases in expenditure, arising from changes to these proposals or other factors, will however be accommodated within the budget provision as the Commission has stated that it will take whatever measures are necessary in the management of agricultural markets to avoid a supplementary budget for 1985.

In accordance with article 4 of the Council's conclusions on budget discipline, the financial guideline for agriculture is calculated by reference to agricultural expenditure in 1984 and 1985 and the rate of growth of the own resources base.

Water Authorities (Grants)

Mr. Leigh asked the Minister of Agriculture, Fisheries and Food what criteria he applied when allocating a grant earning ceiling to water authorities in 1985-86.

Mr. Jopling: In allocating grant-earning ceiling, that is, the total capital expenditure attracting grant aid to water authorities for sea defence, flood protection and arterial drainage purposes for the current year, I was faced with bids that in total exceeded the amounts available by over £16 million. I therefore decided that in allocating such expenditure I should establish a rough order of priorities that would seek to ensure that the money was allocated to cover the work that was most needed. The first factor that I took into account was the firm contractual commitments for 1985-86 that had already been entered into by authorities and where contractual penalties would be incurred if the work was not carried out. I then sought to allocate amounts with the following priorities very much in mind: flood warning schemes; urban sea defence; urban flood relief; rural sea defence and the preservation of existing rural drainage schemes; new rural drainage schemes.

In using this broad order of priorities I recognised that many schemes serve more that one objective. I am not seeking to lay down the programme of works for water authorities. The order of priorities does not mean that I consider that all requirements in a higher category need to be met before there is any expenditure in a lower category.

I envisage that some authorities may quite rightly consider that to protect an existing agricultural scheme is more important than to alleviate a particular urban sea defence problem in view of the likelihood or the scale of potential damage. It must always be for the drainage authority committee with knowledge of the local problems to decide on those schemes that it wishes to undertake.

Written Answers to Questions

Friday 24 May 1985

TRANSPORT

Pesticides

Mr. Ron Davies asked the Secretary of State for Transport what steps are being taken to restrict the application of pesticides from the air.

Mr. Michael Spicer: Only chemicals which are specifically cleared for aerial application under the pesticides safety precautions scheme may be used for this purpose; these exclude the most toxic and persistent chemicals. The Civil Aviation Authority is responsible under article 40 of the Air Navigation Order 1980 for the control of aerial crop spraying. It has recently reviewed and strengthened the requirements it imposes on operators, in particular the procedures designed to keep spray to the target area. The distance which must be kept from houses has been increased from 75ft to 200ft, for example, and operators must confine the application of chemicals to the area to be treated. The authority will not hesitate to prosecute if it has satisfactory evidence that the procedures laid down have not been followed.

Severn Bridge (Toll Charges)

Mr. Roy Hughes asked the Secretary of State for Transport if he will now publish the report submitted to him in November 1984 following the public inquiry held in Bristol in July 1984 regarding his proposal to increase toll charges on the Severn bridge.

Mrs. Chalker: I refer the hon. Member to the reply given to my hon. Friend the Member for Newport, West (Mr. Robinson) on Thursday 23 May 1985.

A38 (Safety Fencing)

Mr. Steen asked the Secretary of State for Transport, pursuant to the answer of 20 May, *Official Report*, column *284*, what he envisages will be the effect of publishing interim guidance on the provision of safety fencing on the A38 between Exeter and Plymouth; and for whom the interim guidance will be published.

Mrs. Chalker: Until the new criteria are finalised, their full effect cannot be assessed, but work on assessment has begun, and I shall write to my hon. Friend as soon as it is complete. The updated criteria will be published as a departmental standard and will be available generally through the DOE/DTp publications sales unit.

Wrecked Ships

Mr. Henderson asked the Secretary of State for Transport if he has any proposals to change procedures relating to the salvaging of wrecked ships; and if he will make a statement.

Mr. David Mitchell: I have no proposals of this sort, although when parliamentary time permits I propose to seek approval for legislation that would provide for the protection and disposal of objects of archaeological and historic importance that are recovered from wrecked vessels.

ENVIRONMENT

Fluoridation

Mr. Best asked the Secretary of State for the Environment if he will estimate *(a)* the initial capital cost of equipment and *(b)* the continuing cost of labour and materials in all parts of the United Kingdom as a result of the addition of fluoride to water supplies.

Mr. Macfarlane: *(a)* The intial capital cost of fluoridation equipment is estimated currently to lie in the range £35,000—£75,000 for populations up to 500,000. This excludes any building costs.

(b) It has been estimated that the total running cost of United Kindom fluoridation plants is approximately £1 million.

Building Regulations

Mr. Grylls asked the Secretary of State for the Environment what progress he has made in simplifying building regulations.

Mr. Gow: New building regulations will be made to come into force before the end of the year which will be simpler and more flexible in form, will give wider exemption and simplified procedures for minor works and will provide for private certification.

Planning Zones

Mr. Grylls asked the Secretary of State for the Environment when he expects to announce his proposal to introduce simplified planning zones.

Mr. Macfarlane: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Mid-Staffordshire (Mr. Heddle) on 26 March at column *147*.

West Yorkshire Structure Plan

Mr. Meadowcroft asked the Secretary of State for the Environment what timetable for the consultation and examination procedure would be appropriate in order to enable him to approve first alterations to the west Yorkshire structure plan prior to the proposed abolition of the metropolitan counties.

Mr. Macfarlane: The time taken to process submitted alterations to approved structure plans varies according to the extent and complexity of the alterations and the weight of objections. In the case, of the alterations to the west Yorkshire structure plan, my right hon. Friend's preliminary view was that there was unlikely to be time to complete the various steps required to process the alterations before 1 April 1986.

Mr. Meadowcroft asked the Secretary of State for the Environment when he proposes to announce his decision on whether to invoke his powers under section 6(1) of the Local Government (Interim Provisions) Act 1984 to defer consideration of the submitted alterations to the west Yorkshire structure plan.

Mr. Macfarlane: My right hon. Friend will announce his decision shortly.

Structure Plans

Mr. Meadowcroft asked the Secretary of State for the Environment if he will list for each county for which he has accepted structure plan alterations firstly the time that elapsed between the submission of alterations by the counties and his decision to put them to public examination, and secondly the time which elapsed between that decision and his approval to the alterations.

Mr. Macfarlane: The information is as follows:

Alteration	*Submitted*	*Announcement of examination in public*	*Approved†*
Warwickshire No. 1	February 1977	September 1977	August 1979
Warwickshire No. 2	March 1977	September 1977	August 1979
Teesside No. 1	August 1978	November 1978	December 1979
East Cleveland	August 1978	November 1978	December 1979
West Cleveland	August 1978	November 1978	December 1979
Staffordshire (Transport)	October 1978	May 1979	December 1979
Leicestershire (Transport)	December 1978	April 1979	February 1980
Worcestershire	October 1978	March 1979	March 1980
East Sussex No. 1	October 1978	February 1979	September 1980
Norfolk No. 1	September 1980	*	October 1981
Derbyshire	September 1981	*	December 1981
Warwickshire No. 3	November 1980	March 1981	June 1982
East Sussex No. 2	May 1981	*	September 1982
Oxfordshire (Minerals)	September 1979	February 1980	October 1982
Norfolk No. 2	November 1980	*	December 1982
Norfolk No. 3	July 1981	*	December 1982
Norfolk No. 4	November 1981	*	December 1982
Northamptonshire	July 1982	*	March 1983
Teesside No. 2	October 1982	*	April 1983
Kent	May 1981	May 1982	December 1983
Hertfordshire	November 1980	February 1982	October 1984
South Wiltshire (Transport)	April 1983	August 1983	December 1984
East Sussex No. 3	October 1982	June 1983	May 1985

*Examination in public not held.
†Approved with modifications except in the cases of Derbyshire and Teesside No. 2.

Wildlife and Countryside (Amendment) Bill

Dr. David Clark asked the Secretary of State for the Environment if he will publish in the *Official Report* the letters he has received from the Nature Conservancy Council concerning the Wildlife and Countryside (Amendment) Bill.

Mr. Waldegrave: It is not normal practice to publish correspondence between the NCC and my Department.

Tower Block Flats (Defects)

Mr. Rooker asked the Secretary of State for the Environment if he proposes a warranty scheme for repairs to defects in flats within tower blocks which have been sold under the Housing Act 1980.

Mr. Gow: Owners of flats who are eligible for assistance under the Housing Defects Act will receive that assistance by way of repurchase at 95 per cent. of the defect-free value. Reinstatement grants are not available for flats because of the difficulty of reinstating flats individually.

Water Industry (Consumer Consultative Committees)

Mr. O'Brien asked the Secretary of State for the Environment what value he attaches to the water industry consumer consultative committees.

Mr. Macfarlane: As was made clear in the Department's recent evidence to the Public Accounts Committee, I attach a good deal of importance to water authorities' arrangements for consumer consultation under section 7 of the Water Act 1983, and to the valuable advice which water authorities derive from their consumer consultative committees on a wide range of issues.

Welfield Site, Hatfield

Mr. Murphy asked the Secretary of State for the Environment when he expects a decision on the planning inquiry relating to the Welfield site in Hatfield to be announced; and if he will make a statement.

Mr. Macfarlane: I hope to issue a decision on this case very soon.

Nugee Committee (Report)

Mr. Nicholls asked the Secretary of State for the Environment when he expects to receive the report of the Nugee committee on the private rented sector.

Mr. Gow: I expect to receive the report later this year.

OVERSEAS DEVELOPMENT

Health and Population

Mr. Deakins asked the Secretary of State for Foreign and Commonwealth Affairs what non-government specialist advice on health and population matters is available to staff of development divisions overseas and to his headquarters staff, respectively; and how often overseas visits in connection with health and population projects were made by United Kingdom-based non-governmental experts in 1984.

Mr. Raison: Advice is available on request from a variety of non-government sources such as the London and

Liverpool schools of tropical medicine and the specialist population centres. In addition to technical co-operation officers and consultants now engaged on projects abroad, 17 overseas advisory visits were made on behalf of the Overseas Development Administration in 1984.

Mr. Deakins asked the Secretary of State for Foreign and Commonwealth Affairs how many of the staff in each development division overseas are experts in health and population projects; and how many staff at Overseas Development Administration headquarters have similar expertise.

Mr. Raison: There are no health or population specialists on the staff of development divisions. There are eight professionals in these fields at the headquarters of the Overseas Development Administration.

Homeless Persons

Mr. Squire asked the Secretary of State for Foreign and Commonwealth Affairs whether he is planning to discuss with the relevant co-ordinating council what the level of funding from his Department will be in respect of the international year of shelter for the homeless in 1987.

Mr. Raison: I refer my hon. Friend to the reply given to the hon. Member for Houghton and Washington (Mr. Boyes) on 7 May columns *307-8*. Funds under our bilateral aid programme are not allocated globally on a sectoral basis, but country by country in accordance with priorities between sectors as agreed with our aid recipients.

NATIONAL FINANCE

Value Added Tax

Mr. Heddle asked the Chancellor of the Exchequer if he will publish in the *Official Report* the administrative costs in percentage terms of collecting value added tax in businesses with an annual turnover of *(a)* £30,000, *(b)* £40,000, *(c)* £50,000, *(d)* £60,000, *(e)* £70,000, *(f)* £80,000, *(g)* £90,000 and *(h)* £100,000, respectively.

Mr. Hayhoe: I regret that detailed records of administrative costs are not maintained by reference to turnover bands and the information requested would be disproportionately expensive to calculate.

PAYE System

Mr. Grylls asked the Chancellor of the Exchequer what progress he is making in putting the pay-as-you-earn system on to a more cumulative system; and when he expects to put national insurance contributions and pay-as-you-earn calculations side by side in same deduction tables.

Mr. Moore: I shall let my hon. Friend have a reply as soon as possible.

Government Departments (Expenditure)

Mr. Michael Forsyth asked the Chancellor of the Exchequer whether he is satisfied with the control of expenditure on the running costs of Government Departments; and whether he will make a statement.

Mr. Peter Rees: Successive scrutinies of the running costs of Government Departments have shown that in aggregate these costs have been rising more quickly than costs in the economy generally. The Government intend to improve the arrangements for controlling running costs. Targets will therefore be set in the forthcoming public expenditure survey, to cover the running costs, including manpower costs, of each Department. These targets will be published in the 1986 public expenditure White Paper.

Family Income Supplement

Mr. Lester asked the Chancellor of the Exchequer what estimate has been made of the additional cost to the Exchequer of family income supplement or its successor if wages councils were abolished.

Mr. Peter Rees: No estimate has been made.

Privatisation (Fees and Commissions)

Mr. Blair asked the Chancellor of the Exchequer if he will list in the *Official Report (a)* updated figures for fees paid, including fees to auditors in respect of the first share issues for Amersham International Limited, Associated British Ports, British Aerospace, British Railways Board Hotels, Britoil, Cable and Wireless and the National Freight Corporation and *(b)* all the fees and commissions paid to primary underwriters, sub-underwriters, financial advisers, legal advisers, auditors and stockbrokers in respect of the second Cable and Wireless issue, the second Associated British Ports issue, Enterprise Oil, Sealink, Jaguar, British Telecom and the 1979 and 1983 BP issues; and if he will name each firm concerned.

Mr. Moore [*pursuant to his reply*, 21 December 1984, c. *360*.]: Tables 1 and 2, which each relate to the United Kingdom sales specified in part *(a)* of the question, have been revised and updated as follows:

Table 1

Companies	*Auditors*	*Revised Total Fee/ Commissions (£'000 including VAT)*
Amersham International	Coopers & Lybrand	1484
Associated British Ports (1983)	Price Waterhouse	1926
British Aerospace	Peat, Marwick Mitchell & Co.	4471
Britoil	Thomson McLintock	11,658
Cable & Wireless (1981)	Deloitte, Haskins & Sells	5342
National Freight Consortium*	Ernst & Whinney	264

* Share placing with a management and employees consortium.

Table 2

Companies	*Primary Underwriters*	*Sub-Underwriters*	*Financial Advisers*	*Legal Advisers*	*Auditors*	*Stockbrokers*	*Total Fee/ Commissions (£'000 including VAT*
Cable & Wireless (1983)	Kleinwort, Benson Ltd. Baring Bros. & Co. Ltd. J. Henry Schroder Wagg & Co. Ltd. Morgan Grenfell & Co. Ltd.	Various*	Kleinwort, Benson Ltd.†	Freshfields Linklaters & Paines Speechly Bircham	Deloitte Haskins & Sells	Mullens & Co. Cazenove & Co. James Capel & Co. Rowe & Pitman	5028
Associated British Ports (1984)	J. Henry Schroder Wagg & Co. Ltd. Kleinwort, Benson Ltd.	Various*	J. Henry Schroder Wagg & Co. Ltd.	Freshfields Linklaters & Paines Slaughter & May	Price, Waterhouse	W. Greenwell & Co. Cazenove & Co. Kitcat & Aitken	1128
Enterprise Oil	Kleinwort, Benson Ltd. Morgan, Grenfell & Co. J. Henry Schroder Wagg & Co. Ltd. S. G. Warburg & Co. Ltd.	Various*	Kleinwort, Benson Ltd. Wood, Mackenzie & Co.	Freshfields Allen & Overy	Peat, Marwick, Mitchell & Co.	Cazenove & Co. De Zoete & Bevan	9234*
Sealink‡	n/a	n/a	Hill, Samuel & Co. Ltd. W. Greenwell & Co.	n/a	n/a	n/a	38
Jaguar‖	—	—	J. Henry Schroder Wagg & Co. Ltd.	—	—	—	‖
British Telecom	Kleinwort, Benson Ltd. Barclays Merchant Bank Ltd. Charterhouse Japhet plc. Robert Fleming & Co. Ltd. Hill, Samuel & Co. Ltd. Lloyds Bank International Ltd. Morgan Grenfell & Co. Ltd. S. G. Warburg & Co. Ltd. Baring Bros. & Co. Ltd. County Bank Ltd. Hambros Bank Ltd. Lazard Bros. & Co. Ltd. Samuel Montagu & Co. Ltd. N. M. Rothschild & Sons Ltd. J. Henry Schroeder Wagg & Co. Ltd.	n/a●	Kleinwort, Benson Ltd.	Linklaters & Paines	Coopers & Lybrand	Hoare, Govett Ltd. Cazenove & Co. De Zoete & Bevan Scrimgeour, Kemp-Gee & Co.	89,363■

Companies	Primary Underwriters	Sub-Underwriters	Financial Advisers	Legal Advisers	Auditors	Stockbrokers	Total Fee/ Commissions (£'000 including VAT
British Petroleum (1979)	S. G. Warburg & Co. Ltd. Robert Fleming & Co. Ltd. Kleinwort, Benson Ltd. Lazard Bros. & Co. Ltd. Morgan Grenfell & Co. Ltd. J. Henry Schroder Wagg & Co. Ltd.	Various*	¶	Freshfields Linklaters & Paines	Ernst & Whinney	Mullens & Co. Cazenove & Co. Hoare Govett Rowe & Pitman Scrimgeour, Kemp-Gee & Co.	5,956
British Petroleum (1983)	S. G. Warburg & Co. Ltd. Robert Fleming & Co. Ltd. Kleinwort, Benson Ltd. Lazard Bros. & Co. Ltd. Morgan Grenfell & Co. Ltd. J. Henry Schroder Wagg & Co. Ltd.	Various*	¶	Freshfields Linklaters & Paines	Ernst & Whinney	Mullens & Co. Cazenove & Co. Hoare Govett Rowe & Pitman Scrimgeour, Kemp-Gee & Co.	9,499

Notes:
† The Bank of England was jointly responsible with Kleinwort, Benson for making the sale arrangements and providing advice. The bulk of the Bank's costs were incurred in its role as receiving bank. No estimate for costs incurred in the provision of advice is available.
‡ Trade sale.
‖ The sale of Jaguar was conducted by BL plc who appointed advisers. Details of the appointments and the total cost are a matter for the Company. Only one firm was appointed to advise the Government, it is not the practice to disclose fees paid to individual firms.
¶ In both BP sales, the Bank of England was responsible on the Government's behalf for making the sale arrangements and providing advice. The bulk of the Bank's costs were incurred in its role as receiving bank. No estimate for costs incurred in the provision of advice is available.
● The United Kingdom offer was placed with institutional investors ("Priority Applicants"). The cost of the commissions payable to Priority Applicants is included in the total.
■ Estimate for 1984-85: final accounts are not yet available.
★ Provisional
* Too numerous to list

In some cases the revisions update previous preliminary estimates. In other cases, figures have been revised to include fees for various minor financial advisory services, for example petroleum consultancy, insurance audits, property valuation. In accordance with the terms of the question, the figures exclude payments to receiving banks, public relations advisers, printers and distributors, and similar costs not associated with the provision of financial advice. Payments of stamp duty are similarly excluded.

Tables 1 and 2 relate to United Kingdom sales. In three sales, — BP in 1979 and 1983, and BT — special arrangements were made overseas: total value of fees and commissions incurred in respect of these was about £0·5 million and £27·5 million, including £7·8 million paid to the Bank of England, respectively. The BT figure is provisional, since final settlement of all bills has not yet been made. The principal advisers on the BP arrangements in 1979 were Davis Polk and Wardwell, Linklaters and Paines (US), Morgan Stanley and Co., and Sullivan Cromwell; in 1983 they were David Polk and Wardwell, and Sullivan and Cromwell; in the BT sale they were Morgan Stanley and Co., McLeod Young Weir, Nomura Securities Co., Swiss Bank Corporation International, and Sullivan and Cromwell.

HOME DEPARTMENT

British Crime Survey

Mr. Wheeler asked the Secretary of State for the Home Department if, pursuant to the answer of 15 March, *Official Report*, column 303, he is yet in a position to publish the findings of the follow-up study of the British crime survey.

Mr. Mellor: My right hon. and learned Friend hopes to be able to do so in June or early July.

Prevention of Terrorism Act

Mr. Litherland asked the Secretary of State for the Home Department how many persons were detained under the Prevention of Terrorism Act at Manchester airport, Liverpool ferry terminus and at other points of entry into the United Kingdom during the period 1983 to 1985; how many persons were charged with any offences arising from detention; and what proportion of those charged have been convicted.

Mr. Brittan: Information on total detentions at a port or airport in Great Britain is published each quarter in the Home Office statistical bulletin "Statistics on the operation of the Prevention of Terrorism (Temporary Provisions) Acts 1974, 1976 and 1984". Information on charges and

convictions following all detentions is published annually (tables 6 and 7 of statistical bulletin 1/85). The more detailed information requested is given in the table. Information on detentions on entry to Northern Ireland is a matter for my right hon. Friend the Secretary of State for Northern Ireland.

Detentions at a port or airport under the Prevention of Terrorism Acts

Great Britain	*1 January 1983-31 March 1985*		
	Detained	*Charged*	*Convicted*
Manchester airport	8	—	—
Liverpool ferry terminus	52	9	9
Other points of entry	174	20	16
Total Great Britain	234	29	25

Prison (Isle of Wight)

Mr. Stephen Ross asked the Secretary of State for the Home Department if he has any plans for the construction of a further fortress type purpose-built prison on the Isle of Wight this century; and if he will make a statement.

Mr. Mellor: No.

Cinemas

Mr. David Atkinson asked the Secretary of State for the Home Department if he will amend the staff level regulations contained in the Cinematographers Act 1956 to take into account the development of multi-screen cinemas.

Mr. Giles Shaw: My right hon. and learned Friend will shortly be consulting interested organisations on draft revised regulations to replace the Cinematograph (Safety) Regulations 1955. During the consultation process particular attention will be given to the question of the number of staff to be required in multi-auditoria cinemas consistent with maintaining the safety of the public using those premises.

Tamil Community

Mr. Wigley asked the Secretary of State for the Home Department how many Tamils from Sri Lanka have been allowed temporary admission into the United Kingdom during the past 12 months; and how many of these have subsequently been deported from the United Kingdom.

Mr. Waddington: The information is not available in the form requested.

In the 12 months up to 1 May 1985, approximately 350 Tamils from Sri Lanka accompanied in some cases by dependants, on arrival in the United Kingdom either sought asylum or expressed a fear of returning to Sri Lanka and were subsequently granted temporary admission.

In the same period no Tamil passenger expressing a fear of returning to Sri Lanka was returned there.

Mr. Wigley asked the Secretary of State for the Home Department how many Tamils from Sri Lanka have applied for asylum in the United Kingdom during the past 12 months; and of these how many applications have been *(a)* granted, *(b)* refused and *(c)* have still to be decided.

Mr. Waddington: The relevant statistics are recorded by nationality and not according to ethnic origin.

In 1984, 425 applications for asylum were received from Sri Lankan nationals. In the same period two applicants were recognised as refugees, 14 were granted leave to remain exceptionally, 51 withdrew their applications and 143 were refused leave to enter or remain.

Between 1 January and 31 March 1985, the latest period for which figures are available, there were 203 applicants, of whom one was allowed to remain exceptionally, nine withdrew their applications and 14 were refused leave to enter or remain. At 31 March 1985, there were 715 cases awaiting decision.

Mr. Proctor asked the Secretary of State for the Home Department if he will set out in the *Official Report* the number of Tamils from Sri Lanka who have *(a)* entered the United Kingdom, *(b)* applied for political asylum and *(c)* been granted permanent settlement in each of the last five years; and if he will make a statement.

Mr. Waddington: The relevant immigration statistics are classified by nationality and do not separately identify Tamils. The available figures for all Sri Lankan nationals are shown in the following table:

Citizens of Sri Lanka admitted to the United Kingdom who applied for political asylum or refugee status or were granted settlement in the United Kingdom.

Number of persons

	Admitted	*Applied for asylum or refugee status*	*Granted settlement*
1980	23,900	20	770
1981	25,500	10	790
1982	27,000	20	790
1983	28,300	380	920
1984	30,200	420	760

Recent weeks have seen a substantial increase in the number of Sri Lankan Tamils seeking asylum on arrival in the United Kingdom. Between 16 May and 22 May there have been some 420 such cases. These cases are now being considered in accordance with the policy announced by my right hon. and learned Friend on 20 May, at column 273, with a view to returning to Sri Lanka those who do not qualify for asylum, unless there is reason to believe that they would suffer severe hardship on their return.

Metropolitan Police (Burglar Alarms)

Mr. Cohen asked the Secretary of State for the Home Department how many burglar alarm calls were dealt with by the Metropolitan police in 1984; what percentage of these were false alarms; and if he will make a statement.

Mr. Giles Shaw: I understand that figures are not available for alarms signalled by bells only. Figures that are available relate to alarms whose signals got to the police direct, or via central stations maintained by alarm companies. The total number of calls from these alarms dealt with by the Metropolitan police in 1984 was 210,213 of which 98·9 per cent. proved false. It is the policy of the Commissioner of Police of the Metropolis to withdraw direct police response to alarms which generate an unacceptable number of false calls until the trouble has been put right.

Swansea Prison

Mr. Alan Williams asked the Secretary of State for the Home Department what threat of industrial action by

prison officers has arisen at Swansea prison; what threats of suspension have been made by his Department to the officers concerned; and if his Department's response recognised that the prison officers had conducted a secret ballot before announcing action.

Mr. Mellor: Following a secret ballot, prison officers at Swansea threatened to reduce the inmate population of the establishment to its certified normal accommodation of 241. The action has been suspended to allow further discussions to take place; but the staff concerned know that, notwithstanding the ballot, one of the responses open to management during industrial action is the temporary relief from duty of any officer who refuses to obey a lawful order.

Lion Intoximeter

Mr. Best asked the Secretary of State for the Home Department if he is now satisfied with the working of the Lion intoximeter; how many, and which, police forces now use it; and if he will make a statement.

Mr. Giles Shaw: My right hon. and learned Friend has received a report from the forensic science service on the operation of the Lion intoximeter and the Camic breath analyser evidetial breath testing instruments, which will be published in due course. The lion intoximeter is used by 39 of the 43 police forces in England and Wales. The Camic instrument is used in Northumbria, Durham, Cleveland and North Yorkshire and, I understand, by forces in Scotland.

Drug Trafficking

Mr. Parry asked the Secretary of State for the Home Department if he will publish, for consultation, a draft of his proposed legislation to provide for the seizure and confiscation of assets acquired through drug trafficking.

Mr. Mellor: My right hon. and learned Friend intends to make particulars of his proposals available for comment before a Bill is introduced.

Mr. Gregory asked the Secretary of State for the Home Department if he will call for reports from the chief constables of north, west and south Yorkshire police forces about the extent of drug trafficking in each area and the measures they are taking to combat it.

Mr. Giles Shaw: I would refer my hon. Friend to the reply given to a question from my hon. Friend the Member for Wells (Mr. Heathcoat-Amory) on 28 March at column *274*.

Mr. Gregory asked the Secretary of State for the Home Department how many persons arrested and charged with drug trafficking offences have absconded before trial *(a)* in England and Wales and *(b)* in each Yorkshire police force area in the last five years for which figures are available; and if he will make a statement.

Mr. Mellor: I will reply as soon as possible.

Coal Industry Dispute

Mr. Canavan asked the Secretary of State for the Home Department how many people are in prison as a result of incidents arising from the miners' strike; and what are their alleged offences.

Mr. Mellor: The information requested is not recorded centrally.

Mr. Dubs asked the Secretary of State for the Home Department how many people charged with riot and unlawful assembly for offences in connection with the miners' dispute have *(a)* been acquitted or *(b)* had the charges withdrawn.

Mr. Giles Shaw: The information requested is given in the table.

Charges of Riot and Unlawful Assembly for Offences in Connection with the Miners' Dispute

Police Force	*Riot Charge withdrawn*	*Acquittals of Riot*	*Unlawful Assembly charge withdrawn*	*Acquittals of Unlawful Assembly*
Nottinghamshire	4	1	106	16
South Yorkshire	—	—	* —	8
Derbyshire	—	—	21	6
Staffordshire	†—	—	—	—
Durham	—	—	‡ —	—

* 19 charges were ordered by the court to lie on the file.
† 9 charges of riot were effectively amended to charges of unlawful assembly.
‡ 7 charges were ordered by the court to lie on the file.

Children and Young Persons (Detention)

Mr. Soley asked the Secretary of State for the Home Department whether an offender sentenced to be detained for a determinate period under section 53(2) of the Children and Young Persons Act 1933 and detained in prison at his direction is entitled to remission of any part of that sentence under theprison rules.

Mr. Mellor: No. But these detainees can be released on licence at any point in their sentence, and such arrangements are designed to ensure that they are not treated less favourably than other offenders.

Prisons

Mr. Irving asked the Secretary of State for the Home Department what formal consultation process there is to ensure that the requirements of prison staff and inmates are fully taken into account in the design of new prison facilities.

Mr. Mellor: Design solutions for new prisons are developed on the basis of full consultation with the various specialist and operational interests concerned, and take account of the range of current thinking on prison design generally. The trade unions representing governors, prison officers and other prison staff are formally consulted on new prison projects at the preliminary design stage, and thereafter as necessary.

Mr. Irving asked the Secretary of State for the Home Department if he is satisfied that the design of the re-developed Holloway prison adequately meets the requirements of staff and inmates.

Mr. Mellor: The design was developed in the late 1960s on the basis of medically orientated treatment concepts which are not now regarded as wholly appropriate. There are also a number of acknowledged design weaknesses. Facilities for staff and inmates are however greatly superior to those provided before the

redevelopment began, and will be further improved when the project is finally completed towards the end of this year.

Mr. Irving asked the Secretary of State for the Home Department if the terms of reference of the committee of inquiry into conditions at Holloway prison include consideration of and making recommendations regarding the physical design of the prison.

Mr. Mellor: The terms of reference of the project committee do not specifically refer to the physical design of the prison, but the committee is inevitably taking it into account.

Mr. Irving asked the Secretary of State for the Home Department if he will give the original estimates of the capital and annual running costs for the redeveloped Holloway prison; and if he will give details of the latest estimates of these costs together with an explanation of any differences.

Mr. Mellor: As the redevelopment programme was carried out in six main phases under different contracts covering a total period of 14 years, the full information requested could be obtained only at disproportionate cost. The information readily available is as follows:

Phase 1—Commenced August 1971. Cost £1·1 million. Completed November 1985.

Phases 2 and 3—Commenced April 1973. Cost £2·6 million. Completed May 1976.

Phases 4 and 5—commenced October 1977. Cost £7·7 million. Completed June 1984.

Phase 6—Commenced November 1984. Estimated Cost £239,000. Due for completion—November 1985.

Information about annual running costs is contained in the Prison Departmental Financial Report 1983-84, a copy of which is in the Library.

Mr. Irving asked the Secretary of State for the Home Department what mechanism is in place to ensure that new prison building programmes meet planned capital and operating cost targets.

Mr. Mellor: Capital cost targets for new prison projects are based on standard briefing guides for the particular category of establishment and are examined and re-assessed at specific stages of design and construction. The manpower implications of the design are similarly kept under regular review. Attention is also given, in both design and the selection of materials, to the cost of maintenance and the need to conserve energy.

Fire Precautions (Hospitals)

Mr. Skinner asked the Secretary of State for the Home Department whether he will now seek to extend the Fire Precautions Act 1971 to National Health Service hospitals; and if he will make a statement.

Mr. Giles Shaw: Continuing effort is being devoted to improving fire precautions standards in National Health Service hospitals within the limits of available resources and my right hon. and learned Friend has at present no plans to designate such premises under the Fire Precautions Act 1971.

Police Central Intelligence Unit

Mr. Skinner asked the Secretary of State for the Home Department whether there are any plans to extend the police central intelligence unit established in London to other metropolitan areas; and if he will make a statement.

Mr. Giles Shaw: After the 1981 riots all police forces were invited to develop systems for monitoring rises in community tension which might forshadow serious public disorder. In London each district reports on a regular basis on the level of tension in the area. The central information unit collates these district reports for senior management in New Scotland yard to consider whether action is required to prevent tension escalating into riots. Similar arrangements for monitoring the potential for public disorder exist in most police forces.

Police Central Intelligence Unit

Mr. Skinner asked the Secretary of State for the Home Department how many police officers are working in any capacity in the central intelligence unit established in London.

Mr. Giles Shaw: The officers currently employed at the central information unit are one superintendent, one inspector, two sergeants and two constables.

Police Services (Charges)

Mr. Tony Banks asked the Secretary of State for the Home Department what were the charges for police services to the organisers of *(a)* the 1984 Wimbledon tennis championships, *(b)* the 1984 Chelsea flower show and *(c)* the 1985 Football Association cup final.

Mr. Giles Shaw: The Commissioner of Police of the Metropolis tells me that the charges for police services which were made to the organisers of the 1984 Chelsea flower show and 1984 Wimbledon tennis championships were £8,018·85 and £52,794·69 respectively. Details of charges in respect of the 1985 FA cup final are not yet available: policing charges made for the 1984 event were £30,887·74.

Fire Precautions (Business Premises)

Mr. Grylls asked the Secretary of State for the Home Department what progress he has made in introducing flexibility in the application of fire precautions to business premises presenting minimal risk.

Mr. Giles Shaw: Within the scope of existing legislation, fire authorities already exercise discretion in the application of fire precautions to business premises presenting minimal risk, but arrangements are in hand to issue further guidance on this aspect and to reinforce it in training courses provided at the fire service college. The report of the scrutiny into burdens on business considered that flexibility could be increased with the introduction of a new statutory system of fire precautions control along the lines of proposals formulated within the machinery of the central fire brigades advisory councils. These proposals are designed to enable fire authorities to control fire precautions in a wider range of occupancies and to concentrate their attention on the premises presenting the greatest risk. My right hon. Friend the Secretary of State for Scotland and the Home Secretary hope to publish a consultative document based on these proposals before the summer recess.

Extradition

Mr. Lawler asked the Secretary of State for the Home Department what arrangements exist for the extradition

from Pakistan of someone of *(a)* Pakistan nationality, and *(b)* British nationality wanted to face drug charges in the United Kingdom.

Mr. Mellor: There are no arrangements with Pakistan for the extradition of persons accused of drug offences.

Detention Centres

Mr. Bermingham asked the Secretary of State for the Home Department (1) whether he has received any allegations of assault or mistreatment of inmates at Send detention centre, Woking, Surrey;

(2) whether he has received any allegations of assault or mistreatment of inmates at Werrington detention centre, Stoke on Trent;

(3) whether he has received, since 29 March, any further complaints of assault or mistreatment of inmates at Aldington detention centre from parents or solicitors or other professional persons;

(4) whether he has received any allegations of assault or mistreatment of inmates at Blantyre house detention centre, Kent;

(5) whether he has received any allegations of assault or mistreatment of inmates at Usk detention centre, Gwent;

(6) further to the answer of 29 March, *Official Report*, column *399*, about Aldington detention centre, what is the current state of investigation;

(7) whether he has received any complaints of failure of persons to co-operate with the police investigations into complaints at Aldington detention centre referred to in the answer of 29 March, *Official Report*, column *399*.

Mr. Mellor: Since the new, consistent detention centre regime took effect on 6 March we have received no such allegations in respect of Send, Werrington, or Usk detention centres; an allegation by an inmate at Blantyre House was fully investigated by the Governor, who concluded that it was without substance. The police are investigating a number of allegations in respect of Aldington detention centre, the most recent of which was made on 16 May, it would be inapropriate to comment on their inquiries while they are proceeding.

Custodial Remand

Mr. Stephen Ross asked the Secretary of State for the Home Department what was the average period of custodial remand for female custodial remand prisoners in England and Wales for the years 1982, 1983 and 1984.

Mr. Mellor: The available information is published annually in "Prison Statistics, England and Wales" (Table *2(g)* of the latest issue for 1983, Cmnd. 9363). Corresponding figures for 1984 are not yet available.

Terrorism

Mr. Stephen Ross asked the Secretary of State for the Home Department how many persons detained under the Prevention of Terrorism (Temporary Provisions) Acts in each of the police areas of metropolitan London, Dumfries and Galloway and Merseyside have been charged with offences under the Acts or under other Acts, separately, between 11 November 1974 and 31 December 1984.

Mr. Brittan: Information on detentions in the three police force areas specified is published quarterly in Home Office Statistical Bulletins (table 3 of issue 1/85), a copy of which is in the Library. Information on subsequent charges is readily available only for Great Britain and is given in Tables 6 and 7 of the same publication. Some information on charges following detention in Merseyside was given in my reply to a question from the hon. Member for Liverpool, Riverside (Mr. Parry) on 29 January 1985 at column *77*. I will provide as soon as possible further information on charges for Merseyside and corresponding information for the Metropolitan police district and Dumfries and Galloway.

Mr. Stephen Ross asked the Secretary of State for the Home Department how many persons were detained in connection with terrorist-type offences under Acts other than the Prevention of Terrorism (Temporary Provisions) Acts and the Emergency Provisions (Northern Ireland) Acts in each of the years from and including 1969 to 1985 to date.

Mr. Brittan: The information requested is not available.

Female Prisoners (Statistics)

Mr. Stephen Ross asked the Secretary of State for the Home Department what was the average length of custodial sentence of female prisoners in England and Wales in each of the years 1982, 1983 and 1984.

Mr. Mellor: The readily available information is published annually in "Prison Statistics, England and Wales" (tables 3.7, 3.12, 5.5, 5.7 and 7.3 of the latest issue for 1983, Cmnd. 9363). Information about young female offenders was also published in tables 6 and 7 of Home Office Statistical Bulletin issue 2/85, "Young Offenders in Prison Department establishments under the Criminal Justice Act 1982, July 1983-June 1984".

Independent Broadcasting (Wales)

Mr. Wigley asked the Secretary of State for the Home Department if he will have discussions with the Independent Broadcasting Authority about the changes taking place on the pattern of local independent broadcasting in Wales; and if he will make a statement.

Mr. Giles Shaw: Under the Broadcasting Act 1981, the Independent Broadcasting Authority has responsibility for entering into contracts for the provision of independent local radio programmes, and for deciding, in the light of its statutory duties, what action to take if any subsequent change in the nature of an independent local radio company takes place. My right hon. and learned Friend, has, therefore, no power to intervene in decisions that the Independent Broadcasting Authority may take in relation to the current situation in Wales, but the Government are maintaining a close interest in developments.

Refugees

Mr. Ernie Roberts asked the Secretary of State for the Home Department what is the average period of time taken to deal with applications by refugees for indefinite leave to remain in the United Kingdom.

Mr. Waddington [*pursuant to his reply*, 13 May 1985, c. *10*]: On the basis of the information available, it is

estimated that half of all refugees granted settlement on removal of time limit in 1984 had their case decided within five to six weeks of application.

TRADE AND INDUSTRY

Privatisation Programme (Fees and Commissions)

Mr. Gould asked the Secretary of State for Trade and Industry what fees and commissions have been paid to City institutions in respect of shares sales of those privatised enterprises for which he is responsible; to whom these fees and commissions have been paid; and on what basis they have been calculated.

Mr. Butcher: My Department has been directly responsible for the privatisation of Cable and Wireless, first sale of shares*, British Aerospace and British Telecom. The following table shows the total value of fees and commissions paid in respect of these sales and the firms to which they were paid. The information does not include advice paid for by the companies being privatised.

British Aerospace (1st sale 1981)	*Cable and Wireless (1st sale 1981)*	*British Telecom (1984)*
Firms	*Primary Underwriters*	
Kleinwort, Benson	Kleinwort, Benson	Kleinwort, Benson
Hill Samuel	Baring Bros. and Co.	Barclays Merchant Bank
Morgan Grenfell and Co.	J. Henry Schroder Wagg and Co.	Charterhouse Japhet
J. Henry Schroder and Co.		Robert Fleming and Co.
		Hill, Samuel and Co.
		Lloyds Bank International
		Morgan Grenfell and Co.
		S. G. Warburg and Co.
		Baring Bros. and Co.
		County Bank
		Hambros Bank
		Lazard Bros. and Co.
		Samuel Montagu and Co.
		N. M. Rothschild and Sons
		J. Henry Schroder Wagg and Co.
	Sub-Underwriters	
Various†	Various†	Various†‡
	Financial Advisers	
Kleinwort, Benson	Kleinwort, Benson Baring Bros. and Co. N. M. Rothschild and Sons W. Greenwell and Co.	Kleinwort, Benson
	Legal Advisers	
Slaughter and May Linklaters and Paines	Linklaters and Paines Slaughter and May	Linklaters and Paines
	Stockbrokers	
Hoare, Govett	Cazenove and Co. James Capel and Co. Rowe and Pitman	Hoare, Govett Cazenove and Co. De Zoete and Bevan Scrimgeour, Kemp Goe and Co.
	Auditors	
Peat, Marwick	Deloitte, Maskins and Sells	Coopers and Lybrand
Total Fees‖ (£'000 including VAT)		
4,471	5,342	¶89,363

Footnotes

* The second sale of shares in Cable and Wireless in 1983 was the responsibility of Her Majesty's Treasury.

† Too numerous to list.

‡ The United Kingdom offer was placed with institutional investors ('Priority Applicants'). The cost of the commissions payable to Priority Applicants is included in the total.

‖ These figures exclude payments to receiving banks, public relations advisers, printers and distributors and similar costs not associated with the provision of financial or legal advice.

¶ Provisional pending final settlement of all bills. It also excludes the overseas offering for which the total value of fees and commissions was £27·5 million (also provisional) which includes £7·8 million paid to the Bank of England. The principal advisers for the overseas offers were Morgan Stanley and Co., Macleod Young Weir, Nomura Securities Co., Swiss Bank Corporation International and Sullivan and Cromwell.

The sale of Jaguar was the responsibility of BL plc. The Department sought advice from one firm, J. Henry Schroder Wagg and Co. Ltd. It is not the practice to disclose the value of individual contracts between the Department and its advisers.

Payments are based on a variety of hourly rates, flat rates and percentage commissions. Where appropriate the basis for payment is disclosed in the offer for sale document.

Pirate Radio

Mr. Pendry asked the Secretary of State for Trade and Industry if he will list the current pirate radio stations known to be broadcasting in the United Kingdom; what was the approximate date on which they started transmitting and the regularity with which they now broadcast; and what was the number of occasions, if any, that they have been prosecuted, and with what result.

Mr. Butcher: The following information relates to unlicensed stations known to be currently broadcasting. The figures for prosecutions and convictions refer to individuals who have been involved in the operation of stations. In addition to the prosecutions shown, more than 10 prosecutions are pending against individuals involved in operating various of the stations listed. Further prosecutions are pending against operators of unlicensed broadcasting stations which have stopped transmitting.

Station	*Started broadcasting*	*Regularity of broadcasts*	*Number of prosecutions*	*Convictions*
Arabia Radio	Spring 1984	Intermittent	3	3
Asian People's Radio	Summer 1984	Daily	1	1
Contact Radio	early 1985	Intermittent	—	—
Contrast Radio	early 1985	Intermittent	—	—
ESP Radio	May 1985	Intermittent	—	—
GEL Radio	May 1985	Intermittent	—	—
Horizon	Summer 1982	Daily	—	—
London Greek Radio	Autumn 1983	Daily	2	2
London Turkish Radio	Spring 1984	Intermittent	2	2
London Weekend Radio	early 1983	Daily	1	1
Merseywaves	late 1983	Intermittent	1	1
RIK	late 1984	Intermittent	4	4
Shoestring	Spring 1984	Intermittent	2	2
Sina Radio	Summer 1984	Daily	—	—
Skyline Radio	Summer 1983	Daily	—	—
Solar Radio	Autumn 1984	Daily	1	1
South East Sound	Summer 1983	Intermittent	—	—
Turkish Community Radio	Summer 1984	Intermittent	1	1
Voice of the Immigrant	Spring 1984	Daily	3	3
Voice of London Greek	early 1985	Intermittent	—	—

Manufacturing

Mr. Stuart Holland asked the Secretary of State for Trade and Industry what information he has as to the share of the top 100 private sector companies in *(a)* manufacturing employment, *(b)* net manufacturing output and *(c)* net capital expenditure in manufacturing in 1980, 1981, 1982, 1983 and 1984.

Mr. Butcher: The figures provided in the following table relate to the manufacturing activity of the largest 100 enterprises in the private sector, defined in terms of their employment in manufacturing. Estimates for 1983 and 1984 are not yet available.

Share of total manufacturing activity accounted for by the top 100 private sector enterprises

Per cent.

	Employment	*Net Output*	*Net Capital Expenditure*
1980	35	36	39
1981	34	36	37
1982	35	37	37

Source: Annual Census of Production; Business Monitor PA 1002.

Band III

Mr. Meadowcroft asked the Secretary of State for Trade and Industry what representations he has received about the effect on the United Kingdom mobile radio equipment manufacturers of the introduction of large systems in Band III.

Mr. Butcher: A variety of proposals have been received from companies interested in establishing large radio systems in Band III. Among those responding, several have urged the Government to reach early conclusions on the use of Band III; one company has stated that if any early date were set for the introduction of a large system, it could be unhelpful to United Kingdom equipment manufacturers. The Government hope to make an announcement on Band III in the next few weeks.

Consumer Credit Act

Mr. McCrindle asked the Secretary of State for Trade and Industry if he is satisfied with the operation of the Consumer Credit Act; if he has any proposals to seek to amend it in the light of developments in credit provision since it was enacted; and if he will make a statement.

Mr. Fletcher: With the coming into force of the remaining provisions of the Consumer Credit Act on 19 May, the Act will now offer consumers comprehensive protection over the full range of credit and hire agreements. I believe that traders, who have been extensively consulted about the new regulations which came into force on 19 May, will also benefit from the rationalisation of the law on credit, some of which was over a century old. I cannot rule out changes to the Act in due course, but I believe it would be premature to take any decision on this until we have had some experience of the Act operating as a whole.

WALES

Public Sector Employment

Mr. Barry Jones asked the Secretary of State for Wales how many (i) public sector jobs and (ii) local government jobs there are in Wales; and what have been the changes in each case since 1977.

Mr. Nicholas Edwards: On 8 December 1984 provisional figures indicate that there were 121,635 full-time equivalent local government jobs, including law and order services, a drop of 3,659 since 10 December 1977. It will take time to produce the information requested on the public sector. I shall write to the hon. Gentleman and place a copy in the Library.

School Closures (Powys)

Mr. Barry Jones asked the Secretary of State for Wales how many schools have closed in Powys since May 1979; and if he will list each of the schools.

Mr. John Stradling Thomas: In the period May 1979 to 22 May 1985, 19 schools have closed in Powys. Of these, ten schools were involved in amalgamations resulting in the opening of new schools. The schools, dates of closure and, where appropriate, the new schools opened, are as listed.

Year	*School*	*Month of closure*	*New school*
1979	None		
1980	Bronllys church in Wales Primary	May	Bronllys county primary
	Llwynmadog (Beulah) county primary	September	Irfon Valley county primary
	Llangammarch Wells county primary		
	Llanfanfawr county primary		
	Garth county primary		
1981	Trallong Church-in-Wales primary	August	
	Nantgwyn county primary	August	
	Llanllugan (Cwm) county primary	December	
	Ystradfelltse county primary	December	
1982	Tirabad county primary	July	
	Bleddfa Church-in-Wales primary	July	
	Berriew Church-in-Wales infants	July	Berriew county primary
	Berriew county junior		
1983	Penrhos county infants	March	Penrhos county primary
	Penrhos county junior		
1984	Llargunllo Church-in-Wales primary	July	
	Cynlais county infants	September	Cynlais county primary
	Cynlais county junior		
1985	Belan Church-in-Wales primary	April	

Welsh Water Authority (Membership)

Mr. Wareing asked the Secretary of State for Wales if he will list the members of the Welsh Water Authority, indicating their occupations.

Mr. Wyn Roberts: Following is a list of the members of the Welsh water authority and their occupations.

J. E. Jones—Chairman and company director
F. B. Doyle—Chief executive
G. Edwards—Company director
R. W. Edwards—University professor
N. Hufton—Trade union official
Major H. R. Jackson—Farmer and agricultural contractor
Dr. G. Jones—Management consultant
T. Knowles—Company director
A. G. Lewis—Company director
Councillor Sir John Cotterel—Farmer
Councillor J. C. Espley—Retired
Councillor G. Jones—Fitter and turner
Councillor L. R. Thompson—Farmer
Councillor L. R. Turnbull—Engineering foreman

Bathing Beaches (EC Directive)

Mr. Best asked the Secretary of State for Wales if any funds have been made available by the EEC to his Department to assist in compliance with EEC directive 760/160/EEC on bathing beaches; if any application for such funds has been made by his Department; and if he will make a statement.

Mr. Wyn Roberts: There are no specific funds available to our Department from the EEC to assist in compliance with Directive 760/160/EEC. However, the European regional development fund (ERDF) has assisted schemes for the improvement of coastal sewerage systems and the provision of adequate sea outfalls. The Welsh water authority has already received ERDF aid for a sea outfall at Tenby and discussions are presently taking place between my Department and the authority on a programme for the improvement of bathing waters around Wales, for which ERDF assistance will be sought.

A5 (Bypasses)

Mr. Best asked the Secretary of State for Wales, further to his reply to the hon. Member for Ynys Môn on 20 May, *Offical Report*, columns *289-90*, how long after the receipt of the consultants' formal report on bypasses of the five villages on the A5 on Anglesey he will be able to publish final decisions on routes and priorities.

Mr. John Stradling Thomas: If the studies lead to a decision to proceed with the proposed bypasses, the timing

of final decisions on routes and priorities will be largely dependent on the completion of any public consultations and of the relevant statutory procedures. It is too early to give any firm timetable in this cass.

AGRICULTURE, FISHERIES AND FOOD

Imported Poultrymeat

Sir Peter Mills asked the Minister of Agriculture, Fisheries and Food, (1) what further steps he will take to enforce the regulations concerning imported poultry and their water content;

(2) what further resources are available to provide adequate enforcement officers to deal with poultrymeat imports.

Mr. MacGregor: The actual enforcement of both hygiene and water content requirements in respect of imported poultrymeat, and the allocation of resources to that task, remains a function of local and port health authorities. But the Government made our concern over the quality of imported chicken quite clear when, from September 1984, we extended enforcement responsibility under the water content regulations to port health authorities, to enable consignments to be checked in the ports. When we receive notification of infringements under the regulations, we pass the details on to the appropriate authorities within the European Community. We continue to seek the co-operation of other member states in ensuring that consignments do comply with legal requirements. In addition, the Ministry maintains close liaison with the enforcement authorities; my officials will be meeting their representatives shortly to exchange views.

Butter

Mr. Haynes asked the Minister of Agriculture, Fisheries and Food if he will state the total amount of cut price Community butter available in the United Kingdom in the first three months of 1985; and what proportion of this is represented by 1 ton 5 cwts.

Mr. MacGregor: In the United Kingdom, 39,200 tonnes of butter was made available for sale at a reduced price under the EC's special sale scheme. Contracts for the purchase of this butter from the Intervention Board for Agricultural Produce had to be concluded between 16 November 1984 and 31 January 1985. The bulk of it went on retail sale during the first three months of 1985. Some quantities have been sold outside this period, but it is not possible to say exactly how much.

One ton 5 cwts represents approximately 0·003 per cent. of the total quantity of butter made available under the special sale scheme.

Devon Ray

Mr. Steen asked the Minster of Agriculture, Fisheries and Food, pursuant to the reply on Monday 20 May, what specific steps have not been fulfilled by Mr. Wakeham in relation to the Devon Ray, which are preventing it being decomissioned within the requirements of the Fishing Vessel (Financial Assistance) Scheme 1983.

Mr. MacGregor: I shall reply to my hon. Friend as soon as possible.

Agricultural Development Advisory Service

Mr. Andy Stewart asked the Minister of Agriculture, Fisheries and Food what comments he has received from the agricultural industry on Professor Bell's report of a study of the agricultural development advisory service.

Mr. Jopling: Following my invitation to comment in my reply to a written question by my hon. Friend the Member for Devon, West and Torridge (Sir P. Mills) on 13 November 1984, I have received a total of 153 written comments of which some two thirds originated from staff in my Department.

The large majority of comments received gave a cautious welcome to the recommendations in the report whilst reserving final positions pending detailed development of these proposals. The proposal to charge for ADAS services has not been opposed in principle, although concern has been expressed over the level of charges that might be set and the ability of the farming community generally, and certain sectors in particular, to meet charges. The continuing role of ADAS in research and development was supported, particularly in relation to the Report's recommendations relating to experimental centres, the need for adequate links between R and D was stressed, and preferences were expressed for specific ways of funding R and D. The continuing need for ADAS to give a high priority to conservation was supported and greater priority was urged by a number of organisations. A clear majority of those commenting on this issue felt that introduction of general charging for conservation advice would be counter productive. On information technology, some concern was expressed over the implications for more traditional forms of providing advice.

These comments will be considered carefully by Ministers in the continuing process of their detailed consideration of the recommendations of the Bell report on which it is hoped to make a further statement before the summer recess.

Research and Development

Mr. MacLean asked the Minister of Agriculture, Fisheries and Food what arrangements he has in mind for securing a greater industry contribution towards the cost of agricultural research and development.

Mr. Jopling: I have not yet reached firm conclusions on the precise form of future funding arrangements but in line with the advice of the priorities board for research and development in agriculture and food I intend, along with my right hon. Friend the Secretary of State for Scotland, to seek the views of industry on a system of sectoral contributions. Under such an approach, each sector would be invited to consider the contribution which it might make to the funding of research and development relevant to that sector's needs. Where statutory bodies already exist, I am suggesting that they might take on or develop this wider role of levying their members and then determining the programmes of work they wish to sponsor. In those sectors where statutory bodies do not already exist, I shall be seeking views on the most appropriate arrangements for those who wish to participate. We shall also be encouraging direct and specific commissioning by agricultural or food enterprises.

SCOTLAND

Acid Rain

Mr. Ron Davies asked the Secretary of State for Scotland what plans the Forestry Commission has to investigate the effect of acid rain on beech trees in the United Kingdom.

Mr. John MacKay: The results of the Forestry Commission's 1984 survey of conifers found no damage similar to that seen in West Germany. In instances of forest decline in other countries, conifers have always shown symptoms before broadleaves, and the commission's 1985 survey will therefore again be restricted to spruce and pine.

Edinburgh Rental Hospital

Mr. Strang asked the Secretary of State for Scotland what consideration he is giving to the future of the Edinburgh dental hospital; and if he will make a statement.

Mr. John MacKay: In the light of the report of the joint working group of Edinburgh university and Lothian health board, to which my right hon. Friend referred in his answer of 25 October 1984 to the right hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Steel) at column *673*, further consideration is being given to the future of the Edinburgh dental hospital. A further meeting is to be arranged with the university, the health board, the University Grants Committee and the Scottish Home and Health Department.

Assisted Places Scheme

Mr. Kennedy asked the Secretary of State for Scotland when he expects to be in a position to announce the allocation of fee remission grant for school session 1985-86 under the assisted places scheme; and if he will make a statement.

Mr. Allan Stewart: I refer to the reply given yesterday to my hon. Friend the Member for Renfrew, West and Inverclyde (Mrs. McCurley) at column *495*.

FOREIGN AND COMMONWEALTH AFFAIRS

East Timor

Mr. Wigley asked the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the Government of Indonesia in support of the request of the International Committee of the Red Cross for access to East Timor.

Mr. Luce: The Government of Indonesia are well aware of our position on East Timor including access there for the International Committee for the Red Cross. My right hon. Friend the Prime Minister raised this matter with President Suharto during her visit to Indonesia in April and received clear assurances about access by the International Red Cross.

Dooge Committee (Proposals)

Mr. Deakins asked the Secretary of State for Foreign and Commonwealth Affairs with which countries he has had bilateral contacts to examine in detail the Dooge committee's proposals; and what support has been received for the three major United Kingdom reservations.

Mr. Rifkind: The future development of the Community was discussed in the margins of the Foreign Affairs Council ony 20 May. It was also discussed by my right hon. Friend the Prime Minister and Chancellor Kohl on 18 May. My right hon. and learned Friend had talks with the French Foreign Minister on 21 May and hopes to have discussions with other Community colleagues betweeen now and the Milan European Council. Governments have yet to declare their positions on many of the Dooge committee's proposals.

Radio Thule

Mr. J. Enoch Powell asked the Secretary of State for Foreign and Commonwealth Affairs whether any steps are taken by Her Majesty's Government to monitor programmes transmitted by Radio Thule (Greenland).

Mr. Renton: We have taken no steps to monitor the broadcasts of Radio Thule.

Immigrants (Entry Clearance)

Mr. J. Enoch Powell asked the Secretary of State for Foreign and Commonwealth Affairs to what he attributes the fact that so many Commonwealth citizens apply for entry clearance through Her Britannic Majesty's consulate in Frankfurt am Main.

Mr. Renton: Frankfurt is a major European transit point. However, the number of entry clearance applications made there by Commonwealth citizens was not disproportionate compared to our other Western European posts. Frankfurt ceased operations as an entry clearance post on 1 February this year. Entry clearance work in the Federal Republic is now centralised in Dusseldorf.

Tamil Community

Mr. Proctor asked the Secretary of State for Foreign and Commonwealth Affairs what discussions he has held with the Foreign Ministers of Sri Lanka and India concerning the flow of Tamils from Sri Lanka to the United Kingdom; and if he will make a statement.

Sir Geoffrey Howe: Our high commissioner at Colombo has been keeping closely in touch with the Sri Lankan government about the problem presented by the increased number of Tamils seeking entry to the United Kingdom. We have consistently encouraged the Sri Lankan Government to pursue urgently a political settlement designed to bring an end to the inter-communal dispute.

As my right hon. and learned Friend the Secretary of State for the Home Department told the House on 20 May, at column 273, there is no reason to believe that Tamils returning to Sri Lanka face persecution. The situation is thus not such as to justify a general policy of granting leave to enter or remain on an exceptional basis to all Tamils who express a fear to go back to Sri Lanka. all those not clearly in an exceptional category—able to demonstrate that they would suffer severe hardship if returned—will be sent back to their home country.

The Government are keeping the situation closely under review.

Lebanon

Mr. John David Taylor asked the Secretary of State for Foreign and Commonwealth Affairs if he has made any recent representations to the authorities in Syria about Syrian armed attacks on the Christian community in Lebanon; and if he will make a statement.

Mr. Luce: We are not aware of any such attacks.

Mr. John David Taylor asked the Secretary of State for Foreign and Commonwealth Affairs what action, if any, the European Economic Community Foreign Ministers have jointly taken during the past three weeks concerning Syrian attacks on the Christian community in Lebanon.

Mr. Luce: We are not aware of any such attacks, but the United Kingdom and the European Community have again expressed to all concerned, including the leaders of the principal Lebanese communities, their deep concern over the continuing violence in Lebanon. Foreign Ministers in the Ten issued a joint statement in Brussels on 20 May.

Mr. Vincas Bilickas

Mr. Robert B. Jones asked the Secretary of State for Foreign and Commonwealth Affairs on what basis Monsieur Vincas Balickas enjoys the status of personally enjoying certain diplomatic courtesies.

Mr. Rifkind: Mr. Balickas enjoys certain personal diplomatic courtesies because he is an individual who held diplomatic rank in the Lithunanian mission in London at the time of the Soviet annexation in 1940.

PRIME MINISTER

Government Publicity

Dr. Cunningham asked the Prime Minister if she will place in the Library such details as are available, including costs, of the examples of Government publicity listed in annex A to the note by the Cabinet Office on "Central Government Conventions on Publicity and Advertising", dated 25 April 1985.

The Prime Minister: Copies of such details as are available have been placed in the Library of the House together with annex A to the note by the Cabinet Office which has been supplemented with such further details as could be readily obtained. I regret that further details of expenditure could only be provided at disproportionate cost.

Welfare State (Reform)

Mr. Meacher asked the Prime Minister if she will publish the results of the surveys the Government have been carrying out into public attitudes towards reform of the welfare state.

The Prime Minister: The forthcoming Green Paper on social security will contain a summary of the main results of the survey of public attitudes to social security carried out by the Gallup organisation. The fully tabulated results will be available from Gallup at the same time.

ENERGY

Fuel Disconnections

Mr. Tom Cox asked the Secretary of State for Energy how many domestic electricity supply disconnections took place in 1984.

Mr. Goodlad: I have asked the chairman of the Electricity Council to provide the information direct to the hon. Member.

Mr. Tom Cox asked the Secretary of State for Energy how many domestic gas supply disconnections took place in 1984.

Mr. Buchanan-Smith: I have asked the chairman of the British Gas Corporation to provide the figures direct to the hon. Member.

European Coal Industry

Mr. Gordon Brown asked the Secretary of State for Energy what discussions took place in the Council of Ministers in 1983 and 1984 over proposals for reducing capacity in the European coal industries; and what were the conclusions of the discussions.

Mr. David Hunt: No such proposals were tabled.

Mr. Gordon Brown asked the Secretary of State for Energy if he has studied EEC Commission documents COM(84)419 and COM(83)583 on the future of the European coal industry; and if he will make a statement on the British Government's respose to these.

Mr. David Hunt: Explanatory memoranda on these documents, indicating their policy implications for the United Kingdom, were laid before the House on 22 October 1984 and 8 November 1983 respectively.

Reprocessing Plant, Dounreay

Mr. Maclennan asked the Secretary of State for Energy whether he will make a statement about the proposal to site a European fast reactor demonstration reprocessing plant at Dounreay.

Mr. Goodlad: I understand that the United Kingdom Atomic Energy Authority and British Nuclear Fuels plc intend shortly to make a joint planning application to the Highland regional council to build a fast reactor demonstration reprocessing plant at Dounreay to serve the needs of the European collaboration.

The chairman of the UKAEA has requested a statement of the Government's general policies on the United Kingdom's participation in the European fast reactor collaboration and on the regulatory procedures which would apply to any such reprocessing plant which might be built in the United Kingdom. My right hon. Friend the Secretary of State has written to him and copies of the letter have been placed in the Libraries of both Houses.

The Government see advantage both to the nation and to the European collaboration in siting the reprocessing plant in the United Kingdom. Such siting would, of course, be subject to the agreement of our European partners and to the necessary planning, safety and environmental consents being granted.

SOCIAL SERVICES

Supplementary Benefit

Mrs. Beckett asked the Secretary of State for Social Services, pursuant to the answer of 16 April, *Official Report*, column *160*, when he intends to lay regulations amending the supplementary benefit rules so as to allow payment to strikers for funeral expenses.

Mr. Newton: We expect to make the necessary amendment to the Supplementary Benefit (Claims and Payments) Regulations 1981 within the next few weeks; and at the same time we shall take the opportunity to amend the regulations to provide for the back-dating of claims to supplementary benefit to be related to entitlement to statutory sick pay, in accordance with the undertaking given at Committee stage of the Social Security Bill in Standing Committee E on 17 January 1985, at column 231.

Invalidity Benefit

Mrs. Beckett asked the Secretary of State for Social Services when he proposes to introduce the payment of invalidity benefit fortnightly in arrears; and what he now expects the savings to be due to this change.

Mr. Newton: The arrangements for this proposed change are still under consideration, but I hope to make an announcement in the next few weeks.

Hearing Aids

Mr. Andrew Bowden asked the Secretary of State for Social Services how many outpatients are waiting to have a hearing aid fitted or exchanged *(a)* in England and *(b)* in Wales; and what is the average waiting time in each case.

Mr. Newton: The Department no longer collects this information centrally. Responsibility for supplying hearing aids in England and Wales was transferred to Mersey regional health authority on 1 April 1985. Information collected from hearing aid centres by the authority includes the number of outpatients waiting for appointments for fitting or exchanging hearing aids.

My hon. Friend may therefore wish to contact the chairman of the health authority direct.

General Practitioners

Mr. Skinner asked the Secretary of State for Social Services whether he will now take steps to increase the number of general practitioners in the National Health Service; and if he will make a statement.

Mr. Kenneth Clarke: Between 1979 and 1984, the numbers of general practitioners in Great Britain increased by some 2,700, or almost 10 per cent. from 25,614 to 28,301. Recruitment to general practice continues steadily and could produce further increases. There is, therefore, no need for additional measures.

Benefits (Deductions)

Mrs. Beckett asked the Secretary of State for Social Services (1) whether any guidance is given to his Department regarding a maximum permissible deduction from benefit for fuel or other debts; and if he will make a statement;

(2) whether any fresh guidance has recently been given to officers of his Department about levels of deduction from benefit for fuel debts; and if he will make a statement.

Mr. Whitney: The maximum deduction which may be made from a claimant's supplementary benefit for a fuel or housing debt is laid down in the Supplementary Benefit (Claims and Payments) Regulations 1981. The chief adjudication officer's guidance on the interpretation of the regulations concerned is published in Part 9 of the S manual, a copy of which is in the Library. Local offices have recently been given procedural instructions on the proposed introduction of a microcomputer system to handle deductions for fuel debts but the guidance on levels of deduction has not been changed.

Sums may also be deducted from a claimant's benefit to recover an urgent need payment or an overpayment of benefit, and maximum deductions are laid down in the Supplementary Benefit (Urgent Cases) Regulations 1981 and the Supplementary Benefit (Duplication and Overpayment) Regulations 1980 respectively. Instructions on this are issued by my right hon. Friend to local office staff.

Nurses

Mr. Cartwright asked the Secretary of State for Social Services what assessments he has made of changes in the last six years in the amount of work performed by nursing staff in the National Health Service.

Mr. Kenneth Clarke: It is for individual health authorities to assess the amount of work performed by their nursing staff, as part of the task of determining appropriate staffing levels and the best mix of qualified and other nursing staff to meet their service needs. To aid authorities in this task, there have been factual central studies, in particular by the Office of Population Censuses and Surveys on community nursing staff and by our Department's central management services on hospital based midwives, which contain information on the amount of work performed by some nursing staff.

Neasden Hospital

Mr. Pavitt asked the Secretary of State for Social Services (1) what representations he has received regarding the proposal by Brent district health authority to close a 15-bed ward in Neasden hospital;

(2) if he will receive a deputation from Brent community health council about Brent district health authority's proposal to close a 15-bed ward in Neasden hospital.

Mr. Kenneth Clarke: This proposal has been referred to the North West Thames regional health authority, which must decide whether they wish to refer it to us for a final decision or reject the proposal. If it does come before us we will gladly see the hon. Member's deputation. We have received no other representations about this.

Specialist Claims Control Visits

Mr. Cohen asked the Secretary of State for Social Services what was the total cost of the specialist claims control units of his Department in 1983-84 and 1984-85.

Mr. Whitney: The estimated administrative cost of specialist claims control staff was £2·4 million in 1983-84 and £2 million in 1984-85.

Mr. Cohen asked the Secretary of State for Social Services how many prosecutions have been brought against claimants as a result of the operations of the specalist claims control units of his Department in 1983-84 and 1984-85.

Mr. Whitney: Separate statistics are not maintained of the number of prosecutions resulting from specialist claims control.

Mr. Cohen asked the Secretary of State for Social Services if he will estimate the total amount saved in stopped claims as a result of the operations of the specialist claims control units of his Department in 1983-84 and 1984-85.

Mr. Whitney: The information requested is not available. However, the estimated total benefit savings from cases examined by specialist claims control teams and where benefit either ceased or was adjusted were £19 million and £16·3 million in 1983-84 and 1984-85 respectively.

Mr. Cohen asked the Secretary of State for Social Services what assessment has been made in relation to those whose benefits are stopped following an investigation by the specialist claims control units of his Department of the numbers of persons who subsequently are awarded benefit; and if he will make a statement.

Mr. Whitney: The operational research services branch of the Department has recently completed a study into specialist claims control and the report is under consideration. The study has taken account of persons whose benefit ceased following an investigation and who subsequently returned to benefit.

Disclosure of Information

Mr. Haynes asked the Secretary of State for Social Services if it is the policy of his Department that local officers should not disclose information to claimants who ask for it; and if he will make a statement.

Mr. Whitney: Personal information held on Social Security claims by the Department is confidential. Where a claimant or a person who states they are acting on behalf of a claimant asks a local officer for information about a claim, it is our policy that the local officer must be satisfied that the enquiry is in fact from the claimant or an agent acting with his authority before any information can be disclosed. if the hon. Member has a particular instance in mind I should be glad if he would write to me.

Chronically Sick and Disabled (Benefits)

Mr. Alfred Morris asked the Secretary of State for Social Services what was the total spending of his Department on benefits and services for the chronically sick and disabled in each of the years 1970-71 to 1984-85; and if he will give the change year in by year percentage as well as money terms.

Mr. Newton: The spending on benefits and on services provided direct by the Department for long-term sick and disabled people in the years 1970-71 to 1984-85 is given in the table. Information on the provision of services by health authorities and by local authorities specifically to this group is not available.

Year	*Expenditure in cash terms £ million*	*Expenditure at 1984-85 prices £ million*	*Real annual percentage increase*
1970-71	* —	—	—
1971-72	†360	1,570	—
1972-73	510	2,080	32
1973-74	590	2,180	5
1974-75	770	2,410	11
1975-76	1,040	2,620	9
1976-77	1,240	2,710	3
1977-78	1,520	2,910	7
1978-79	1,830	3,240	11
1979-80	2,160	3,300	2
1980-81	2,560	3,360	2
1981-82	3,030	3,570	6
1982-83	3,560	3,910	10
1983-84	4,150	4,360	12
1984-85	4,590	4,590	5

* Comparable figures are not available as there were no benefits specifically for the long-term sick and disabled people.

† Not fully comparable with later years as invalidity benefit was introduced part way through the year.

Endoscopic Ultrasonography Equipment

Mrs. Renée Short asked the Secretary of State for Social Services what finances he intends to make available to enable endoscopic ultrasonography equipment to be modernised for the purpose of detecting more effectively early changes in conditions of patients suffering from chronic pancreatitis.

Mr. John Patten: The Department provides financial assistance for the development of new and improved equipment in suitable cases. The provision and modernising of medical equipment is a matter for health authorities.

Family Doctor Services

Mrs. Renée Short asked the Secretary of State for Social Services if he will list the levels of spending which have been devoted by his Department towards family doctor services in each financial year since 1978-79.

Mr. Kenneth Clarke: Spending on the general medical services in England in each year since 1978-79 was as follows:

Financial Year	*Actual Spending £ million*
1978-79	380·6
1979-80	468·3
1980-81	618·8
1981-82	710·4
1982-83	799·2
1983-84	862·5
1984-85	*979·9

* Provisional.

Mental Health Service (Conference)

Mrs. Renée Short asked the Secretary of State for Social Services how many officials of his Department

attended the conference in London recently on mental health service planning which it arranged jointly with the Royal College of Psychiatrists.

Mr. Kenneth Clarke: Including sessional chairmen, 22 professional and administrative staff from our Department attended some part of the conference on "Mental Health Service Planning" held on 7 and 8 March 1985.

Mrs. Renée Short asked the Secretary of State for Social Services whether he has any proposals for implementing any of the recommendations made at the recent conference in London on mental health service planning attended by representatives of his Department and by representatives of the British Association of Social Workers, the British Psychological Society, MENCAP, MIND, the Royal College of General Practitioners and the Royal College of Nursing.

Mr. Kenneth Clarke: The conference held on 7-8 March was organised jointly by the Royal College of Psychiatrists and our Department. Other participants were drawn from regional and district health authorities, local authorities, local authority associations, the National Association of Health Authorities, professional organisations and voluntary organisations working in the field of mental illness and mental handicap.

The conference was held to enable participants to look jointly at problems associated with the implementation of our policies for mental health service planning in England and Wales. It was not constituted to consider or vote on formal recommendations. A wide variety of opinions was expressed. The participants had before them the recommendations in the Social Services Committee report on community care with special reference to adult mentally ill and mentally handicapped people, published on 28 February. In considering our response to that Report we are taking account of points made at the conference.

Mental Hospitals

Mrs. Renée Short asked the Secretary of State for Social Services if he will list the number of mental hospitals and mental handicap hospitals which have closed down in each year since 1979; and if he will give a breakdown region by region of these closures during the same period.

Mr. Kenneth Clarke: From the information we have centrally, the number of mental illness and mental handicap hospitals approved for complete closure for the period May 1979—March 1985, is as follows:

Year	*Number of hospitals*
May—December 1979	1
January—December 1980	3
January—December 1981	5
January—December 1982	2
January—December 1983	6
January—December 1984	14
January—March 1985	—
TOTAL May 1979—March 1985	31

Details of the individual hospitals are in the table.

Table

Region	*Area/District*	*Hospital*	*Type of Hospital Mental Illness (MI) or Mental Handicap (MH)*	*Date Approved*
		(i) MI and MH Hospitals approved for complete closure May 1979-December 1979		
Trent	Sheffield	Wales Court Hospital	MH	December 1979
		(ii) MI and MH Hospitals approved for complete closure 1980		
South West Thames	East Surrey	Clerks Croft Hospital	MI	September 1980
West Midlands	Hereford and Worcester	Holme Lacy Hospital	MI	November 1980
Mersey	Liverpool	Liverpool Psychiatric Day Hospital	MI	September 1980
		(iii) MI and MH Hospitals approved for complete closure 1981		
Yorkshire	Wakefield	Carr Gate Hospital	MI	November 1981
	Wakefield	Newton Lodge Annex	MI	November 1981
Trent	Sheffield	St. Joseph's Hospital	MH	November 1981
North West Thames	Ealing, Hammersmith and Hounslow	Temple Hill House	MI	March 1981
Mersey	Chester	Tabley Hostel	MH	December 1981
		(iv) MI and MH Hospitals approved for complete closure 1982		
South East Thames	Tunbridge Wells	Mansell House	MH	December 1982
North Western	Bolton	Hovercroft Free Discharge Unit	MI	February 1982
		(v) MI and MH Hospitals approved for complete closure 1983		
Trent	South Derbyshire	Blakeley	MI	March 1983
North West Thames	Victoria	Vincent Square Day Hospital	MI	December 1983
	Victoria	All Saints Hospital	MI	December 1983
North East Thames	North East Essex	Essex Hall	MH	July 1983
Wessex	Portsmouth and South East Hampshire	Sandy Point	MH	November 1983
South Western	Frenchay	Leigh Court	MH	June 1983
		(vi) MI and MH Hospitals approved for complete closure 1984		
Trent	Sheffield	Scott Road and Commonside Hostels	MH	October 1984

Region	Area/District	Hospital	Type of Hospital Mental Illness (MI) or Mental Handicap (MH)	Date Approved
	Nottingham	Coppice Hospital	MI	December 1984
	Rotherham	Aughton Court Hospital	MH	September 1984
	North Lincolnshire	Lawn Hospital	MI	February 1984
East Anglian	Norwich	The Vale	MI	May 1984
	Norwich	Blofield Hall	MH	September 1984
North East Thames	City and Hackney	The German	MI	June 1984
South West Thames	Mid-Downs	Roffey Park	MI	October 1984
	North West Surrey	Murray House, Ottershaw	MH	April 1984
Wessex	Winchester	Tichbourne Down House Hospital	MH	April 1984
	Bath	Winsley Centre	MH	November 1984
Oxford	Northampton	Upton Lawn Day Hospital	MI	October 1984
West Midlands	Worcester & District	St. Wulstan's Hospital	MI	June 1984
Mersey	Wirral	Priory Day Hospital	MI	October 1984

Mrs. Renée Short asked the Secretary of State for Social Services if he will list the numbers of patients residing in mental hospitals and units in England in each year since 1979.

Mr. Kenneth Clarke: On the assumption that the hon. Member is referring to mental illness hospitals and units, the available information is given in Table 1 of DHSS Statistical Bulletin 1/85, "Mental illness hospitals and units in England, results from the Mental Health Enquiry 1983," a copy of which is in the Library.

Research Management (Review)

Mrs. Renée Short asked the Secretary of State for Social Services when he established a review into health and personal social services research management in his Department; when the results of that review were submitted to him; and whether he will now place a copy of the report in the Library.

Mr. John Patten: We began an examination of the Department's health and personal social services research management in August 1984. The work is completed and being considered.

Board and Lodging Allowance (Birmingham)

Mr. Rooker asked the Secretary of State for Social Services how many letters have been sent by his Department's local offices in Walsall road and Soho road, Birmingham, to supplementary benefit recipients informing them that the board and lodging allowance will cease on a given date.

Mr. Whitney: Up to and including 22 May 1985 the Department's office in Walsall road, Birmingham had issued nine letters and the office in Soho road, Birmingham had issued 112 letters to claimants informing them that their supplementary allowance in respect of board and lodging would cease on a given date.

Housing Benefit Regulations

Mrs. Beckett asked the Secretary of State for Social Services whether he now intends to withdraw the Housing Benefit (Amendment No. 4) Regulations; and if he will make a statement.

Mr. Whitney: The regulations were made as a matter of urgency to close loopholes and correct anomalies. There is no reason to withdraw them.

NHS Support Services (Contracts)

Dr. David Clark asked the Secretary of State for Social Services if he will publish in the *Official Report* the letter dated 9 October 1984 from the Minister for Health to all regional health authority chairmen about contracts for National Health Service support services.

Mr. Kenneth Clarke: The text of my letter was:

"Some Districts are seeking to require contractors who tender for the provision of NHS support services to employ staff on Whitley terms and conditions of service. This is contrary to the advice given by the Department last year in DA(83)40; and it is, as John Patten made clear again in his letter this summer, unacceptable to Ministers. You may find it helpful if I explain our policy and the reasons for it.

All authorities have been asked to seek tenders, including in-house tenders, for their domestic, catering and laundry services to ensure that they get the best value for money in these services. When going to tender, authorities need to prepare tender documents which clearly specify the work to be done, including the standards to be achieved. They need to see that only competent contractors are invited to tender. When assessing a contractors competence, an Authority can certainly consider, amongst other things, whether the wage rates and conditions likely to be offered by that contractor will be adequate to attract the right sort of staff, given the available supply of full-time or part-time workers in the area. All these are necessary steps to take to ensure that the authority meets its obligation to secure services of the standard required at the lowest cost.

However we consider that it is quite wrong for authorities to go beyond these steps and specify the terms and conditions of service which private contractors should provide for staff working on NHS contracts. There is no sensible basis upon which a Health authority can interfere in this way in the relationship between the contractor and its employees. It cannot be right for Health Authorities to stipulate holiday entitlement, sickness benefits or inflation-proofed pensions as well as wage rates for cleaning and catering companies in their area. Moreover attempts to set wage rates and conditions are likely to be against the interests of the health authority and its patients because the effect will probably be to restrict competition for contracts and to add to any contractors' costs. This in turn is likely to lead to extra costs for authorities. Those extra costs will be to the detriment of patients in that district, because they will have to be found from resources which would otherwise be available for patient care.

It may be that some members of health authorities who have favoured the idea of including a requirement for Whitley terms and conditions in their contracts have done so because they have been persuaded that this was the only way to ensure that standards are maintained if work goes to a contractor. I am quite sure that this view is mistaken, and that, far from being in the interests of the service, imposing these requirements on contractors will simply divert resources from patient care.

Some Authorities may also have been influenced by the argument that the circular itself is not a binding direction in law. This is quite irrelevant and is not any sudden or unexpected discovery. Circulars have always been worded in this way and

we do not draft them to ensure that each circular is a legally binding document. We do not ordinarily expect to have to use the Secretary of State's legal powers of direction as we look upon our Health Authorities as partners in our aim of improving the National Health Service. However we have always expected Authorities to follow Government policies and we are entitled to continue to do so.

I would like you to ensure that Ministers' views are clearly and firmly brought to the attention of any Authorities in your Region which have adopted Whitley wages and conditions requirements for contractors, or are considering doing so. It is most important that they understand that these requirements cannot be in the best interests of patients, and should not be included in tender documents. We look to you in the first place to continue to provide the leadership to the Region which is required to ensure that all Districts, and their hospitals and patients, take full advantage of the tendering policy.

KENNETH CLARKE

Pyridoxine

Mr. Ashley asked the Secretary of State for Social Services if there have been any yellow card reports sent to the Committee on Safety of Medicines regarding adverse reactions to vitamin B6, pyridoxine.

Mr. Kenneth Clarke: Yes. There are 28 products which contain only vitamin B6 (pyridoxine). We have received 29 adverse reaction reports relating to such products. In addition we have received 527 reports relating to combination products containing pyridoxine and other ingredients. It is very important to bear in mind that a report does not necessarily indicate a causal relationship between a product or a constituent of a product and the reported reaction.

Mr. Ashley asked the Secretary of State for Social Services when the Committee on Safety of Medicines or its professional staff last considered the safety of vitamin B6, pyridoxine; and what were the conclusions.

Mr. Kenneth Clarke: The safety of pyridoxine, either alone or in combination products, has been considered by the committee and by professional staff on numerous occasions over the years; it was last considered earlier this year. I am advised that provided products are used in the doses and indications set out in their prescribing literature there are no concerns about their safety.

Drug Trials

Mr. McCrindle asked the Secretary of State for Social Services if he is satisfied with the operation of drug trials, the provision of information concerning risks associated with drug trials to volunteers, and arrangements for compensation in the event of death, illness, or injury to a volunteer as a result of drug trials; and if he will make a statement.

Mr. Kenneth Clarke: We would strongly disapprove of any programme of drug testing which did not comply with existing guidelines. These recommend that volunteers be provided with a full explanation of the proposed procedure, including the risks, and suggest a basis for compensation in the event of drug-induced injury. We are awaiting updated advice from the Working Party set up by the Royal College of Physicians and from the Medicines Commission on what, if any, further control measures are required.

Limited List Prescribing

Mr. McCrindle asked the Secretary of State for Social Services (1) what effect the introduction of limited list prescribing has had since the regulations were introduced; and if he will make a statement;

(2) if he proposes to amend the regulations relating to limited list prescribing; and if he will make a statement.

Mr. Kenneth Clarke: We have been impressed by the smoothness of the introduction of the selected list and recognise that this in large part due to the efforts of the doctors and pharmacists. We hope that it is now generally recognised that the selected list is a very sensible way of making better use of National Health Service resources, without harming patients.

There has, however, been some uncertainty about the circumstances in which scheduled drugs may be dispensed against prescriptions for non-scheduled ones with the same ingredients. Amending regulations were laid yesterday to clarify the position.

Mr. McCrindle asked the Secretary of State for Social Services what is his estimate of the cost savings of limited list prescribing to the National Health Service to date; and if he will make a statement.

Mr. Kenneth Clarke: It is too early to make any estimate of the savings achieved to date from the introduction of selected list prescribing. April prescriptions are still being priced and will not in any case be a reliable indicator of future savings since prescriptions written before 1 April could be dispensed until the end of April.

National Insurance

Mr. McCrindle asked the Secretary of State for Social Services (1) if he will consider excluding employers from paying national insurance contributions for one year for each person employed following their completion of a youth training scheme course; and if he will make a statement;

(2) if he will consider excluding all employers who employ 10 people or less from national insurance contributions for one year; and if he will make a statement.

Mr. Whitney: No. We believe problems would arise when employers ceased to be eligible for such concessions for some or all of their employees. The Government have instead introduced more far-reaching measures to encourage employment generally by abolishing the national insurance surcharge last year, and among young and other lower-paid people in particularly by the system of graduated lower rates of contribution which we propose to introduce on 6 October.

St. Mark's Hospital (Sesquicentenary)

Mr. Sydney Chapman asked the Secretary of State for Social Services whether he or any of his Ministers will be attending any of the functions to make the sesquicentenary of St. Mark's hospital, City road, London.

Mr. Kenneth Clarke: I am pleased to inform my hon. Friend that I look forward to attending the banquet celebrating St. Mark's hospital's 150th anniversary.

Continence Advisers

Mr. Alfred Morris asked the Secretary of State for Social Services, pursuant to the answer of 16 May, about continence advisers, if he will estimate the cost of collecting centrally information on the number of such advisers employed.

Mr. John Patten [*pursuant to his reply*, 21 May 1985, c. *401*]: 'Continence advisers' are not a recognised National Health Service grade, nor are they identifiable from the standard list of occupation codes. By far the greater part of the cost of any special data collection exercise would fall upon health authorities. It is not possible to estimate what the total cost would be, as there would be substantial variations between regions, according to whether their own information systems enabled them to identify these staff, or whether they would have to collect the information by making special enquiries.

Abortions

Mr. Frank Field asked the Secretary of State for Social Services if he will publish data on the number of abortions for each week over 19 weeks for each of the last five years; if he will subdivide the data according to whether the abortion was carried out in a private or a National Health Service hospital; and whether or not the foetus was deformed.

Mr. Kenneth Clarke [*pursuant to his reply*, 17 May 1985, c. *255-6*]: We do not collect information about the condition of the aborted foetus.

The remaining data requested can be provided only at disproportionate cost. However, readily available information is given in the table, which relates to the numbers of legal abortions carried out under the Abortion Act of 1967 which were notified by the end of February following the data year.

Legal abortions (total and non-resident) by period of gestation 19 to 28 weeks; all premises, NHS and private sector for resident only 1981 to 1983 (England and Wales)

1981

Gestation (weeks)	*Total*	*Non-residents*	*Residents*		
			Total	*NHS*	*Non NHS**
19	1,630	731	899	212	687
20	1,315	585	730	280	450
21	577	294	283	113	170
22	720	418	302	89	213
23	489	324	165	35	130
24	276	145	131	34	97
25	63	17	46	16	30
26	62	16	46	21	25
27	14	5	9	5	4
28†	—	—	—	—	—

* Associated with severe fetal abnormality
† Includes operations carried out in the private sector on NHS patients
Note:
In March 1981 a new notification form was introduced which seeks a direct statement of gestation and the basis on which it is derived. Previously gestation was calculated as the number of completed weeks between the stated date of last menstrual period and date of operation.

1982

Gestation (weeks)	*Total*	*Non-residents*	*Residents*		
			Total	*NHS*	*Non NHS**
19	1,792	842	950	237	713
20	1,262	552	710	299	411
21	622	348	274	72	202
22	853	519	334	84	250
23	477	307	170	27	143
24	359	240	119	16	103
25	48	12	36	12	24
26	43	10	33	16	17
27	8	2	6	6	—
28†	3	—	3	3	—

* Associated with severe fetal abnormality
† Includes operations carried out in the private sector on NHS patients

1983

Gestation (weeks)	*Total*	*Non-residents*	*Residents*		
			Total	*NHS*	*Non NHS**
19	1,606	742	864	214	650
20	1,321	659	662	272	390
21	651	321	330	75	255
22	936	579	357	79	278
23	451	291	160	31	129
24	408	257	151	32	119
25	39	5	34	13	21
26	41	5	36	16	20
27	14	—	14	13	1
28†	2	—	2	2	—

* Associated with severe fetal abnormality
† Includes operations carried out in the private sector on NHS patients

DEFENCE

Destroyers

Mr. Proctor asked the Secretary of State for Defence if Her Majesty's Government have any plans for the future building of any destroyers for the Royal Navy; and if he will make a statement.

Mr. Lee: The last Type 42 destroyer, HMS Edinburgh, is still under construction and the earliest ships of the class are expected to remain in service until the mid-1990s. Our programme of replacements for the destroyer and frigate force is based on the Type 23 frigate.

Falkland Islands

Mr. Canavan asked the Secretary of State for Defence whether he will make a statement about his recent visit to the Falkland Islands.

Mr. Stanley: My right hon. Friend visited the Falkland Islands in order to attend the opening of Mount Pleasant airport. His programme also included meeting the civil and military commissioners, local councillors and other Falkland Islanders, and visiting some of the military units.

Mr. McCrindle asked the Secretary of State for Defence when he expects the Falkland Islands airport will be open to civil aircraft; if any Latin American countries have indicated an interest in opening up civil airline services between there and the Falklands; and if he will make a statement.

Mr. Stanley: To enable the remaining construction work to be completed as rapidly as possible between now and early 1986 when the airport becomes fully operational, military and civil flying from Mount Pleasant airport will be limited for that period to Ministry of Defence wide-bodied aircraft carrying service personnel, civil passengers and priority freight, locally-based light aircraft, and possibly the occasional civil charter flight. From early 1986 there will no longer need to be any limitations on civil flights. No approaches to operate civil air line services to the Falklands have been made by any Latin American country to date.

Wood Farm Camp, Malvern

Mr. Pavitt asked the Secretary of State for Defence how many residences on the Wood Farm camp, Malvern, are being retained for long-term requirements; how many of these are now vacant; for how long any of these properties have been unoccupied; and if he will make a statement.

Mr. Lee: Five married quarters are to be retained at Wood Farm camp, Malvern to meet long-term requirements. All these quarters are currently occupied.

Twenty-two quarters and most of the other land and buildings which the camp occupies are to be put up for disposal. Disposal action on some of the property has now started and this will continue until all surplus land and buildings have been passed for disposal. Surplus married quarters will first be offered for sale to Servicemen if they are suitable for individual sale. If no bids are received or if they are not suitable for individual sale, they will be sold on the open market.

USAF Alconbury

Mrs. Clwyd asked the Secretary of State for Defence how many United States service personnel, and how many dependants, are currently stationed at USAF Alconbury; and how many are expected to be stationed there in 1990.

Mr. Stanley: Some 3,200 United States service personnel are currently stationed at RAF Alconbury with some 4,800 dependants. It is not possible at this stage to give more than a broad estimate of numbers in 1990, but on present plans we expect about 4,000 United States service men to be stationed at RAF Alconbury in that year, with about 6,000 dependants.

USSR Missiles

Mr. Wigley asked the Secretary of State for Defence what is the estimated flying limit of the latest intercontinental ballistic missiles between locations in the Union of Soviet Socialist Republics and *(a)* the United Kingdom and *(b)* the United States of America.

Mr. Stanley: The latest Soviet inter-continental ballistic missiles have the range to reach targets throughout the United Kingdom and the United States of America.

Crisis Management

Mr. Wigley asked the Secretary of State for Defence if he will list the changes in crisis management made by his Department since May 1979.

Mr. Stanley: Crisis management arrangements are regularly reviewed and exercised. It would be neither practicable nor, on security grounds, possible to list the detailed changes which have been made to these arrangements since 1979. However, I refer the hon. Member to paragraphs 204-206 of 'The Falklands Campaign: The Lessons'—Cmnd. 8758.

Radiation Exposure

Mr. Frank Cook asked the Secretary of State for Defence what arrangements exist for the payment of compensation in the event of radiation exposure arising from United Kingdom or joint United Kingdom/United States tests at the Nevada test site.

Mr. Butler: No specific arrangements exist and no claims arising from nuclear tests in Nevada have been received by my Department.

Trident

Mr. Ashdown asked the Secretary of State for Defence whether the costs of designing and testing the British-produced Trident warhead are included in the previously announced cost of Trident.

Mr. Butler: Yes.

Mr. Ashdown asked the Secretary of State for Defence whether any tests are planned for the British-made Trident warhead; and if he will make a statement.

Mr. Butler: Joint United Kingdom/United States nuclear weapon tests are carried out at the Nevada test site, as part of the continuing development of our nuclear warheads and are necessary in order to maintain the effectiveness of the United Kingdom's nuclear capability.

Mr. Ashdown asked the Secretary of State for Defence if he will estimate the costs, in relation to the British-produced Trident warhead, of *(a)* design, *(b)* manufacture and *(c)* testing.

Mr. Butler: For security reasons, and in accordance with the long-standing practice of successive Governments, costs of the defence nuclear programme cannot be revealed.

Security

Mr. McNamara asked the Secretary of State for Defence what was the security classification of the blueprints found on the pavement outside Warren street tube station on the night of Tuesday 14 May.

Mr. Stanley: It is not clear to which document the hon. Member is referring. The highest classification of the items in the bag was "Confidential".

Mr. McNamara asked the Secretary of State for Defence what was the security classification of the guided missile operator instructions found on the pavement outside Warren street tube station on the night of Tuesday 14 May.

Mr. Stanley: The operator instructions were classified "Confidential".

Mr. McNamara asked the Secretary of State for Defence what was the security classification of the information contained in the letter headed with the name of a senior naval officer which was found on the pavement outside Warren street tube station on the night of Tuesday 14 May.

Mr. Stanley: A number of letters from senior naval officers were included in the mail bag found outside Warren street station. Some were unclassified; none was classified higher than "Confidential".

Mr. McNamara asked the Secretary of State for Defence what was the security classification of the computer tapes found on the pavement outside Warren street tube station on the night of Tuesday 14 May.

Mr. Stanley: The computer tapes were classified "Confidential".

Mr. McNamara asked the Secretary of State for Defence if he will make a statement concerning the parcels containing classified documents which were found outside Warren street tube station on the night of Tuesday 14 May.

Mr. Stanley: In the early hours of Wednesday 15 May, a Post Office bag, containing Ministry of Defence mail, was handed to the Press Association by three youths who said that they had found it near Warren street tube station. Investigations have since revealed that the bag—part of a consignment being sent by Datapost—had fallen from a Post Office van whilst in transit. It is believed that most of the mail was either unclassified or classified as "Restricted", with a few items classified "Confidential". Although Ministry of Defence security procedures were not breached the van carrying the mail was not properly locked in accordance with Post Office regulations.

Nimrod

Mr. McNamara asked the Secretary of State for Defence when he now estimates that all 11 Nimrod AEW Mk III aircraft will be in service.

Mr. Butler: As I told my hon. Friend the Member for Rutland and Melton (Mr. Latham) on 30 April at column *126*, we are still investigating various options for the further work necessary to bring the project to completion. Until a way forward has been agreed it is not possible to predict when all 11 Nimrod AEW Mk III aircraft will be in service. Our best judgment at the moment, however, is that an operational AEW capability for the Nimrod could be achieved in 1987.

Mr. McNamara asked the Secretary of State for Defence how much the programme to equip the Royal Air Force with the Mk III AEW Nimrod has cost to date; and what he estimates the cost will be by the time all 11 aircraft are in service.

Mr. Butler: By the end of 1984, some £816 million (at current prices) had been spent or committed on the Nimrod AEW project. We are currently assessing various options for bringing the project to completion. Final costs will depend on the option selected.

Shackleton Aircraft

Mr. McNamara asked the Secretary of State for Defence if he is satisfied that the five Shackleton aircraft based at Royal Air Force Lossiemouth can provide adequate airborne early warning of low-level attack by SU-24 and TU-22 aircraft.

Mr. Stanley: As stated in the statement on the Defence Estimates 1985,

"the RAF's AEW Shackletons still make a useful contribution to AEW capability and the air defence of the United Kingdom". (Vol. 1, paragraph 413).

It would not be in the public interest to specify the AEW Shackleton's operational capability against particular Soviet aircraft.

AWACS Aircraft

Mr. McNamara asked the Secretary of State for Defence if he has had any discussions with the United States Defense Department concerning the possible leasing of E-3A (AWACS) aircraft; and if he will make a statement.

Mr. Butler: No.

Field Artillery

Mr. McNamara asked the Secretary of State for Defence how many field artillery regiments serving with the British Army of the Rhine are equipped with 105 millimetre light guns.

Mr. Lee: None.

Mr. McNamara asked the Secretary of State for Defence how many field artillery regiments serving in Germany are equipped with the 155 millimetre FH-70 towed howitzer.

Mr. Lee: None.

Mr. McNamara asked the Secretary of State for Defence how many field artillery regiments serving with the British Army of the Rhine are equipped with the 105 millimetre self-propelled gun.

Mr. Lee: Four.

Mr. McNamara asked the Secretary of State for Defence how many field artillery regiments serving with the British Army of the Rhine are equipped with the 155 millimetre self-propelled gun.

Mr. Lee: Four.

Challenger Tank

Mr. McNamara asked the Secretary of State for Defence how many armoured regiments have so far been equipped with the Challenger tank.

Mr. Lee: Two.

Chieftain Tank

Mr. McNamara asked the Secretary of State for Defence how many armoured regiments are equipped with the improved Chieftain tank.

Mr. Lee: Ten regiments are equipped with the Chieftain tank, which has been steadily improved since entering service. Further improvements, as described in paragraph 420 of the Statement on the Defence Estimates 1985, are in hand.

MCV Armoured Personnel Carriers

Mr. McNamara asked the Secretary of State for Defence to whom the contract for the second batch of MCV 80 armoured personnel carriers has been awarded.

Mr. Butler: No contracts have yet been let for the manufacture of MCV 80 vehicles.

British Aerospace

Mr. McNamara asked the Secretary of State for Defence, pursuant to the answer of 8 May, *Official Report*, column *386*, whether, when the Controller of Aircraft telephoned Sir Raymond Lygo, the managing director of British Aerospace on 15 March to confirm that the company understood that its offer of 14 March was its final offer and Sir Raymond indicated that he did not so understand, any indication was given to Sir Raymond that a further offer from British Aerospace might be accepted by his Department; whether the Controller of Aircraft encouraged Sir Raymond to make a further bid; and if he will make a statement.

Mr. Butler: I have nothing further to add to the answers given to the hon. Gentleman on 8 May 1985 at column *386* and 22 May at column *426*. I would also refer the hon. Gentleman to the answer given to my hon. Friend the Member for Beverley (Sir P. Wall) on 23 May 1985 at column *501*.

EMPLOYMENT

Disabled People

Mr. Wigley asked the Secretary of State for Employment if he will sponsor a research programme into the effectiveness or otherwise of the job quota scheme for disabled people, with particular attention to the attitude of disabled people towards registering as disabled workers and the level of relevant skills for employment to be found amongst unemployed disabled people.

Mr. Alan Clark: Research into various matters affecting the quota scheme is one of the recommendations in the report of a Manpower Services Commission working group which my right hon. Friend and I are currently considering.

Mr. Wigley asked the Secretary of State for Employment what discussions he has had with the Manpower Services Commission on the working party on the jobs quota for disabled people who recently made recommendations concerning the quota scheme; and if he will make a statement.

Mr. Alan Clark: My right hon. Friend has recently received advice from the Manpower Services Commission on the report of a working group set up to consider certain suggestions for improving the effectiveness of the quota scheme within the framework of existing legislation. We are now considering that advice and hope to announce our decision during the summer. Copies of the working group's report have been placed in the Library.

Labour Statistics

Mr. Austin Mitchell asked the Secretary of State for Employment whether he will publish in the *Official Report* a table showing for June each year since 1970 and at the latest available date the number of full-time adult male employees and the number of part-timers, together with the corresponding figures for adult females.

Mr. Alan Clark: The following table gives the available information for each year since 1971; figures for 1970 are not available. The data relates to all males and all females as there is no breakdown between adults and juveniles. Information for male part-time employees in employment is available only from the censuses of employment.

Employees in employment—Great Britain

(thousands)

		Males		*Females*	
		Full-time	*Part-time*	*Full-time*	*Part-time*
June	1971	12,840	584	5,468	2,757
June	1972	12,719	600	5,454	2,877
June	1973	12,813	665	5,542	3,163
June	1974	12,675	689	5,512	3,421
June	1975	12,542	697	5,422	3,551
June	1976	12,398	699	5,366	3,585
June	1977	12,395	681	5,433	3,617
June	1978	12,392	704	5,478	3,688
June	1979*	13,183		5,585	3,870
June	1980*	13,018		5,499	3,941
June	1981*	12,278		5,290	3,817
September	1981	11,511	718	5,304	3,781
June	1982*	11,945		5,121	3,861
June	1983*	11,689		4,951	3,945
June	1984*	11,593		4,940	4,157
December	1984*	11,593		4,957	4,282

*Only figures for all males are available for these dates.

Mr. Skinner asked the Secretary of State for Employment how many *(a)* men and *(b)* women are classified as part-time workers at the latest available date.

Mr. Alan Clark: I shall reply to the hon. Member as soon as possible.

Earnings

Mr. Fatchett asked the Secretary of State for Employment if he will list at the latest available date *(a)* the actual number of male workers earning less than two thirds average male earnings and *(b)* the percentage of the male work force who are earning less than two thirds male average, by region; and what were the corresponding figures for May 1979.

Mr. Peter Bottomley: It is estimated that in April 1984 about 2 million full-time adult male employees working a full week had gross weekly earnings of less than two-thirds of the corresponding national average. The corresponding figure in April 1979 was about 1·75 million. The following table sets out figures in percentage terms by region within Great Britain.

Percentage of full-time adult male employees with gross weekly earnings of less than two-thirds the corresponding national average.*

	April 1979	*April 1984*
South East	13	16
East Anglia	22	26
South West	23	25
West Midlands	14	22
East Midlands	17	25
Yorkshire and Humberside	17	24
North West	16	22
North	16	23
Wales	18	25
Scotland	18	23

Source: New earnings survey.
* Aged 21 and over.

Civil Service

Mrs. Renée Short asked the Secretary of State for Employment if he will make a statement on the outcome of the meeting which he had recently with representatives of Civil Service unions about referral to arbitration of their pay claims.

Mr. Peter Bottomley: My right hon. Friend wrote to the unions concerned on 2 May to tell them that on grounds of public expenditure policy he was unable to refer their pay claims to arbitration.

Racial Discrimination

Mr. Dubs asked the Secretary of State for Employment if he will make a statement on the extent of racial discrimination in employment since the introduction of his Department's code of practice on that subject.

Mr. Alan Clark: My Department's code of practice relates solely to ensuring the confidentiality of data from questionnaires completed in the survey of ethnic origins of staff. The code of practice prepared by the Commission for Racial Equality, which became operative on 1 April 1984, gives guidance on how to eliminate racial disrimination and to promote equal opportunity in employment generally. The commission has recently sent to the Select Committee on Employment a general assessment of the pogress so far made with the code towards these objectives.

Job-splitting

Mr. Pike asked the Secretary of State for Employment what has been the cost of advertising and promoting the job-splitting scheme since its inception.

Mr. Alan Clark: £448,000 since its launch in January 1983, of which £65,000 has been on the printing of leaflets.

EC (Unemployment)

Mr. Foulkes asked the Secretary of State for Employment what discussions he has had with his EEC counterparts concerning unemployment within the EEC; and what steps he has taken as a result.

Mr. Peter Bottomley: My right hon. Friend met Community colleagues on 8 February for informal discussions, and since then has had bilateral meetings with the French, Luxembourg, Irish and Italian Ministers and with Commissioners Pfeiffer and Sutherland. At these meetings we have urged that unemployment should be the top priority, that all new proposals from the Commission to the Council of Ministers should include an assessment of their impact on jobs and that proposals currently before the Council that would increase costs, impose further labour market rigidities and destroy jobs, should be dropped.

Area Manpower Boards

Mr. Thurnham asked the Secretary of State for Employment if he receives reports on the relative performance and efficiency of his area manpower boards.

Mr. Peter Morrison No. The area manpower boards are advisory bodies of the Manpower Services Commission and as such, report to the Chairman of the commission. The commission is currently reviewing the performance and future role of its area manpower boards.

Wages Councils

Mr. Canavan asked the Secretary of State for Employment how many representations he has received about the discussion document on the future of wages councils.

Mr. Peter Bottomley: My right hon. Friend and I have so far received 125 responses to the consultative paper on wages councils.

Easington

Mr. Dormand asked the Secretary of State for Employment what is the number and percentage of unemployed males and females, respectively, in the Easington constituency.

Mr. Alan Clark: The following information is available in the Library. On 11 April 1985 there were 4,044 and 1,733 unemployed male and female claimants respectively in the Easington constituency. Unemployment rates are not calculated for areas smaller than travel-to-work areas.

Fairgrounds

Mr. David Atkinson asked the Secretary of State for Employment if he will list deaths and injuries resulting from fairground accidents for each year since 1970.

Mr. Peter Bottomley: The figures for fairground accidents are not available prior to 1977. The figures for the period 1977 to 1984 are as follows:

Year	*Deaths*	*Injuries*
1977-78 (combined)	8	48
1979	3	34
1980	2	33

Year	Deaths	Injuries
1981	2	55
1982	4	46
1983	3	106
1984	2	106

Unemployment Statistics

Mr. Winnick asked the Secretary of State for Employment (1) if he will list the latest unemployment figures and percentages in each region and the percentage of those in each region who have been unemployed for 12 months and more;

(2) if he will set out the unemployment figures and percentage in each region in May 1979, May 1982 and May 1984 and, in each case, the percentage of those who have been unemployed for 12 months and more.

Mr. Alan Clark [*pursuant to his reply*, 20 May 1985, c. 299]: Following are the figures for April of the years requested (not available for May), together with those for October 1982 on both the registration and claimants bases.

Regional Unemployment

	South East			East Anglia			South West		
	Total unemployed	*Unemployment rate*	*Unemployed over 12 months as a percentage of total*	*Total unemployed*	*Unemployment rate*	*Unemployed over 12 months as percentage of total*	*Total unemployed*	*Unemployment rate*	*Unemployed over 12 months as percentage or total*
Registrants									
April 1979	277,881	3·4	22·4	33,552	4·4	23·3	95,255	5·4	26·5
April 1982	693,118	8·2	27·1	74,179	9·5	27·3	181,670	10·3	29·7
October 1982	778,767	9·0	29·4	79,577	10·2	30·6	197,099	11·1	31·7
Claimants									
October 1982	701,316	9·0	25·5	75,649	10·2	26·6	187,086	11·1	28·3
April 1984	732,611	9·3	33·6	77,491	10·2	33·2	191,194	11·2	32·1
April 1985	784,674	9·9	35·7	81,974	10·8	34·1	205,778	12·0	33·7

	West Midlands			East Midlands			Yorkshire & Humberside		
	Total unemployed	*Unemployment rate*	*Unemployed over 12 months as a percentage of total*	*Total unemployed*	*Unemployment rate*	*Unemployed over 12 months as percentage of total*	*Total unemployed*	*Unemployment rate*	*Unemployed over 12 months as percentage or total*
Registrants									
April 1979	119,328	4·8	28·6	72,139	4·2	27·9	115,747	5·2	28·3
April 1982	346,392	14·2	38·2	177,263	10·6	32·9	274,407	12·7	34·2
October 1982	380,236	15·4	41·0	194,534	11·3	34·7	303,100	13·9	36·6
Claimants									
October 1982	353,443	15·4	36·7	183,013	11·3	32·6	286,792	13·9	33·6
April 1984	340,458	15·1	46·3	191,087	12·0	36·4	285,841	14·0	39·6
April 1985	348,384	15·5	47·1	202,768	12·8	38·9	304,685	15·0	41·6

	North West			North			Wales		
	Total unemployed	*Unemployment rate*	*Unemployed over 12 months as a percentage of total*	*Total unemployed*	*Unemployment rate*	*Unemployed over 12 months as percentage of total*	*Total unemployed*	*Unemployment rate*	*Unemployed over 12 months as percentage of total*
Registrants									
April 1979	192,944	6·2	31·1	113,154	8·0	31·7	84,218	7·1	27·1
April 1982	429,524	14·2	35·4	216,731	16·0	37·8	171,349	15·0	34·8
October 1982	465,560	15·3	38·3	234,275	17·3	39·8	185,086	16·0	36·9
Claimants									
October 1982	425,573	15·3	35·6	224,190	17·3	37·3	171,160	16·0	35·4
April 1984	436,499	15·7	43·1	225,569	17·8	43·2	169,630	15·9	40·7
April 1985	450,378	16·2	44·7	237,425	18·8	45·1	179,693	16·9	42·1

	Scotland			Northern Ireland		
	Total unemployed	*Unemployment rate*	*Unemployed over 12 months as percentage of total*	*Total unemployed*	*Unemployment rate*	*Unemployed over 12 months as percentage of total*
Registrants						
April 1979	175,590	7·3	26·0	60,787	10·0	32·8
April 1982	331,238	13·7	33·0	111,925	18·0	40·0
October 1982	352,750	14·4	36·2	124,144	19·7	41·4
Claimants						
October 1982	327,045	14·4	33·4	113,741	19·7	41·6
April 1984	337,246	14·9	39·3	120,056	20·7	47·5
April 1985	354,514	15·7	39·9	122,292	21·0	50·7

Notes:

(1) The comparisons are affected by the change in the basis of the count in October 1982, and by the 1983 Budget measures which mean that older men, mainly over 60, no longer need to sign on at an unemployment benefit office in order to receive supplementary allowance or national insurance credits.

(2) The regional figures given are all based on aggregations of jobcentre areas since the duration analyses is not yet available from the new ward-based system.

(3) The total unemployment figures prior to October 1982 are given on the registration basis to be consistent with the available analysis by duration. Estimated totals on the claimant basis are however available and have been used to calculate the unemployment rates shown.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 79**

SESSION 1984–85

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SCOPE OF THE INDEX, ARRANGEMENT AND ABBREVIATIONS

This index is derived from the House of Commons Library's Parliamentary On-Line Information System (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc., between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes.

Scope and arrangement of the Index

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Rulings and Statements by Mr. Speaker and his deputies are brought together under the heading Speakers rulings and statements.

Other contributions by Mr. Speaker and his deputies appear under the heading Speaker.

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The date of each item except Parliamentary Questions is inserted immediately before the reference.

Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates etc.* (to include interventions on statements, points of order and so on) or *Questions*.

Abbreviations

Bills 1R=first reading, 2R=second reading, Money res=money resolution, Com=Committee stage, Rep=Report stage, 3R=third reading, amendt/amendts=amendment/amendments, *=matter taken formally, without debate.

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